PARLIAMENTARY DEBATES

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HOUSE OF COMMONS

OFFICIAL REPORT

THIRD SESSION OF THE FIFTY-SECOND PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FORTY-NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1999-2000

COMPRISING PERIOD
3 July—13 July 2000

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3 July 2000

THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT

IN THE THIRD SESSION OF THE FIFTY-SECOND PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 7 MAY 1997]

FORTY-NINTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 353**

FIFTEENTH VOLUME OF SESSION 1999–2000

House of Commons

Monday 3 July 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

The Secretary of State was asked—

Missile Defence System

1. **Mr. Jeremy Corbyn** (Islington, North): What recent representations he has received on the proposed US national missile defence system and its effects on the UK. [127255]

The Secretary of State for Defence (Mr. Geoffrey Hoon): We have received a number of representations recently on the proposed US national missile defence system. The United States President has not yet decided whether to begin deployment of the proposed system. We would not expect a request for the use of facilities in the United Kingdom until after any such decision has been made. We have made it clear that we would consider such a request carefully in the light of circumstances at the time, including the implications for the defence of the UK.

Mr. Corbyn: May I ask the Secretary of State to cast his mind back to May, when the five declared nuclear powers—all of whom are permanent members of the Security Council—stated as their long-term aim the global elimination of nuclear weapons and total disarmament? Does he not think that the American proposal for a national missile defence system, with outlying stations based in the Pacific ocean and the UK, is not only an escalation of the danger of nuclear conflict, but flies in the face of the non-proliferation treaty? Instead of waiting for what President Clinton may or may not decide on Friday, on the basis of whatever tests are going forward, should we not say—here and now—that we shall have no part in any global extension of nuclear weapons or nuclear missile defence systems, but that we shall work wholeheartedly for worldwide nuclear disarmament? Does he not think that the proposed siting at Fylingdales in Yorkshire turns this country, once again, into a nuclear aircraft carrier for the US?

Mr. Hoon: No, he does not. My hon. Friend is getting rather ahead of events. As yet, there is no US proposal as such. The US has not taken a decision and has not made any formal request to the UK. In those circumstances, I do not need to answer his question about Fylingdales.

Mr. David Atkinson (Bournemouth, East): Is the right hon. Gentleman clear about the nature of the long-term threats that motivated the US Congress to pass its national missile defence Act? Does he consider that such threats might apply also to this country and to Europe? Is he aware that the technological and aerospace committee of the Western European Union, together with his hon. Friends the Members for Leigh (Mr. Cunliffe) and for Sunderland, North (Mr. Etherington) and myself, is visiting the US in two weeks' time precisely to investigate those issues and to report back to the Assembly?

Mr. Hoon: The UK recognises US concerns about the threat—specifically that posed in the short term by North Korea. That is why there is a differential reaction in Europe. Inevitably, North Korea could not threaten Europe in the short term. Our current assessment is that there is no significant threat to the UK from weapons of mass destruction. However, I must emphasise that we continue to monitor developments closely. Obviously, we must have regard to the protection of UK interests should such a threat emerge.

Mr. Paul Flynn (Newport, West): Does the Secretary of State really believe that there is a serious threat to Seattle from North Korea, when North Korea has trouble with the missiles it has targeted on South Korea? At this time of rapprochement, does that not mean that what is going on is not a perceived threat, but the perceived greed of the American defence industry, which wants to make more profits from a new arms race which will impoverish the planet even more and put us in great danger? The Secretary of State said that he had received no formal approach from the US. What approaches has he received?

Mr. Hoon: I do not accept the way in which my hon. Friend puts his question. It is not for the UK to make assessments of the degree of threat perceived by the US, but there is a widespread recognition that North Korea is developing a capability that would undoubtedly pose a threat to the US. As for our position, it remains that we do not identify a current threat to the UK. However, it is important both that we monitor the situation and that we ensure that the UK's interests are properly protected.

Mr. Iain Duncan Smith (Chingford and Woodford Green): I have some sympathy for the Secretary of State—I hope that he will accept that remark in the spirit in which it was meant. On one side of him are the US Government and his own Ministry of Defence, who tell him that there is a serious threat and a need to show some leadership on the matter because of the threat from rogue states. On the other side are his own Foreign Office, led by the two CND supremos, his right hon. Friend the Foreign Secretary and the Minister of State, the hon. Member for Leicester, East (Mr. Vaz), and the French Government who are utterly opposed to the proposal. Now we hear that most of his Back Benchers give him no support either. Do we not have the right to expect Her Majesty's Government to show some leadership in this matter—as they would traditionally have done—and to make up their minds? Instead of that, they twist and turn, leaving us with one simple policy, Mr. Micawber's view—they hope something will turn up.

Mr. Hoon: I anticipate that my hon. Friend the Member for Islington, North (Mr. Corbyn) would take as a criticism the statement that he represented the majority of Labour Back Benchers. Let me make it clear that the Government continue to monitor carefully developments of the situation. As yet, there have been no specific or formal requests from the US. There is no division of opinion in the Government on our approach to such matters. It is vital that we should give support to the US, if necessary, while recognising—as the US has done—that it is for the international community to decide on these matters and to make its views known to the US before any decision is taken to deploy.

European Defence

2. **Ms Dari Taylor** (Stockton, South): What progress has been made since the Helsinki summit in improving European defence co-operation. [127256]

The Secretary of State for Defence (Mr. Geoffrey Hoon): The package of measures endorsed by EU leaders at the recent Feira summit marks further practical progress on the European defence policy. In particular, we have successfully taken forward the commitment to improving European capabilities made at Helsinki, and agreed proposals to develop a close European Union-NATO relationship which recognises the key role of European allies that are not members of the EU.

Ms Taylor: Is my right hon. Friend aware of the recent statements made by Strobe Talbott, a member of the Senate Defence Committee? He said that

> the US is for ESDI.

Does my right hon. Friend, like me, also take comfort from the words of Lord Hurd of Westwell, a former Conservative Foreign Secretary? He said:

> I believe that the Government are right, with the French, to try to encourage our fellow Europeans to act together in humanitarian and peacekeeping tasks. I do not see that enterprise as a challenge or rival to NATO.

Will my right hon. Friend state once again in the House that the European security and defence identity does not threaten or undermine the relationships that we have with the United States and that it does not in any way, shape or form alter the fact, the operation or the continuance of NATO?

Mr. Hoon: I am grateful to my hon. Friend. I have great difficulty in understanding why the Opposition persist in decrying this development because any sensible commentator—my hon. Friend has mentioned some—undoubtedly recognises that strengthening the Europeans' contribution to NATO means that NATO itself will be stronger. I do not understand why Opposition Members have difficulty with that concept unless it has something to do with their knee-jerk opposition these days to anything to do with the European Union. In case it does, may I remind them of at least part of their policy? The European democrat group, of which the Conservative party is a member, has said:

> We want to have a defence policy in Europe . . . If we talk about European defence and if we put it into the Treaties then we must be able to fill it out and give it substance so we can have a capability available.

Even the Conservative party does not seem quite sure what its policy is these days.

Miss Anne McIntosh (Vale of York): Can the Secretary of State give the House the assurance that any European defence identity will proceed on the basis of an intergovernmental and not a supranational legal basis?

Mr. Hoon: Yes, I can give that assurance. I assume that, as a former member of the European democrat group, the hon. Lady will approve of the policy that the Government have set out.

Sierra Leone

3. **Mr. Jim Fitzpatrick** (Poplar and Canning Town): How many British troops are deployed in Sierra Leone. [127258]

The Secretary of State for Defence (Mr. Geoffrey Hoon): More than 300 UK military personnel are currently deployed on the ground in Sierra Leone. These include members of the short-term training team, lead elements of the UK-led international military advisory and training team, support and protection elements, the British military liaison officer, and members of the United Nations mission in Sierra Leone and of the Department for International Development-sponsored Sierra Leone security sector reform project. In addition, HMS Argyll and the Royal Fleet Auxiliary Sir Percivale have crews totalling some 240 personnel.

Mr. Fitzpatrick: I thank my right hon. Friend for that response. May I express the appreciation of my constituents—some of whom have relatives in Sierra Leone and others have simply expressed concern about the situation there—for the role that our troops have been playing? Will he advise the House what progress is being made to deal with the illegal diamond trade which is perceived by many as fuelling the civil war?

Mr. Andrew Mackinlay (Thurrock) *rose—*

Mr. Hoon: I am extremely grateful to my hon. Friend the Member for Thurrock (Mr. Mackinlay) for his offer of help.

Britain wants international action to curb the illicit trade in conflict diamonds to be proceeded with as a matter of urgency. A new Security Council resolution on Sierra Leone provides a significant opportunity to focus the international community on addressing the problem and exploring measures to tackle it. Britain is certainly proposing ideas to prevent RUF access to Sierra Leone diamonds and the diamond markets, and to help the development of a regulated and sustainable diamond industry in Sierra Leone.

Surplus Assets

4. **Ms Christine Russell** (City of Chester): What progress is being made in achieving the target for disposal of surplus assets contained in the strategic defence review. [127259]

The Secretary of State for Defence (Mr. Geoffrey Hoon): In the past two financial years, more than £400 million has been realised from the sale of surplus property assets. We are fully on course to achieve the £700 million target for gross receipts which is set out in the strategic defence review. The Defence Logistics Organisation was set a target to reduce the book value of spares holdings by some 20 per cent., and is on target to meet that by 2001.

Ms Russell: I thank the Secretary of State for that reply and congratulate the MOD on achieving its target. May I further congratulate my right hon. Friend on the estates strategy that has recently been published? My constituency has a long military history and therefore significant MOD assets. I noted a strong commitment to sustainability in the strategy. The MOD has announced—I have no criticism of it—that it intends to dispose of Saighton camp on the rural fringe of my constituency. I therefore seek an assurance that it will conduct a full environmental impact assessment, as promised in the strategy, and consult local planning authorities prior to the disposal of that asset.

Mr. Hoon: I was about to say that I suspect—but I know that my hon. Friend knows a good deal more about the site than I do. None the less, I shall certainly ensure that the case is looked at and will write to her in due course. I hope to be able to give her the answer that she seeks.

Mr. Menzies Campbell (North-East Fife): Is not it a rather fragile and inadequate basis for the Secretary of State's budget to depend to such an extent on windfalls from surplus assets? Does he understand that there is great sympathy for him in the House as he prepares, once again, to repel the predatory swoop of the Chancellor of the Exchequer in the comprehensive spending review? Indeed, there is some sympathy for him in the House owing to the fact that briefing against him appears to have started already in this morning's national newspapers. Will he insist in the comprehensive spending review on a settlement that allows the MOD a proper budget, and one that does not rely on speculative returns from surplus assets?

Mr. Hoon: The right hon. and learned Gentleman is wrong to describe asset sales as windfalls. All Departments—the MOD is no exception—must concentrate their activity on areas that they require, whether for training of people or testing of equipment. It is crucial that we retain only those assets that we need at any given time. Therefore, there is a vigorous programme of selling assets, as it is clearly important that land and sites are used for proper purposes rather than remaining redundant as part of our property portfolio. I disagree with him profoundly when he talks of the sale of such assets as windfalls. They are assets that the country can use more effectively than merely leaving them idle on the books of the MOD or any other Department.

Mr. Barry Jones (Alyn and Deeside): Will the comprehensive spending review, to which the right hon. and learned Member for North-East Fife (Mr. Campbell) referred, consider the successor identification friend or foe system, and if it does, as I suspect it will, will there be sufficient funding for it from my right hon. Friend's Department? My constituency, Raytheon and RAF Sealand want to help my right hon. Friend and offer their services on the contract—

Madam Speaker: Order. We are getting quite a way from the original question. I shall try Sir Michael Spicer, who I hope will return to it.

Sir Michael Spicer (West Worcestershire): One organisation that seems to be coming quite close to being surplus to requirements in the Government's mind is the Defence Evaluation and Research Agency. In the light of the Select Committee's report on DERA and its importance to Anglo-American relations particularly, will the Government reconsider their position on it?

Mr. Hoon: The Government have put out a further consultation paper in relation to the proposed sale of DERA. The hon. Gentleman refers to Anglo-American concerns; I assume that what he really means is anxieties in the United States. If he checks the situation carefully, he will find that the United States is content with the latest proposals, so that criticism does not arise. I have studied carefully and discussed with members of the Select Committee their reservations about the proposals. Clearly, we will take that into account before any final decisions are taken.

Mr. Dafydd Wigley (Caernarfon): I welcome the statement of the Secretary of State with regard to the disposal of surplus land and buildings. Will he give an assurance that if there are opportunities to dispose of those in a way that is economically helpful to those communities, he will not stand by the last penny that he can get by holding out, but that he will co-operate with other Departments for the general benefit of those communities?

Mr. Hoon: I can give the right hon. Gentleman an assurance that I may not stand by the last penny, but I shall certainly stand by the last £100 million.

Mr. Peter L. Pike (Burnley): I welcome the progress announced by my right hon. Friend in the disposal of surplus assets. Instead of the cash value, can he tell the House how many housing units have been released and how many acres of land have been disposed of by his Department?

Mr. Hoon: As my hon. Friend knows, the great majority of houses in the possession of the Ministry of Defence are owned by a private company, from which we lease them—a decision taken by the previous Government. We have 63,000 families quarters, but some 53,000 of those are leased from a commercial company. The remainder are owned, and we have a further 20,700 houses in our overseas garrisons, so there is a considerable amount of property. We review it carefully and, as I said earlier, we ensure that we retain only the property that the country needs at any given time.

Army Exercises

5. **Mr. James Gray** (North Wiltshire): If he will make a statement on the Medicine Man exercises which will take place this year at the British Army training unit, Suffield. [127260]

The Minister for the Armed Forces (Mr. John Spellar): Normally, five Medicine Man exercises at battle group level are conducted at BATUS in Canada each year. This year, however, there is only one standard Medicine Man; two have been cancelled because the units originally earmarked are committed to operations in the Balkans, and the final two exercises are being combined into Exercise Iron Hawk. That will be a brigade level exercise and will involve 3,200 soldiers from the lead reconnaissance taskforce and the lead aviation taskforce. It is an exciting development and will be the first time that helicopters have exercised at BATUS on such a scale. It will be an excellent opportunity for the troops involved to operate at that level.

Mr. Gray: Will the Minister join me in congratulating the 250 permanent staff whom we have in the training facility in Canada, which is larger than all the British Army's other training areas put together—a superb facility for training in high-intensity warfare? The Minister speaks about Iron Hawk. Was that not put together at the last minute, to cover up the fact that of the five full battle group exercises that are normally allowed in BATUS, only one can be carried out this year, for two reasons: first, because of overstretch, as the Minister correctly mentions—we simply do not have the troops to go there to take part in an exercise—and secondly, because of budgetary cuts? Is that not a disgraceful waste of one of the finest assets that the British Army has?

Mr. Spellar: The hon. Gentleman has got that quite wrong. Does he think that we should not contribute troops to the international effort in Kosovo and Bosnia? The moneys allocated for Medicine Man 2 and 3 have been put into Medicine Man 4 and 5, which have been combined into a brigade level exercise. That is an enhancement of capability, a better kind of training and, if successful, could well be the template for the future. It is an interesting and successful story, and I am grateful to the hon. Gentleman for giving me the opportunity to draw it to the attention of the House.

Mr. Robert Key (Salisbury): That was a remarkable display of smoke and mirrors. The fact of the matter is that training at BATUS in Canada has been cut, which is bad news when we need to train for high-intensity warfare. Does the Minister recall that the Royal Marines cancelled their winter exercises in Norway? Has he noticed that only a handful of units have had time for biological and chemical defence training? Does he recall that HMS Westminster was pulled off an exercise and sent to enhance the millennium party on the Thames? Is he aware that in the spearhead battalions of the rapid reaction corps, only one in seven Lynx helicopters is fit to fly, and the pilots are queuing up for one-hour trips round the bay to keep their hands in? The Minister must stop the downward spiral. What does he intend to do—cut commitments or increase defence spending?

Mr. Spellar: The hon. Gentleman excels himself. He referred to Lynx helicopters. Let us be clear that there is a technical problem with rotor heads. I suspect that those rotor heads were probably ordered under a previous Conservative Administration. However, armies, air forces and, indeed, airline companies face such inevitable problems.

The hon. Gentleman also mentioned a Royal Marines exercise in Norway. I went there, and several hundred troops were engaged in the exercise, notably the Royal Logistic Corps, which provided the logistics for the majority of the exercise, and the Air Force. The Royal Marines had been detached to other duties. The hon. Gentleman may have noticed that we were rather busy last year. We have been engaged in several operations.

Once again, we have to return to the core question: if Conservative Members keep returning to the Dispatch Box to make points about overstretch, they should tell us what commitments they would cut.

Troop Deployments

6. **Mr. John Bercow** (Buckingham): How many Army personnel are deployed overseas. [127261]

The Minister for the Armed Forces (Mr. John Spellar): Some 32,600 regular Army personnel, including Gurkhas, are currently serving overseas.

Mr. Bercow: I am grateful to the Minister for that reply. Will he accept that the infantry are currently 1,600 men under authorised strength, that the shortages are almost entirely in the lower ranks and that the regular battalion of the Royal Irish Regiment, which is currently 134 men under strength, is worst affected? Has it occurred to the Minister that the crisis in manpower and morale is the direct result of his folly in expecting more from less?

Mr. Spellar: Last year marked a 10-year high in recruitment. The figure for this year is slightly less, but remains extremely good. There are difficulties in retention, and it is surprising that recruitment is so good when unemployment is at a 20-year low. There is traditionally a direct correlation between recruitment and unemployment levels. It is a tribute to our recruiters that they have been able to maintain high recruitment.

There has been an increase in pre-sifting recruits and in sending them for fitness training so that they are better able to undertake training. That is good, because more trained strength is resulting from recruitment, and fewer are falling by the wayside during the recruitment process.

We do not underestimate the impact of many of the difficulties that we inherited, not least housing, which was mentioned earlier. It is a particular grievance of families, and we must address it. We have spent tens of millions of pounds in trying to tackle it. It is a major difficulty, which has an impact on retention. We have been engaged with the Families Federation on the matter. I have reported several times that, through the service families taskforce, we have dealt with many other difficulties that face service families in their engagement with other Government agencies. We have also consulted other Departments and made something happen.

Mr. Andrew Mackinlay (Thurrock): When our armed forces are deployed overseas, what are the rules of engagement when they, perhaps inadvertently, have an interface with outfits such as Sandline and Executive Outcomes? Are there strict instructions about the way in which they should respond and whether they should collaborate? The matter worries many hon. Members as a consequence of the Sierra Leone problems. Those problems also apply to other parts of the world. What instructions are given to our armed forces personnel?

Mr. Spellar: I am not aware that Sandline is operating in Sierra Leone, but my hon. Friend is right to draw attention to the existence of private operations. If our forces are engaged in an operation in support of a Government, they are instructed to report any discussion that arises regarding any private operation. Of course, there is a question about an individual Government's right to engage personnel in support of their own operations which, inevitably, relates to the sovereignty of that country. Our forces are under clear instructions that, should they encounter such groups in any way, they should report that, although, as I said, I have no evidence that Sandline or any other group is operating in Sierra Leone.

Mr. Julian Brazier (Canterbury): It is always a pleasure to follow the hon. Member for Thurrock (Mr. Mackinlay). Will the Minister confirm that the overstretch on the Royal Engineers and Royal Signals in relation to their tour cycle is even greater than that on the infantry? Will he confirm that wastage is so bad that the Army is now at its smallest since the Crimean war? Where, in the list of items that he gave my hon. Friend the Member for Buckingham (Mr. Bercow), does he fit the £11 million cut in married quarters repairs, the horrendous state of our single persons' accommodation and a string of penny-pinching savings, which go right down to failing to repair the Royal Engineers' gym at Chatham so that it cannot be used for fitness training?

Mr. Spellar: I assume that the hon. Gentleman was a Member of the last Parliament when, as I recall, many of the problems that we inherited were building up. I will exonerate him a little as he made a bit of a fight about married quarters, although he buckled at the last minute in the face of the reaction from his Government. However, single living accommodation in particular is an ongoing problem and we are clear that we need to address it fully.

I fully accept the hon. Gentleman's point about numbers in the Royal Signals. He will accept that there has been an explosion in the telecommunications industry outside but, unfortunately, that industry does not see fit to train enough people for its own requirements and is actively recruiting from our extremely well-trained telephone and communications experts in the Royal Signals. That is a tribute to the training that we give but, unfortunately, adds considerable pressure which, of course, is why we are putting a lot of emphasis on the Royal Signals' reserve component. I take the hon. Gentleman's point: we are putting considerable work into the matter, including, as he will know from his constituency area, training Gurkhas in the Signals' role.

Mr. Iain Duncan Smith (Chingford and Woodford Green): The Secretary of State knows that retention is one of the key problems in overstretch, and that morale is a key feature of that. When troops are deployed overseas with their rifles, they ask how they will be supported. Will the Minister therefore explain simply why, when the Government undertook the upgrade programme, they did not insist that it went to the UK, rather than Germany? Was it because the Secretary of State said that he did not care about metal bashing in the UK?

Mr. Spellar: That is a sort of urban myth that the Opposition are trying to propagate—*[Interruption.]* It is not true. The question concerns the capability of BAE Systems and its ability to undertake that work. We had to consider its capability in Germany compared, unfortunately, with its declining capability in the UK which has been a long-standing position. As the hon. Gentleman knows, the main capability, even at Nottingham, was in large systems, rather than rifles.

The hon. Gentleman should really look at how the Conservative Government let that capability run down over the years in which they were in office. If Conservative Members thought that there was a problem with the SA80 which should have been dealt with earlier after the Gulf war, they should have instigated that. However, it is yet another problem that they left us when we came to power.

Mr. Duncan Smith: That is utter nonsense. The Minister should go and talk to the Nottingham facility which believes that it can clearly undertake that work. He is therefore not telling the whole story. Does he not realise that, if what he says is the case, and we lose small arms production in the UK and cannot support such production, our service men will look round and see that their gloves are made in eastern Europe, their combat clothing in Belgium and their boots in Spain and Brazil? They will therefore be able to ask legitimately whether the trading standards officer might not arrive at the door of the Secretary of State one day and say that, under trade descriptions, the British Army should no longer be called British?

Mr. Spellar: What a slur that is on all the British soldiers, who are very much British. About 83 per cent. of clothing orders go to British firms. There have been some headline stories about production going abroad, but actually, a considerable amount of production, of clothing and textiles, for example, has taken place in this country. At the same time, a number of British firms specialising in defence clothing and equipment are securing orders from elsewhere in Europe, under the European procedures.

We are governed by value for money and the European procedures, but we are working with British industry to ensure that wherever possible, it gets the contracts. The success of that policy, ultimately, is shown by the fact that Britain is still a major exporter of defence equipment—it was second in the world last year—and sells to a number of areas.

The hon. Gentleman must say whether he wants to go back to fortress Britain, or to engage successfully in the international defence equipment market. There is a case for looking carefully at whether we are getting fair trading conditions from other countries, and where we are not, for looking extremely closely at orders relating to those countries—but the matter is not as simple as the hon. Gentleman tries to present it.

Aircraft Weaponry

7. **Mr. John Randall** (Uxbridge): Which RAF aircraft are armed with cannon; and if he will make a statement. [127262]

The Minister for the Armed Forces (Mr. John Spellar): Cannon are carried on Jaguar, Tornado and Royal Navy Sea Harrier aircraft. They can also be fitted to Hawk aircraft for training purposes.

Mr. Randall: I thank the Minister for that reply. Does he share my dismay at the decision not to equip the Eurofighter with the Mauser cannon? Has he spoken to RAF pilots about that decision, and if so, what was their response?

Mr. Spellar: May I point out that a number of our other aircraft do not have cannon either? I draw the hon. Gentleman's attention to the letter in *The Daily Telegraph* from Air Vice-Marshal Nicholl, who I presume knows something about aircraft. He wrote:

> It is for that reason that I, not ministers, recommended to the MoD's most senior management group that we put no further effort into the gun.

The role of air-to-air combat aircraft depends on short, medium and long-range missiles. Therefore, cannon are not now an appropriate weapon for such aircraft, which are not for close combat over the channel. The reason is in the world of technology. Cannon have an impact, particularly on the fatigue life of aircraft.

Mr. Quentin Davies (Grantham and Stamford): In talking about close combat, the Minister is trying to bamboozle the House. He knows perfectly well that in recent years cannon have been effective against helicopters, for ground strafing, and, occasionally, against ships. Do the Government not realise that when other European countries that have ordered the Typhoon are taking delivery of it with cannon as planned, and when the United States is fitting a cannon to its latest generation combat aircraft, the F22, and would not dream of doing otherwise, the Government are making a total fool of themselves and of this country by trying to pretend that the RAF will be better off without cannon on the nose of its Typhoon, which instead has a lump of metal as a counterweight?

Mr. Spellar: I think that the hon. Gentleman, who managed to keep just below the excitability level today, gave it away when he talked about ground strafing. This is a very capable air-to-air combat aircraft. That is its role. If we wish to attack targets on the ground, not only do we have a number of other aircraft, we also have the extremely capable Apache.

The hon. Gentleman needs to look at what role the aircraft will have and what advice we took from technical experts in the RAF, who saw that, with increasing capability, and with the distances involved, modern missiles are the key weaponry for that aircraft. Indeed, there is a good argument that says that if a pilot were close enough to be able to line up the cannon, he would have to be head-on to the other craft, which would be detrimental to the evasion tactics and the anti-missile technology that he would want to use. It is all very well for all the amateur technologists on the Conservative Benches to make those comments. We have asked the people who know about the subject, and that is their advice.

Naval Funding

8. **Mr. Nigel Evans** (Ribble Valley): How much funding his Department has allocated to naval operations this year. [127263]

The Secretary of State for Defence (Mr. Geoffrey Hoon): Responsibility for routine operations lies with the Commander-in-Chief Fleet. His cash budget is some £1.1 billion this year. Additionally, the Second Sea Lord and the Defence Logistics Organisation, which are funded separately, provide support and maintenance to the fleet.

Mr. Evans: I thank the Secretary of State for that response but—without blaming the previous Government, as this Government have been in power for three long years—can he say something, if not apologise, for the fact that the Navy has had to borrow submarines from Turkey and Germany for training purposes because it has insufficient submarines for its own needs, and that sailors at the HMS Cambridge gunnery school have been told that to save money, instead of firing live rounds when practising, they should shout "Bang!" into a microphone? That may be the Secretary of State's idea of megaphone diplomacy, but what does he believe it does for the morale of our sailors and our Navy?

Mr. Hoon: The hon. Gentleman needs to get serious. He will know that such training exercises have always been conducted in that way at the very lowest levels in the armed forces. Raising such matters in that way simply cheapens his party's attitude to them. If he complains that such activities are the result of cuts, let me make it clear that his party was responsible for cutting the Navy over a long period from the mid-1980s onwards. The annual budget for the Ministry of Defence was cut each year from 1995–96 to 1997. If the hon. Gentleman is concerned about cuts in the Navy, he should know that his party halved the number of destroyers and frigates, and cut Navy numbers by some 27,000 in that period; given that history, he should not make too many complaints.

Instead, this country's shipbuilding industry can now look forward to the largest programme of new warship construction since the second world war. We plan to procure two new aircraft carriers. We are investing in new type 45 destroyers, new submarines, new ro-ro ferries and new amphibious shipping. We have just ordered two new survey vessels for the Royal Navy—an order that will be worth £130 million for the Appledore shipyard in Devon. That is a programme to be proud of, unlike the series of cuts over which he and his party long presided.

Ms Rachel Squire (Dunfermline, West): With regard to naval operations support, will my right hon. Friend confirm that regular discussions take place with defence manufacturers not only on ship maintenance, refitting and repair facilities, but on promoting defence diversification? Given the job losses that were announced at Rosyth dockyard on Friday—a direct result of the previous Government's decision to remove submarine work from Rosyth—will he reassure my constituents about the Government's commitment to maintaining ship repair and refitting facilities, and promoting defence diversification, in areas still heavily dependent on defence work?

Mr. Hoon: I am grateful to my hon. Friend for the measured way in which she asked her question. Certainly, the Government are concerned about the redundancies that have taken place. They are not connected with any work to consider the problem of overcapacity in warship maintenance and support; that is a matter for Babcock Rosyth Defence Ltd.—the owner of Rosyth dockyard. I understand that its announcement reflects its determination to improve efficiency and restructure its operation, but the Government certainly maintain their commitment to warship refitting, and we want to maintain in an efficient way the facilities that we have available. The key for the future of Rosyth lies in establishing its position as a fully competitive surface shipyard.

Mr. Mike Hancock (Portsmouth, South): Will the Secretary of State give a similar assurance that Fleet Support Ltd. in Portsmouth dockyard will maintain its share of naval repair and maintenance work? Also, if the headquarters of naval operations, at Northwood, is to close and may move to Portsmouth, will some of the savings go into putting more and better crewed ships at sea and providing more operational time?

Mr. Hoon: I cannot give the hon. Gentleman the precise assurance that he requests, because clearly those are commercial matters involving private sector companies, which have to ensure that they are efficient and effective, and secure the work that provides appropriate levels of employment for their employees. However, I can assure the hon. Gentleman that the level of work presently available will continue. Indeed, with the programme that the Government anticipate, I expect there to be work in the long term. However, that depends on each yard being efficient and commercially able to attract the kind of work that it needs to secure employment for its employees.

Former Prisoners of War

9. **Mr. David Winnick** (Walsall, North): When he will make a statement on compensation for former British prisoners of war held by the Japanese. [127264]

The Minister for the Armed Forces (Mr. John Spellar): As I explained to my hon. Friend during the debate on 6 June, we expect to make a decision soon on the matter of further compensation for former British prisoners of war held by the Japanese.

Mr. Winnick: In view of what the Prime Minister has already told the House, can we expect that statement before the House rises for the summer recess? Bearing in mind the terrible brutality that prisoners held by the Japanese suffered, and the fact that 25 per cent. of them never returned, does my hon. Friend accept that there is much support, both in the House and in the country, for adequate compensation? I hope that a favourable decision will be made very shortly. Let us follow what the Canadians have done.

Mr. Spellar: As my hon. Friend knows from several debates and questions on the subject, the Government fully recognise the bravery of those who were held as prisoners of war in the far east, and elsewhere, during the second world war and in subsequent conflicts. From meetings with the Royal British Legion, the Prime Minister and my hon. Friend the Under-Secretary of State, he also knows of our great sympathy for their suffering and that of their families. From previous replies, he is aware that the matter is still under consideration by the Government. No conclusions have yet been reached, and we are therefore unable to give a date on which an announcement will be made.

Mr. Martin Bell (Tatton): Does the Minister accept that this is a matter not of money but of honour, and of giving recognition to people who made sacrifices and endured ordeals that we cannot begin to imagine? That takes time, granted—but surely too much time has already passed. How can the Government say no?

Mr. Spellar: At this stage I can only reiterate what I said to my hon. Friend the Member for Walsall, North

(Mr. Winnick): those matters are still under consideration and no decision has yet been made. We hope to make an announcement soon, but I cannot put a time on that at the moment.

Dr. Julian Lewis (New Forest, East): Does the Minister accept that the prisoners of the Japanese are in a separate category because they were the subject of war crimes? I am reading the autobiography of Mr. Bill Griffiths, who while a prisoner of the Japanese was subjected to a war crime that cost him both his eyes and both his hands. How does the Minister think Mr. Griffiths feels about the compensation culture in this country, which pays out huge awards to people whose feelings have been hurt by careless remarks made at work, to service women who have become pregnant and cannot fulfil their duties, and to policemen who suffer stress caused by doing their duty? How do the far east prisoners feel when such payouts are made for situations that do not begin to compare with what they suffered?

Mr. Spellar: Yes, I fully understand those sentiments. However, I should point out that many of the circumstances have existed for much of the time since 1955, when a previous Conservative Government decided not to proceed further. I should also point out that the Conservative party was in power for 18 years and chose not to make a decision. These are difficult issues—*[Interruption.]* It ill behoves Conservative Front Benchers who were Members of the House in that period, and did nothing, to shout out. These are complicated issues, which is why the discussions between Departments are taking some time—but we still hope to make an announcement soon.

Defence Medical Services

10. **Dr. Brian Iddon** (Bolton, South-East): How many extra personnel the Government aim to recruit to the defence medical services over the next three years. [127265]

The Minister for the Armed Forces (Mr. John Spellar): We aim to recruit some 3,300 regular personnel into the defence medical services over the current financial year and the next two financial years. However, recruiting targets are dynamic and could be subject to change. The figure of 3,300 includes all trades and specialties within the medical and dental fields, and covers recruiting into training, as well as direct-entry qualified personnel.

Dr. Iddon: Will my hon. Friend confirm that by contrast, the Conservative Government had planned a massive £600 million cut in the defence medical services budget? Does that not illustrate their attitude towards not only the defence budget but the national health service? I say that because I am aware of the enormous amount of work carried out for the NHS by defence medical services staff in peacetime.

Mr. Spellar: I thank my hon. Friend; he is absolutely right. The real tragedy of the notorious defence costs study 15, which slashed the defence medical services, is that the long training times required for medical specialties mean that it takes an enormous amount of time and effort to retrieve the situation, particularly when the demand for health services elsewhere in the country is rising. I am pleased to say that in several areas, the number of people undergoing medical training has increased, and we shall work with the NHS in that regard.

There is also the question of reserve forces and reserve medical services. I am pleased to say that my hon. Friend the Under-Secretary has had a meeting with his opposite number in the Department of Health to ensure maximum co-operation between the NHS and the defence medical services, both regular and reserve.

Mr. Peter Viggers (Gosport): It is easy for the Minister of State to say what he hopes for, but what are the facts? What has been the effect on recruitment and retention of the proposed closure of the only tri-service military hospital, at Haslar hospital in my constituency? Can he confirm or deny that that decision was so serious that our forces' ability to deploy overseas is now seriously constrained by a shortage of medical staff?

Mr. Spellar: The hon. Gentleman will be aware—he certainly should be from the number of parliamentary answers that I have given him on the subject—that the closure of Haslar was driven mainly by the difficulties in retaining training accreditation from the various royal colleges in their specialties, precisely because of the level and variety of throughput. Indeed, that has been the experience of other separate medical hospitals, including those that have now gone into national health service hospitals. I have spoken to the staff who have made that transfer and they say that, although in the medical units within the hospitals the work is harder, it is more fulfilling and professionally much more satisfying. That reflects the judgment of the medical colleges, from which we were in danger of steadily losing accreditation because of the level of throughput.

As I have told the House a number of times, many small hospitals face that problem, and it has affected those medical hospitals. Not only have those changes been welcomed, but there has been considerable interest in, and welcome for, the centre for defence medicine, based at Birmingham university, which will also provide an excellent facility.

Mrs. Linda Gilroy (Plymouth, Sutton): May I welcome my hon. Friend's statement? He will know of the vital and valued service provided by royal naval hospital staff at Plymouth Derriford. He will also probably know of the recent announcement that there is to be a new medical school, the Peninsula medical school, based in Plymouth and Exeter. Can he confirm that the co-operation with the NHS that he was talking about will extend to working with that new medical school? The extra investment will mean that 100 of the 1,000 extra doctors in training in the NHS will be trained in Plymouth and Exeter.

Mr. Spellar: I welcome not only that, but the expansion into East Anglia, which is another area that has not traditionally had a medical training facility. That is good news for the country because of the extra number of medics, and it is good news for those areas. There has also been an expansion into the black country, based on Birmingham university. Again, that means medical training in areas that had not previously experienced its benefits, and we shall work with the health service in that regard.

When I was at Derriford a few months ago, I talked to our people on the naval side, and to people in the hospital administration. They were keen to have the medical training facility, and to work with our naval people in a combined operation. There were some initial teething troubles, but the two systems began to mesh, and they are now working extremely well, to the mutual benefit both of the people of Plymouth and of the Royal Navy. I am sure that that will be true in other centres as well.

Territorial Army

11. **Mr. Christopher Fraser** (Mid-Dorset and North Poole): What the current strength is of the Territorial Army. [127266]

The Minister for the Armed Forces (Mr. John Spellar): The latest available official figures give the total strength of the Territorial Army as 43,334.

Mr. Fraser: Does the Minister accept that if there is to be a recruitment campaign for the Territorial Army, he must first deal with the severe morale and retention problems that have devastated the TA because of the misjudged cuts that the Government have made?

Mr. Spellar: The hon. Gentleman will be surprised to know that I do not accept that analysis. I repeat the fact that we reoriented the focus of the Territorial Army away from the cold war features, which were primarily intended to provide reinforcement in a conflict in central Germany and to protect key installations in this country. We wanted to move to territorial, or, indeed, reserve forces. Reference is always made to the TA, but there has been an increase in Navy, Air Force and Marines reserves. We wanted to reorient the TA, in particular, as a force that is usable and used, and that is what we have been successfully undertaking.

We have visited several TA units that are working on that programme. They do not fit the picture of low morale that the hon. Gentleman describes, although I fully accept that there has been concern and dissatisfaction on the infantry side in some areas, and we are working with those units to repair that situation. The hon. Gentleman should consider the other side of the picture, in which a number of support services are getting new equipment, and morale is good.

Naval Procurement

12. **Mr. David Heath** (Somerton and Frome): What progress he has made in the procurement of *(a)* new aircraft carriers and *(b)* future carrier-borne aircraft. [127268]

The Secretary of State for Defence (Mr. Geoffrey Hoon): Competitive assessment contracts to develop design options for the future aircraft carrier, each worth up to £30 million, were awarded in November 1999 to BAE Systems and Thomson-CSF Naval Systems. The carriers will form the principal platform for the joint Royal Navy and RAF future carrier-borne aircraft and the future organic airborne early warning system. We are assessing options for the FCBA and a decision is planned for later this year. We are in the early stages of discussions with industry on the early warning system.

Mr. Heath: Given the vital importance of the aircraft carriers to the future expeditionary policy, and given that the two procurement programmes go together, the platform must be designed for the aircraft and the aircraft must be designed for the platform. What is the time scale for the future carrier-borne aircraft? No one wants a bodged last-minute "marinisation" of an aircraft designed for land-based use.

Mr. Hoon: The hon. Gentleman is right that it is necessary to consider both the decisions together. Although two teams are considering the two issues separately, they work closely together. The three designs under consideration for the two aircraft carriers reflect the three types of aircraft that could be embarked on the carriers. As this work is complex and depends on ensuring that both decisions proceed in parallel and complement each other, the assessment phase will be complete in 2003, when bids for the demonstration and manufacture phase will be delivered. That will inform a decision by Ministers in late 2003, with contract placement for the carriers planned for 2004.

Mr. Lindsay Hoyle (Chorley): Will full consideration be given to Eurofighter, especially a Fleet Air Arm version, which would not only provide jobs in the north-west but give a further role to a much needed aircraft?

Mr. Hoon: Certainly a version of the Eurofighter is one of the candidates.

Mr. John Wilkinson (Ruislip-Northwood): Her Majesty's Government have already put funds into the joint strike fighter. Given the need for transatlantic defence co-operation and the huge market for the aeroplane in the United States armed forces, as well as, potentially, in our own, is it not important for the Government to take advantage of the investment that has already been made?

Mr. Hoon: The hon. Gentleman is right. There are a number of other options, including two versions of the joint strike fighter. They will certainly be strong contenders.

Point of Order

3.30 pm

Mr. James Clappison (Hertsmere): On a point of order, Madam Speaker. Have you received a request from a Minister in the Foreign Office to be allowed to give the Government's response to the recent news of the conviction of 10 members of the Jewish community in Shiraz, Iran, and of their sentencing to terms of imprisonment of between five and 13 years, following a trial that was widely accepted to have violated the principles of justice—not least the principle of open justice? Such a statement would also give the Government an opportunity to say whether they share the deep concern expressed today by President Clinton.

Madam Speaker: I have received no notification that a Minister is seeking to make a statement today.

Opposition Day

[16TH ALLOTTED DAY]

Prisoners (Early Release)

Madam Speaker: I have selected the amendment in the name of the Prime Minister.

3.31 pm

Miss Ann Widdecombe (Maidstone and The Weald): I beg to move,

That this House condemns the Government's policy of giving prisoners special early release on the Home Detention Curfew scheme; deplores the fact that more than 20,000 convicted criminals, including thousands of drug dealers and traffickers, robbers, burglars and violent offenders, have been released from prison under the scheme before serving even half the sentences they were given by the courts; regrets that child sex offenders and others have been released on the scheme before serving the minimum period required by law and contrary to the explicit assurances given to the House by Ministers; notes the contradiction between the recent comments of the Home Secretary and the Prime Minister's spokesman that violent criminals should serve longer prison sentences and the Government's policy that has resulted in the special early release of thousands of violent criminals on the scheme; calls on the Home Secretary to act on his word and end the release of robbers and other violent criminals on the scheme immediately; calls for the scheme to be abolished completely; and calls on the Home Secretary urgently to clarify the Government's prisons policy.

For all their rhetoric, the Prime Minister and the Home Secretary have not shown the toughness on crime that they promised to show. The more desperate they get, the bigger fools they make of themselves; but the electorate, at least, can no longer be fooled. The facts are that police numbers have fallen by more than 2,300 since the Government came to power, the number of constables has gone down, and crime—especially violent crime—is on the rise once more, after the substantial falls brought about during the last Parliament.

One of the Government's responses to a rising crime rate is to resort to gimmicks, such as the Prime Minister's announcement of £100 spot fines, which senior police officers are queueing up to describe in the media as ludicrous and ridiculous. This was the usual exercise of headlines and spin, reannouncements of old policy, and gimmicks designed to grab a cheap headline. I am sure that the Prime Minister hopes that the fines will not go the way of his other gimmicks, such as the child curfew orders. After 20 months, we are still waiting for one to be used.

On this occasion, the Prime Minister has made an utter fool of himself. He has solemnly proposed that a policeman should approach a drunken yob and demand a £100 fine. When said drunken yob has managed to straighten himself enough to explain that he does not have £100 on him, the policeman—according to the Prime Minister—will accompany him to a cash dispenser, where he will in his drunken state instantly recall his PIN and solemnly produce his bank card, then withdraw £100 and give it to the officer. If that is the best that the Prime Minister can manage in the face of rising crime, it is pathetic.

Mr. Douglas Hogg (Sleaford and North Hykeham): Will my right hon. Friend include in her criticism of the

Prime Minister the point that that is manifestly incompatible with the European convention on human rights, which the Home Secretary recently incorporated into our law?

Miss Widdecombe: The Prime Minister, however, does not concern himself with details like that. He just wanted a quick headline. He just wanted to say something that sounded tough, regardless of whether he could implement it—never consulting the police, never asking whether the measure was practical and never testing his proposal. He just wanted a "Let's sound tough" headline, which has rebounded thoroughly and deservedly on him.

The Home Secretary will probably be relieved that we are not debating those fines today. Opposition Members would love to do so, but I am afraid that they had not been announced when we tabled the motion, so we are going to debate another of the Government's responses: letting more and more prisoners out of jail earlier and earlier.

Mr. Simon Hughes (Southwark, North and Bermondsey): As the right hon. Lady knows, I do not always agree with her. However, on that general issue, and before she moves on to address the specific issue of this debate, let me ask her a question. Is she aware that the Prime Minister's announcement to the academics of Tübingen—who might not have been overly interested in that particular bit of ethical, theological or international political reflection—was made without information on it being passed to the Home Office? On Friday, the Home Office said that it knew nothing about the proposal, and, therefore, could not comment on it.

Miss Widdecombe: I do not think that I want to intrude on the private grief of this very unjoined-up Government—let us spare them any more blushes. I notice, however, that no Labour Members have jumped up to defend that ludicrous policy and that ludicrous announcement. They have failed to do so because, of course, they have absolutely no defence. Even those who are in places that we cannot see are falling apart laughing.

The far more dangerous policy, which we should be discussing now, is that of prisoners coming out of jail early. The Home Secretary's special early release scheme has seen more than 20,000 convicted criminals released before serving even half the sentence that they were given in court. Of course, it is likely that the up-to-date figure is substantially higher than that—I would estimate that it is probably about 23,000—but I am unable to say that certainly because, so far, there has been no answer to the parliamentary question tabled by my hon. Friend the Member for Aylesbury (Mr. Lidington), although he tabled it for answer two weeks ago.

Those who have been released on the scheme may be so-called short-term prisoners, but they are definitely not minor criminals. They are criminals guilty of some of the very worst crimes, such as manslaughter, attempted murder, drug dealing, violent assaults, robbery and burglary. They have been given the "get out of jail free" card by the Prime Minister and the Home Secretary. Criminals sentenced by the courts to six months are getting out of jail in just six weeks—tough on crime, indeed.

Opposition Members completely support the use of electronic tagging, but not as a substitute for serving the right jail sentence. Indeed, we pioneered tags in the face of opposition from Labour Members. What we do not support is the Government's decision to hide behind tagging to let tens of thousands of criminals out of prison before they have served even half the sentence handed down by the courts. We have made that crystal clear from day 1.

When the Home Secretary first announced that ludicrous policy, in November 1997, my right hon. Friend the Member for North-West Cambridgeshire (Sir B. Mawhinney) said:

> Today, we have seen a significant shift in this country's penal policy . . . when this bit of the crime and disorder Bill comes before the House, we will resist it.—[*Official Report*, 20 November 1997; Vol. 301, c. 456.]

And we did.

When the Bill came before the House, my hon. Friend the Member for Ryedale (Mr. Greenway) said:

> We oppose the early release of prisoners under the scheme.

He also said that

> what the Government are doing is wrong.—[*Official Report*, 23 June 1998; Vol. 314, c. 925-28.]

Therefore, the Home Secretary's previous attempts to portray this as a policy supported by the Opposition are every bit as bogus as his fiddled pledge on police numbers.

Today's debate is all the more relevant in the light of the recent comments of both the Home Secretary and the Prime Minister's spokesman. During the policing of London debate, 10 days ago, the Home Secretary told the House:

> We want to send a clear message to violent criminals that they can expect the stiffest penalties if they commit robberies or other street crimes.—[*Official Report*, 23 June 2000; Vol. 352, c. 560.]

The Home Secretary told the House that he could see no justification for the over-lenient sentences being imposed for robbery in the Crown court. However, he knows very well that he himself has let hundreds of robbers out of prison before serving even half their sentence. What is the point of condemning the courts for over-lenient sentences when, by his personal decree, even those that they give are not served?

When I called on the Home Secretary, in the light of his comments, to stop letting robbers out on his special early-release scheme, he wrote to me saying that his "tough stance on robbers" was not inconsistent with continuing to allow them to serve less than half their jail terms. He said that he saw

> no justification for the automatic exclusion of robbers

from the special early-release arrangements. Indeed, he tried to justify his policy by arguing that he was not really releasing serious robbers—only minor robbers.

The Home Secretary wrote that

> the average sentence length of the convicted robbers placed on home detention curfew was just over two years, which is well below the current average of three years. Without detracting at all from the seriousness of each individual crime, I think you will nonetheless agree that this gives an indication of the relative seriousness with which the courts regarded each of the offences in question.

However much the Home Secretary tries to wriggle out of the situation that he has created, he has palpably failed to ensure that robbers have faced the stiffest penalties. Some 811 convicted robbers were released on his scheme up to 30 April this year. The average sentence given to them by the courts was 26 months. The average sentence

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served was just 11 months. Far from ensuring stiffer penalties, that is ensuring lighter penalties. The courts are not to blame—he is to blame.

The Home Secretary has made it clear, with considerable effrontery, that the policy will continue. On Thursday, *The Sun*—a splendid paper, which appeared to have been briefed extensively by the Prime Minister's spin doctors—reported:

> New figures show that there are 4,000 "vacancies" in Britain's jails.

No doubt the Home Secretary will explain exactly to the House what these new figures are. If there are 4,000 vacancies and if the Prime Minister really is so committed to seeing violent and serious criminals locked up, why not use half of those spaces for the 2,000 criminals who, even as we speak, are on special early release?

Are there indeed 4,000 spaces? Why are there 4,000 spaces? Where are the 4,000 spaces? I was surprised when I read that story and I will give the Home Secretary every opportunity to tell us whether it was a mistake. Does he want to correct it from the Dispatch Box now? Apparently not.

A spokesman was reported as saying:

> There is a growing problem with violence in Britain. The Prime Minister is convinced there is only one way to deal with it and that is to send the message that those responsible will be caught and put away for long periods. There is no excuse for dealing with the situation in any other way.

Perhaps the Prime Minister's office might like to have a word with the Home Secretary's office, because that has not been the Government's policy up to now. I was under the impression that the Government's thinking on prison sentences was summed up by the words of the Under-Secretary of State for the Home Department, the hon. Member for North Warwickshire (Mr. O'Brien), who said:

> We should not make a totem of the length of time spent in prison.—[*Official Report, Standing Committee B*, 4 June 1998; c. 697.]

No doubt the Prime Minister's spokesman will be seeking an early opportunity to have a quiet word with the Under-Secretary and hear his excuses.

The Government's actions in releasing thousands of violent criminals early fly in the face of the Prime Minister's personal promises and those of his Ministers. Perhaps the Prime Minister—who promised in his manifesto to support the police—took time today to explain to the chief constables attending his so-called crime summit exactly why his Government have allowed out more than 100 criminals convicted of assaulting police officers on his special early release scheme, and why he ordered Labour Members to troop into the Lobby on 12 July to support that policy and to vote against the Opposition's amendment to stop it? Perhaps he will now order them to present themselves within seven days at their local police stations to explain their actions. That was yet another kick in the teeth from the Labour Government for the men and women of our police service.

Did the Minister of State, Home Office, the hon. Member for Norwich, South (Mr. Clarke), tell the chief constables why, after he called over the new year for dangerous drivers who killed to be locked up for life, the Government have allowed more than 100 of them to serve less than half their sentences? Perhaps the Prime Minister—who promised to fight the drugs menace—told the chief constables why thousands of drugs dealers and traffickers have been let out of jail on special early release. Or did the Home Secretary explain why, when the Government have in recent days promised—yet again—to crack down on violence and yobbery, hundreds of violent yobs, convicted of affray and even violent disorder, have also been let out early on the special early release scheme?

The Government's prisons policy is a shambles. Far from being tough on crime, they have let out more than 20,000 convicted criminals to the comfort of their own homes. We even heard yesterday of one prisoner being let out on the scheme having been tagged on his wooden leg. He substituted the tagged leg for another false leg and went out drinking until all hours. Home Office business as usual. Dozens of criminals have been tagged and let out early, and have disappeared completely.

Dr. Julian Lewis (New Forest, East): In this lighter mood, does my right hon. Friend think that the new haircut being sported by the Minister of State is part of the Government's attempt to acclimatise society to what we can expect when more and more people are released early?

Miss Widdecombe: I had better let the Minister speak for himself on that score. The hairstyles of Members on both sides of the House have recently come in for some comment.

Mr. John Bercow (Buckingham): My right hon. Friend referred to drugs. Given that—quite apart from statements by the Prime Minister—the Labour manifesto promised a battle against drugs and gave a commitment to tackle the modern menace of drugs in our communities, is it not a particular disgrace that no fewer than 2,767 drug dealers have been let out early on the Government's ridiculous scheme?

Miss Widdecombe: It is a disgrace, and it is proof positive of the utter cynicism that the Government bring to the serious subject of maintaining law and order.

Other aspects of the problem deserve the House's attention. Despite the so-called vacancies in our prisons, and despite the early release of thousands of prisoners, which is the Home Secretary's response to a rising prison population, conditions in our prisons are not improving. Despite the valiant efforts of the Prison Service, overcrowding is up, with an increase in the percentage of prisoners sharing two to a cell designed for one. If the Home Secretary could give them to me, I would be grateful for the numbers sharing three to a cell designed for two, because they are not up to date. Slopping out has reappeared in some of our prisons.

The rate of purposeful activity has declined significantly from more than 26 hours five years ago to around 23 hours today. If one puts criminals in prison, a proper effort must be made to rehabilitate them, or the result is more crime and another sentence. The Government's policy appears to be fewer purposeful hours and earlier and earlier releases. One wonders why the Home Secretary puts people in prison at all.

Distressingly, suicides in our prisons have also increased, alarmingly so—from 59 in 1995 to 91 in the last calendar year. During the debate on the Criminal

Justice and Court Services Bill on 12 June, the Minister of State said that the early release scheme

has had a highly successful performance record in the 16 months since its implementation.—[*Official Report*, 12 June 2000; Vol. 351, c. 659.]

However, more than 700 further crimes, which include rapes, burglaries, assaults, threats to kill and drug dealing, have been committed by prisoners released on the scheme while they should still have been in jail. Is that a highly successful implementation? It does not say much for the Government's much-vaunted risk assessment or for the chief inspector's analysis that the scheme works because we can monitor what the released prisoners are doing. No. We can monitor where they are—not what they are doing.

What does the Home Secretary have to say to the 700 victims of crime, who have been subject to what must, in some cases, have been horrendous ordeals as a direct result of his allowing those people to out on the loose when the courts said that they should be in jail? He has taken responsibility for the policy. He must take responsibility for its effects.

Mr. James Clappison (Hertsmere): My right hon. Friend has spoken about new victims, but how does she think that old victims will feel when the people sentenced to long periods in prison for the offences that they have committed suddenly appear on the streets after serving only a fraction of their sentences?

Miss Widdecombe: My hon. Friend is absolutely right to ask that question, which highlights why the Government's policy is such an insult and such a cynical way to treat victims. The Conservative party is pledged to introduce honesty in sentencing so that the sentence that victims hear being given will be the sentence that prisoners serve.

The Home Secretary has betrayed the police. He has also betrayed the victims of crime by letting criminals out on his scheme. He has hit the public with a double whammy, allowing hundreds of criminals to commit further crimes when, but for his policy, they would have been locked up.

Mr. Gerald Bermingham (St. Helens, South): I thank the right hon. Lady for giving way, and I declare an interest as a practising lawyer. Will she explain, to someone as old and tired as I am, why her party when in government was so keen to increase the remission period from one third to one half? That let thousands of people out of prison before their original sentences were complete. What is the difference between that policy all those years ago, and the current policy of trying to get people rehabilitated in the community?

Miss Widdecombe: The hon. Gentleman said that he was old and tired. He is living in the past. The policies that I have announced today are our policies now. *[Interruption.]* If the Government want the Conservative party to justify past policies, let them justify past Labour policies. Let the Home Secretary tell us why he has changed his mind on trial by jury and on the numbers in prisons. Let the Home Secretary tell us why he has changed his policies on illegal working. Let the Government explain why, in the past, they have had policies that they have changed now.

The fact is that the policies of the previous Conservative Government brought about a sustained and significant fall in crime. All that the Home Secretary has delivered is a rise in crime.

The Secretary of State for the Home Department (Mr. Jack Straw): I am always happy to justify any changes in approach that I have adopted when those changes are put to me accurately. As far as I could hear the right hon. Lady's extraordinary rant, nothing that she said could be described as that. My hon. Friend the Member for St. Helens, South (Mr. Bermingham) asked about the remission changes announced in 1989 by Lord Hurd, when he was Home Secretary, and introduced some months later. The right hon. Lady was a supporter of that Conservative Government. Is she saying now that Lord Hurd got that policy completely wrong? If so, will she say why she and the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) never changed that policy when they were in office?

Miss Widdecombe: If we were to go back to 1989, the Government would have some interesting policies to answer for. That was before the Prime Minister decided to change all Labour's policies because the party could not win elections with the ones that it had. The Labour party had lost three elections in a row, and its policies meant that it did not have the confidence of the electorate. I should be quite willing to rehearse all the policies that the Labour party has overturned since 1989—on defence, Europe, and law and order—but the electorate are interested in 2001. The next general election cannot come soon enough for them, as they cannot wait to get rid of this incompetent Prime Minister and Home Secretary.

Mr. Straw: Will the right hon. Lady now answer a simple question, which she has so far refused to answer? If she disagreed so fundamentally with Lord Hurd's approach, why did she not change that approach—[HON. MEMBERS: "She did."] No, she did not. The Criminal Justice Act 1991 stayed in force and the two thirds remission stayed at a half. Why did she not change it?

Miss Widdecombe: We did. The right hon. Gentleman must have the shortest memory of any Labour Member. Does he remember the honesty in sentencing proposals that we introduced and had ready to put into law, and that he overturned in his first few weeks as Home Secretary? I remember asking him from the Back Benches whether the Home Secretary had therefore abandoned honesty in sentencing, and he said yes. So we did change the policy—my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) changed it. It was opposed by the right hon. Gentleman, so we are being consistent, because we will reintroduce it when we are elected next year. We have been totally consistent, and the right hon. Gentleman has not.

Mr. Straw: Will the right hon. Lady give way?

Miss Widdecombe: Once more.

Mr. Straw: I am grateful to the right hon. Lady.

Miss Widdecombe: Three strikes and you are out.

Mr. Straw: Three and I am in. Will the right hon. Lady now own up to the fundamental flaw in her so-called

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honesty in sentencing approach? The provisions in the Crime (Sentences) Act 1997 would have made no difference whatever to the length of sentence laid down in the 1991 Act.

Miss Widdecombe: If the right hon. Gentleman had been listening, he would know that I said to my hon. Friend the Member for Hertsmere (Mr. Clappison) that the virtue of honesty in sentencing is that the sentence that the victim hears handed down will be the sentence served.

Mr. Simon Hughes: Will the right hon. Lady give way?

Miss Widdecombe: This is absolutely the last time.

Mr. Hughes: This is a very important point. Will the right hon. Lady give us a simple answer on honesty in sentencing? Does she expect, that if her policy were implemented, longer sentences would be served on average and in total? What would be the effect on the number of people in prison?

Miss Widdecombe: The sentence served would be the sentence handed down. Judges would be expected to take into account what they would have expected someone to serve. At present, a judge will sentence someone to five years, meaning two and a half. In future, he will say two and a half and he will mean two and a half.

In deliberately letting thousands of convicted criminals out of jail before they have served less than half their sentences, the Prime Minister and the Home Secretary have shown the House and the country exactly what their promises to be tough on crime were worth. They have been tough on crime fighters and soft on criminals. Their special early release policy is an insult to the police, the victims of crime and the people of this country. That is the way in which the Labour Government conduct themselves in office.

The Government swagger and they posture; the Prime Minister grins and he spins. The rhetoric of the Government is as vainglorious as any action that they take is vacuous. The fact remains that none of the Government's flagship policies on crime has worked. There are no child curfew orders—only a handful of anti-social behaviour orders. Prisoners are let out early, despite all the tough talk about the sentences that the courts should set. Those responsible for arresting criminals are reduced to the point at which they can hardly take any sensible action because there are simply not enough of them to do so.

It is a shambles of a record. What baffles me is that the Home Secretary, who, when he started in office, used at least to admit when things were going wrong, has recently taken to pretending that everything is absolutely fine. He calls a policy that results in 700 crimes being committed while their perpetrators should have been in jail, but who were out only because he decided that they could be, a successful implementation. It is cynical, it is disgraceful, and it is a betrayal of victims.

The change in government, which I believe will happen, cannot come soon enough. When it comes, criminals will serve the time that the judges have said that they should serve. No criminals will be released early just because it is an easy way of coping with a rising prison population. If we have a rising prison population, we will build the necessary prisons to house that population, as we did before. We will ensure that prisons are purposeful and worthwhile places, not merely empty warehouses where prisoners kick their heels waiting to be released to commit more crime. That is what I envisage as a sensible way of coping with crime. Both the Prime Minister and the Home Secretary should do one thing and do it now; they should apologise for the total shambles.

4 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

'notes that the introduction of Home Detention Curfew with electronic tagging as in the Crime and Disorder Act 1998 was specifically welcomed in the unanimous Third Report of the Home Affairs Select Committee, Session 1997–98 (HC 486-I), whose members endorsing the report at that time included the honourable Members for Woking, Surrey Heath and Aldershot; believes that one of the major factors contributing to re-offending is an inadequate transition between custody and life outside prison in the community; applauds the work initiated by HM Government better to manage that transition, through Home Detention Curfew, more effective drug treatment, Welfare to Work and greater emphasis on education, work and offender behaviour programmes; notes that short term prisoners are only released on Home Detention Curfew after a careful risk assessment, that about 94 per cent. of prisoners have completed Home Detention Curfew successfully, and that the latest information indicates that fewer than 2 per cent. have been arrested, prosecuted or convicted for offences committed on Home Detention Curfew; applauds the Government's toughening of the sentencing regime, its practical approach to honesty in sentencing, and its establishment of a comprehensive review of the sentencing framework; and further notes the Opposition's action in opposing strong measures against anti-social behaviour, benefit sanctions for probation offenders and reform of mode of trial, comforting only the miscreant at the expense of the victim and the community.'.

I greatly welcome the debate, not least because it provides a timely opportunity to contrast the Government's strategy for sentencing offenders with the huge contradictions at the heart of the Opposition's approach. We saw those contradictions exposed as the right hon. Member for Maidstone and The Weald (Miss Widdecombe) twisted in the wind on the effect of her so-called policy of honesty in sentencing, to which I shall return. To manufacture her specific case in respect of the home detention curfew she had to dissemble and to build her argument on two insinuations that are demonstrably incorrect. I shall begin by putting the facts straight about the HDC.

The Opposition's motion claims explicitly that the home detention curfew scheme is operating outside the normal sentencing regime set down in law. That is simply untrue. The HDC is an integral part of the operation of the Criminal Justice Act 1991, which lays down the current sentencing framework. Within that framework, the Crime and Disorder Act 1998 creates a new threshold for the release of prisoners serving less than four years. It allows for the placement of a short-term prisoner on curfew after he or she has served

the requisite period for the term of his sentence.

It further defines in statute what is meant by "the requisite period". The meaning and intent of the HDC provisions in law are clear.

Contrary to what is asserted in the motion, the HDC scheme does not allow release from prison before the minimum period required by law. Instead, the scheme has changed the minimum period required for short-term prisoners serving sentences of at least three months but less than four years. It provides for release on a scale linked to the overall sentence up to a maximum of 60 days before the halfway point of the sentence for someone sentenced to just under four years.

There is nothing novel or radical about that concept. The sentencing framework laid down by the 1991 Act sets out the concept of discretionary release for prisoners serving four years or more. The Act was introduced by the previous Conservative Government, of whom the right hon. Member for Maidstone and The Weald and many other right hon. and hon. Members were members. It was operated by the right hon. Lady when she was a Home Office Minister. The scheme—parole—is a familiar part of our criminal justice framework. The HDC extends the same principle of discretionary release and applies it to those sentenced to less than four years.

Parole and the HDC also share another common characteristic. In both instances, while the majority of prisoners are eligible for the HDC, decisions as to who to release are taken only after careful risk assessment. In both instances, it is only a minority of those eligible who are placed on curfew.

Like parole, the fact that a particular custodial sentence will make an offender eligible for the HDC is something of which the courts are fully aware when sentencing. The courts are now well used to the idea that there is an earliest and latest point at which a prisoner might be released.

What is new about the HDC is that it aims to improve the effectiveness of the period spent by prisoners on licence or under supervision. The right hon. Lady talks about the need for prisons and sentencing better to rehabilitate prisoners. I accept that entirely. One of the major problems, of which she must be aware, is high levels of reoffending by prisoners, who come out on their normal release date or later. Securing a better transition between custody and the community must be one of the aims behind any sentencing policy designed to ensure that prisoners are less likely to reoffend. The right hon. Lady's description of the scheme as an early release scheme fails—as her entire approach does—to take account of the significant curtailment of liberty imposed by a curfew backed up by electronic monitoring.

Mr. Crispin Blunt (Reigate): Just what would the Home Secretary say to the two women who were raped by prisoners who were in the community rather than in prison?

Mr. Straw: I should say the same to those victims of crime as I would to anyone else who had suffered a serious crime, perhaps committed by someone released on parole under schemes operated by the Conservatives, or even by someone released on the normal release date. I would deeply regret that those crimes happened, but the overall aim of the scheme is better management of prisoners' transition between custody and the community.

The right hon. Member for Maidstone and The Weald insinuated, entirely falsely, that if people served the extra period—never more than 60 days, and typically 30 or 40—of their sentences before normal release, they would never, ever reoffend. In fact, we know that well over 55 per cent. of people released at normal points of their sentences reoffend. One of the great crime challenges facing us—it should be a cross-party matter—is how to reduce the number of those who reoffend.

Miss Widdecombe: The right hon. Gentleman has put into law a scheme that has meant that a large number of criminals—20,000 at the latest published count, and probably more—have been released before the point in their sentences at which they would have been released had he not done so. Some 700 crimes have been committed. It would be bad enough if all of them were trivial, but some them crimes have been extremely serious. In addition, dozens of those who have been released have disappeared.

The point is that but for the right hon. Gentleman's intervention, those criminals would still be in prison, and the particular victims probably would not have suffered. I am not suggesting that those people would never reoffend if they were kept longer in prison, but they would not have committed the particular offences that they committed, and the victims of those offences, who should have been protected by the fact that those criminals were in prison, were not protected. That is the point.

Mr. Straw: The right hon. Lady may not be making that suggestion now, but it was the precise implication of her speech. Any system in which prisoners are released subject to a risk assessment requires us to do our best to get that assessment correct. In some cases, risk assessment will not work. That is true even at the most serious end of the sentencing regime in respect of those subject to life sentences for murder. The right hon. Lady well knows that successive Secretaries of State have taken very seriously their responsibility to ensure that there is a proper risk assessment, but, with the best will in the world, about 8 per cent. of prisoners subject to mandatory licence are recalled to prison for reoffending or because they are subject to a further risk assessment. I shall later outline the defects inherent in the right hon. Lady's proposals for so-called honesty in sentencing, which, in my view, would put the public at greater risk than our carefully calibrated system.

Miss Widdecombe: The right hon. Gentleman will be aware that we have pledged to abolish his scheme. Will he say from the Dispatch Box that he believes that abolishing the scheme will result in a rise in crime above the 700 extra crimes that he has brought about?

Mr. Straw: That is impossible to say. If our scheme works successfully, however, the overall result should be less reoffending by prisoners. The only figures that we have—we have done our best to provide the maximum information—relate to the number of offences committed on curfew. If we look further down the track, we hope—although it remains a matter for research—that, overall, fewer offences will be committed.

Only about a third of those eligible for the scheme are accepted. The point of the scheme is that those people are subject to a strict curfew of a minimum of nine hours a day—more usually 12—during which time they are not allowed to leave the confines of their home or probation hostel. Moreover, the scheme helps to impose a structure on what can often be chaotic lives. It forces curfewees to

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think and plan ahead, to establish a proper home address, to follow daily routines, and to submit to an ordered—if no longer institutional—life style.

Mr. Michael Howard (Folkestone and Hythe): How many orders under the scheme are in force for more than 12 hours a day—if, indeed, any are? If they are not, and to the extent that they are not, does he agree with Frances Crook of the Howard League for Penal Reform—with whom I have not agreed too often in the past—when she says of those released under the scheme that they can always commit their burglaries during the day?

Mr. Straw: Like the right hon. and learned Gentleman, I have never found Frances Crook's interventions in penal debates—

Mr. Bercow: She is a member of the right hon. Gentleman's party.

Mr. Straw: I do not know whether she is a member of my party—*[Interruption.]*—The hon. Gentleman assures me that she is. I do not usually find her interventions on such issues particularly helpful, and I do not in this case.

The right hon. and learned Member for Folkestone and Hythe (Mr. Howard) is right to assert that curfew lasts for a maximum of 12 hours. Of course, we accept that that is not prison; it is curfew and there has never been any suggestion otherwise. Later, I shall try to tease out from the Opposition the difference in principle between the arrangements for curfewing offenders, which are worrying the Opposition, and those that the right hon. and learned Gentleman and the right hon. Lady introduced in 1995 on the back of the Criminal Justice Act 1991 for the use of curfew not only at the end of a prison sentence, but as an alternative to prison.

I have already explained to the House that the implication of the right hon. Lady's comments was that, but for the home detention curfew, people would be incarcerated in prison for months, if not years, beyond the date on which they were released on curfew. That is palpably untrue. It deceives the public to pretend that such people are not short-term prisoners and are not always due for release within a matter of weeks. The scheme is about improving the arrangements for the return of those people to the community and, hopefully, enhancing public protection.

Since the scheme began, 72,500 prisoners have been eligible for it, but just 22,000 of them were placed on it. Of those, about 94 per cent. successfully completed the curfew period, and just 2 per cent.—although even that is too many—are known to have reoffended while on curfew. Preliminary research published by the Home Office in January 2000 shows that, notwithstanding the complexity and large scale of the scheme, the home detention curfew operated successfully in its first year.

Mr. Bermingham: Does my right hon. Friend agree that if we compare the number of people who successfully completed the home curfew scheme with that for the parole scheme or the licence scheme, there are a small minority of failures under all those schemes? At least there is progress when people can live a stabilised life at home.

Mr. Straw: My hon. Friend is entirely correct. Although, like any Minister in my position, I regret any reoffending while people are on licence—of whatever kind—the HDC success rate on reoffending is significantly better than that for other systems of release on licence.

Occasionally, the right hon. Member for Maidstone and The Weald is constructive and makes constructive suggestions about the scheme. When we discussed the Criminal Justice and Court Services Bill on Report, she and her hon. Friend the Member for Aylesbury (Mr. Lidington) tabled an amendment on sex offenders. I hope that the House will be pleased to hear that I agree that the protection of the public may best be served by excluding—as the amendment proposed—all sex offenders, subject to notification under the Sex Offenders Act 1997, whether or not their current sentence was for a relevant offence under that Act. We shall introduce an amendment in another place to achieve that.

Mr. Bercow: The Home Secretary's problem is the chasm between Labour's pre-election rhetoric and post-election reality. Will he tell the House where in the Labour party manifesto, which promised a "battle against drugs" and a

> commitment to tackle the modern menace of drugs in our communities

it was also stated that the Government intended to let out thousands of drug dealers early?

Mr. Straw: It was not intended that the Government should let out thousands of drugs dealers early, and nor have we done that.

I return to the point about the wilful dissembling in the Opposition's amendment, which suggested that people are released before they serve the minimum period required by law. Of course they are not released before they serve the minimum period required by law—

Mr. Hogg: You changed the law.

Mr. Straw: There is a huge and fundamental difference between changing the law, as we have done in the open, and what the right hon. Member for Maidstone and The Weald suggests, which is that we have evaded the law and are releasing people before the minimum period required by law. That is simply not the case, and she knows it.

Miss Widdecombe: The Home Secretary has not answered the question from my hon. Friend the Member for Buckingham (Mr. Bercow). If the right hon. Gentleman had said before the last election, "Our answer to the drugs problem is to reduce the amount of time that drugs offenders will serve in prison and then let them out—tagged as they may be—so that they will still nevertheless be perfectly able to deal in drugs", does he think that that would have inspired the confidence of the electorate?

Hon. Members: Answer the question.

Mr. Straw: I am just about to answer the question. Of course nobody would present a parody of that kind.

Miss Widdecombe: That is exactly what the Government have done.

Mr. Straw: That is not exactly what we have done. What we said repeatedly before and after the election—

and it is what we are doing—is that we need better to manage the transition between custody and the community so as to reduce the risk of reoffending. We are talking about whether prisoners should be released one week or five or six weeks later, having served a period in custody before that.

We have significantly increased the investment that we are putting into fighting the drugs menace both inside and outside prison. We commended without reservation what the right hon. and learned Member for Folkestone and Hythe did through the introduction of mandatory drug testing in prisons. We supported that measure, continued it and doubled enforcement of it. Following representations in my constituency, I have considerably tightened up the regime to prevent visitors and staff from bringing drugs into prisons. The overall result of mandatory drug testing and what we are doing with visitors and staff has been a further reduction in the number of prisoners testing positive for any kind of drugs in their blood.

We are also introducing what is called the counselling, assessment and throughcare scheme—CARATS—to provide far better treatment in prison. Alongside that, we have provided £20 million to police forces around the country so that they can establish arrest referral schemes in every major custody suite. When people are arrested, they can be put in touch in the custody suite or in the cells with a drugs worker, so that arrangements can be made alongside whatever sentence the court decides to issue to get them quickly into treatment. Everyone knows that if we delay getting drug addicts into treatment, we often delay beyond their life expectancy. In addition, as all the evidence shows, getting them quickly into treatment means that the number of offences they commit goes down rapidly.

We were responsible for the home detention curfew scheme and take the credit for it. I am, however, concerned that the Government should not claim all the credit for innovation in the use of electronically monitored curfews as an alternative to custody. I always want to give credit where it is due. As the right hon. Member for Maidstone and The Weald will recall, it was the Conservatives who in 1995, commenced the provisions of Criminal Justice Act 1991, which allowed the courts to pass curfew orders supervised through electronic tagging.

Mr. Howard: The courts.

Mr. Straw: The right hon. and learned Gentleman says "the courts", but under the provisions that he and I have exercised as Home Secretary and to which we are both committed, it is not the courts that finally make a risk assessment of the most heinous of criminals—namely murderers—and then determine release and licence conditions; it is whoever occupies the position of Secretary of State. As I said earlier, the courts know full well the minimum and maximum time that is likely to be served when they hand down sentence.

The availability of such a community curfew order meant that some offenders who would otherwise be considered for a custodial sentence could be dealt with by electronically monitored curfew instead. The previous Government accepted that curfew with electronic monitoring was a useful alternative to prison, not only for the last few weeks or days, but in place of the whole custodial sentence.

Mr. Howard: Is the Home Secretary incapable of understanding the difference in principle between making such an order available as an option to the courts when they come to pass sentence before any sentence is served, which is indeed what we did, and the use of that procedure by the Home Secretary to release people from prison earlier than they would otherwise have been released? Is he incapable of recognising that distinction?

Mr. Straw: Obviously I am capable of recognising the differences in the regime, but the right hon. and learned Gentleman questions whether there is a difference in principle. I go back to the debate 10 years ago when the proposal for such a system was before the House—*[Interruption.]* It is no good the right hon. and learned Gentleman waving his hand because the key point, the gravamen, the burden of the argument of the right hon. Member for Maidstone and The Weald, is that such people should not be let out into the community even with an electronic tag. She thinks that they should be in prison. However, the principle that binds the home detention curfew and the system of curfew which was enacted in 1991, and implemented by the Conservatives in 1995, is, as the then Home Office Minister John Patten said, to put someone under curfew

> for certain periods during the day or night to keep him out of prison.—[*Official Report, Standing Committee A*, 18 December 1990; c. 258.]

The provision was designed to keep people out of prison not just for a few weeks of their sentences, but for the whole of their sentences. It was seen as a direct alternative to prison up to the highest end of community sentencing. Virtually every one of those people put under that curfew would otherwise have gone to prison. Its aim was explicitly to keep people out of prison.

Mr. Hogg: The right hon. Gentleman must focus on the point made by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard). Under the home detention curfew scheme, release on tagging is an Executive discretionary decision—not one made by the judge—whereas the order to which my right hon. and learned Friend referred is a judicially imposed curfew. They are different.

Mr. Straw: In one respect, they are fundamentally the same: they are alternatives to prison. I shall go halfway towards the right hon. and learned Members for Sleaford and North Hykeham (Mr. Hogg) and for Folkestone and Hythe in a second. They and the Conservative party must recognise that, in the debates 10 years ago, there was no question but that the curfew orders were alternatives to custody. Yes, they were judicially decided, but they were alternatives not just to a few weeks of a sentence, but to any period in custody.

Miss Widdecombe: Will the right hon. Gentleman give way?

Mr. Straw: I will reply first to the right hon. and learned Member for Sleaford and North Hykeham. If the only issue separating us on the home detention curfew is whether the decision to curfew a prisoner should be made at the beginning of a sentence by the court, which would obviously be a judicial decision, or whether it should be

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made towards the end of a sentence by the Executive, which in practice would be prison governors, we could have an interesting debate.

I said that I would come to the fact that, as the House may be aware, we have established a major review of sentencing policy because it is plain that the 1991 Act is in need of reform. One arrangement that we are proposing is a better mixture of custody and community sentences, which will make it possible for the court to lay down that an element of the sentence should be spent in custody, then an element spent on electronic curfew and an element spent on licence.

Mr. Patrick McLoughlin (West Derbyshire): Will the Home Secretary give way?

Mr. Straw: No; I promised to give way to the right hon. Member for Maidstone and The Weald.

Miss Widdecombe: I am grateful to the Home Secretary for giving way yet again. It is almost disingenuous to compare letting someone out of prison with not putting him in prison in the first place. The point of tagging as an alternative to prison is exactly the same as that of a community sentence as an alternative to prison, or probation as an alternative to prison—that is, a decision has been taken by a court that prison is not yet appropriate. In the case of people who are let out of prison, a decision has been taken by the court that prison is appropriate. That is the distinction between the two. They are wholly different approaches to criminal justice, and the right hon. Gentleman should acknowledge that.

Mr. Straw: No, those are not wholly different approaches to criminal justice. The right hon. Lady simply had not spotted the huge inconsistency in her approach and is now embarrassed by it. The two approaches are the same. The record shows that an electronic curfew was introduced in the 1991 Act in respect of offenders who would otherwise have been sent to prison and whom it was not safe to put on the normal range of community sentences.

The hole in the right hon. Lady's argument—I repeat the point so that she understands it—is that if she has objections to the electronic monitoring of people coming towards the end of their custodial sentences, she must have much greater objections to those who are put on electronic curfew for the whole of their sentences when otherwise they would palpably have been sent to prison.

Mr. Bermingham: I am grateful to my right hon. Friend for giving way. Does he agree that the absurdity of the right hon. Lady's position is best demonstrated by the fact that as people come towards the end of their sentences, they are allowed home on home leave. From some prisons, they are sent out to work every day. They are allowed other forms of liberty. In other words, controlled liberty is a stage in rehabilitation, and that is all that we are discussing.

Mr. Straw: That rehabilitation is extremely important and it needs to be regulated properly. If longer-term prisoners in particular are to re-make a life and, hopefully, get away from crime, a gradual reintroduction to community life is essential, otherwise further reoffending will occur.

Before I leave the 1990 debates, the House, especially Opposition Members, may be interested to learn that during the debate a then very young hon. Member said that prison

> clearly does not do many people a great deal of good and does not turn them away from crime.—[*Official Report*, 12 November 1990; Vol. 180, c. 408.]

That observation was made by the right hon. Gentleman who is now the Leader of the Opposition.

Mr. Clappison: Will the right hon. Gentleman give way?

Mr. Straw: I will come back to the hon. Gentleman.

It is a matter of record what approach the Conservative party officially took to the home detention curfew when that was discussed in Standing Committee. It is also a matter of record than when the Home Affairs Committee considered the issue in a good deal of detail, and spent some months taking evidence about it, it concluded unanimously that the HDC scheme

> would provide adequate protection to the public because of the tagging element, and will give prisoners an opportunity to readjust to life outside prison.

[Interruption.] The hon. Member for Surrey Heath (Mr. Hawkins) signed the report, along with the hon. Members for Woking (Mr. Malins) and for Aldershot (Mr. Howarth). The hon. Member for Surrey Heath says now from a sedentary position that they were not talking about this or that. The evidence shows clearly that the Committee discussed the home detention curfew scheme, which was in draft in the Crime and Disorder Bill. That is what the hon. Gentleman signed up to.

Mr. Nick Hawkins (Surrey Heath): There is no doubt that my hon. Friends and I would never have agreed to the report if anyone had suggested that the Home Secretary would release drug suppliers and importers, those convicted of manslaughter and those who killed through dangerous driving. The Home Secretary's argument is utterly specious.

Mr. Straw: All the detail and all the criteria of the scheme were placed before the Committee. We have used it less than was anticipated when I made my statement in November 1997. The last time I put it to the hon. Gentleman that he signed up to the report, he had a different excuse. Earlier, he said that he knew what he was signing, but that it was different from the scheme that exists today. On a previous occasion, his excuse was that he did not know to what he had signed up because he had not been a member of the Committee for the whole time that the Committee considered the matter.

Mr. Hawkins: That is true, too.

Mr. Straw: The hon. Gentleman says that that is true, but he was appointed to the Committee in early March, and the Committee did not report until the end of July. We can draw a new rule from that experience: the Hawkins rule of personal responsibility. Individuals are not responsible for any decision to which they sign up if it has taken less than four months to reach a conclusion. Whatever the excuse, which changes time and again, it is poor. The hon. Gentleman backed the home detention curfew two years ago, and his explanation for his volte face is demeaning to him as well as the Committee.

Let us consider honesty in sentencing.

Mr. McLoughlin: Will the Home Secretary give way?

Mr. Straw: I shall give way in a moment.

The right hon. Member for Maidstone and The Weald claimed today that she would scrap the home detention curfew and all automatic early release on licence. Of course, we all understand that when we talk to the public, they instinctively want not so much honesty, but complete certainty in sentencing. We all understand that instinct. People want 10 years to mean 10 years, and two years to mean two years. However, I suggest that anyone with an understanding of the penal system must acknowledge that there is bound to be tension between absolute certainty in sentencing and the need to maintain good order in prisons, to provide incentives to address offending behaviour, and to support effective reintegration into the community. The way in which that tension is resolved is at the heart of the debate.

The right hon. Lady accepted, not least by her silence, that the practical effects of her proposals for so-called honesty in sentencing would not add one day to the time that any prisoner served in prison under a sentence that he or she received today. However, she also said that the sentence given would be the sentence served. Under her scheme, as far as one can understand it, there would still be flexibility in the length of time that a prisoner served, as there was under the Crime (Sentences) Act 1997. Under that Act, up to one sixth of a sentence could be cut for good behaviour. Thus an offender who received a 12-month prison sentence could be released two months earlier than the time laid down by the court. However, there is a difference between the right hon. Lady's scheme and ours. Under her scheme, unlike ours, prisoners would be released without any electronic curfew system.

Mr. Hogg: Will the Home Secretary give way?

Mr. Straw: In a moment.

The problem with the right hon. Lady's so-called honesty in sentencing is wider and more fundamental. Indeed, the drastic way in which proposals were brought before the House in early 1997 and frequently changed, as we all remember, shows that it was ill-considered and poorly thought through. Prisoners would be assessed for early release on the basis of their behaviour in prison, not on the basis of the risk they posed to the public. Once released, offenders who breached their supervision requirements could be recalled to custody only by bringing them before the courts and charging them. Of course I am worried about the number, albeit small, of people who commit offences while on curfew, but the numbers who committed offences under the right hon. Lady's early-release scheme were bound to be greater because it provided for no quick recall. That contrasts with the quick system that section 103 of the Crime and Disorder Act 1998 established.

Mr. Hogg: Will the Home Secretary give way?

Mr. Straw: I shall give way to the right hon. and learned Gentleman's hon. Friend the Member for West Derbyshire (Mr. McLoughlin) in a moment.

The Government believe in honesty in sentencing. No one disagrees with that principle. The question is how we achieve it, given that there is no system—none is proposed by the Conservative party—that would achieve what the public want: absolute certainty in sentencing. In our manifesto, we proposed that courts should spell out in the sentence the period that an offender was likely to serve in custody and the period that he was likely to serve in the community. The Lord Chief Justice's practice direction, issued by Lord Bingham in January 1998, when he was Lord Chief Justice, ensures that the courts do just that.

Mr. McLoughlin: The Home Secretary spoke about honesty in sentencing. Will he give us an honest answer on when he expects to introduce legislation to follow the Prime Minister's pledge on on-the-spot fines?

Mr. Straw: We shall introduce legislation as soon as possible.

Mr. Hogg: Will the right hon. Gentleman give way?

Mr. Straw: I shall give way in a second, but first I want to answer the rest of question asked by the hon. Member for West Derbyshire. We shall introduce legislation, but not in the next couple of weeks.

Mr. Hogg: Reverting to the question of honesty in sentencing, I personally accept that it is necessary to give a degree of discount to maintain order in prisons. However, the right hon. Gentleman must address whether, in sentences up to four years, that discount needs to be one half. Most people think that that is far too much to achieve the purpose of maintaining order in prisons and better integration in society. A discount of 20 per cent., which should be earned, might be altogether more appropriate.

Mr. Straw: There is no particular magic about the current arrangements, which were introduced under the Criminal Justice Act 1991. I had objections to the proposals in the Crime (Sentences) Act 1997, of which I am happy to give further particulars, not because I disagreed in principle with what the right hon. and learned Member for Folkestone and Hythe was trying to do, but because the more I looked at their detail, the more I thought that all that would be produced was some high degree of chaos on sentencing for no purpose. As the right hon. and learned Member admitted in government and subsequently in opposition, the proposals would not have made any difference to the overall sentence that an individual served.

Having served as an Under-Secretary in the Home Office between 1986 and 1989, the right hon. and learned Member for Sleaford and North Hykeham knows that these are complicated issues. I established a review of sentencing so that, in slower time, we can work out a better sentencing regime—or what I would call a seamless sentence in which, for example, there is greater use of suspended sentences, short-term time in custody and, in some cases, day prisons, evening custody and night custody as appropriate, along with electronic tagging and periods spent under supervision. I hope that we can have a serious debate about that, as it is an important issue.

If we are to try to reduce reoffending in our society and have that flexibility which is related principally not to good behaviour in prison—although that should be a

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factor—but to likelihood of reoffending, a degree of discretion should be given to those administering the sentences, which, to some extent, collides with the issue of the court's control. One way of squaring the issues in that important debate is to ensure that the courts manage sentences in a way that they do not at the moment. We have introduced that in the drug treatment and testing order, and I believe that if sentencers—judges and magistrates—are the managers of the sentence, we will secure better sentences targeted at an offender's individual circumstances. We will also increase hugely the information available to sentencers about the effect of their sentencing decisions.

Sir Peter Lloyd (Fareham): I should like to follow up the point that the Home Secretary is making. If his policy of early release, which he feels is successful, is designed to help to reintegrate prisoners into law-abiding society, surely it is needed even more for high-risk prisoners than for low-risk prisoners, who are unlikely to offend when they are released. He needs the release programme for the high-risk prisoners if he is going to reduce the likelihood of them reoffending. Surely the Home Secretary is dealing with the easy end of the problem, rather than the harder end.

Mr. Straw: The right hon. Gentleman's criticism comes from the opposite direction from that of the right hon. and learned Member for Sleaford and North Hykeham. I happen to believe that it is better to start such arrangements at the lower-risk end of the scale; it would have been impossible to justify starting at the other end. I can understand that, right at the other end of the scale, if someone was released after a very long period in prison it might well be sensible for him or her to be tagged for quite a period, not as an alternative to time in custody at that stage, but to strengthen supervision in the community.

I admit that there was a high degree of scepticism about electronic monitoring systems when they were first discussed 10 years ago, but I have no doubt that they are proving increasingly effective technically and, I believe, in terms of reoffending and the control of prisoners. I know that the right hon. Gentleman has a particular interest in sentencing policy, and I hope that he will make observations to the sentencing review, which we intend will be an entirely open affair.

As ever, the right hon. Member for Maidstone and The Weald used some extravagant language this afternoon.

Miss Widdecombe: Very accurate language.

Mr. Straw: The right hon. Lady says "very accurate" from a position of complete impartiality, but I think that that is for others to judge. Time and again, her rhetoric, and that of her party, is belied by her actions. We saw that only too clearly on asylum, where Conservative Members' publicly stated approach was belied by what they did on the civil penalty for hauliers and by their support of the retention of cash benefits for all asylum seekers. We have seen it on the mode of trial, where the Opposition appear to believe that the interests of the law-abiding public are best served by persistent offenders working the system by insisting on a jury trial against the decision of an independent court. We have also seen it on anti-social behaviour orders, which the Conservatives have pledged to tear up, despite increasing evidence of their effectiveness.

Mr. Clappison *rose—*

Mr. Howard *rose—*

Mr. Straw: I will give way in a moment.

Only last week, Conservative Front Benchers in the other place voted against the benefit changes that we are putting in place to ensure that community punishments are better enforced.

Mr. Howard: The Home Secretary seems to have left the subject of custody orders and imprisonment—he may even conceivably be in the middle of his peroration—but I hope that he will not sit down without answering the questions that my right hon. Friend. the Member for Maidstone and The Weald (Miss Widdecombe) asked about the 4,000 prison places identified by the Prime Minister. We are keen to know about them and whether the Home Secretary agrees with the Prime Minister's figure. Are there 4,000 prison places?

Miss Widdecombe: Where are they?

Mr. Howard: Indeed, as my right hon. Friend asks, where are they?

Mr. Straw: The right hon. and learned Gentleman probably knows better than I do that the right hon. Lady asks so many questions that it is never possible to answer them all at the same time. I had forgotten about that particular question, but the answer is already on the record in the prison service projections. The current prison population is about 65,000 and the capacity is about 69,000—the difference is 4,000. The reason for that change is partly the effect of the home detention curfew, which has reduced the prison population by about 2,000.

Mr. Howard: Will the Home Secretary give way?

Mr. Straw: No, I will not.

The other aspect of that is the effectiveness of the Narey changes, which have made a considerable difference.

Mr. Howard *rose—*

Mr. Straw: I shall give way to the right hon. and learned Gentleman for the last time in a moment, but now I shall answer his first question. The Narey changes have made a difference of about another 2,000 places.

Mr. Howard: I am grateful to the Home Secretary, who has been generous in giving way, but I am sure that he would like to deal with the question on the basis of the facts. According to Home Office figures, at the end of April this year—I do not imagine that the position has been transformed as dramatically as the Prime Minister might think since then—the prison population exceeded certified normal accommodation by 1,200.

Mr. Straw: The right hon. and learned Gentleman knows that the so-called certified normal capacity has usually been exceeded. For example, it was exceeded by 4,500 in the year in which he was Home Secretary.

What is crucial is the usable operational capacity, which the Conservatives always took account of—*[Interruption.]* Of course, it depends what is meant by overcrowding. As everybody knows, there is a grave distinction between so-called certified normal capacity, which is now 62,300—the prison population is some 65,000—and the usable operational capacity, which is 69,000. That is the difference.

Several hon. Members *rose—*

Mr. Straw: I have spoken for 45 minutes. I know that a number of right hon. and hon. Members wish to speak, but—

Mr. Clappison: Will the right hon. Gentleman give way on this point?

Mr. Straw: Oh, come on then.

Mr. Clappison: The Home Secretary brought up the question of mode of trial. May I gently suggest to him that, on this matter, consistency may not be his strongest suit? Can he name one thing that has changed since 1997, when he described the proposal that he is now bringing forward on mode of trial as wrong, short-sighted and likely to prove ineffective?

Mr. Straw: One thing that has changed in my mind—I am sure that we do not want a full debate on this matter, but I have been over it in great detail—is the introduction in legislation of a full right of appeal, so that the final decision will be made by a Crown court judge.

The right hon. Member for Maidstone and The Weald began her speech by commenting on our record on crime. Crime today is still lower than it was in 1997, and that record compares extremely well with any previous post-war Government, particularly post-war Conservative Governments. Crime is down: home break-ins are down by a fifth and car crime has fallen by 15 per cent. Compare that with the indelible record of the Conservatives, under which crime doubled in their 18 years in office, while the number of people convicted of those crimes fell by a third.

We are delivering the most radical reform of our youth justice system in 50 years and are on track to deliver our pledge to halve the time that it takes to process persistent young offenders through the courts. We are getting on top of the long-term trend in crime—in very sharp contrast to the Conservatives' record. While the Opposition rant, we deliver. I ask the House to support the amendment.

4.48 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): This is an important debate. The right hon. Member for Maidstone and The Weald (Miss Widdecombe) reminded us, however, that it has a comic side, which was portrayed by the splendid article in yesterday's *News of the World* about a man from Bridgnorth, Mr. Tony Higgins, who hopped off to the pub

> after daft prison staff tagged his false leg by mistake.

The article was entitled "Out on a Limb".

The subplot to today's debate is that, twice in four days on law and order policy and criminal justice policy, it is the Prime Minister who is out on a limb. Without talking to the Home Office, he first announces a new sort of offence whereby people get marched off to the cashpoint, and then cites spare prison capacity. If one tries very hard, as the Home Secretary was doing at the end of his speech, one can almost justify the Prime Minister's figures, but they are inconsistent with all the figures used in recent times. I hope that one lesson that has been learned in Downing street in the past few days is that it is as dangerous for Prime Ministers to make policy on the hoof as it is for leaders of the Tory party. I also hope that we shall see a reduction in that sort of policy making by both.

I gather that the Government fixed some time ago what they now call the crime summit. Even over the weekend, the terminology changed—one newspaper called it a convention and it had become a seminar by this morning.

The Conservative party has understandably chosen to use an Opposition Day debate to highlight the early release of prisoners. The Prime Minister responds by announcing in Germany his policy for dealing with thugs, then the police spend the weekend saying what a silly idea it is.

All that apart, we are glad that at last violent crime and the influence of alcohol on violent crime is on the agenda. Ever since I took over this job, I have repeatedly asked that we prioritise that problem. We have spent a lot of time in this Parliament talking about the effect of the misuse of drugs on crime and have spent far too little time discussing the effects of the misuse of alcohol, and I am glad that we are correcting that imbalance.

I hope that we are learning how to make better policy on difficult issues such as sentencing and penal policy. The right way to create policy in a democracy is fairly well established. The Government should establish what research has been carried out, and if there is not enough they should commission it. They should discuss possible ways forward with people who know what they are talking about. They should seek the advice of colleagues in Parliament across the parties who have relevant experience and interest, and a desire to express their view—we have the Select Committee system for that. They should have a discussion with the political parties. When they are ready and have tested the ideas they should legislate. Careful legislation after careful deliberation often produces good results. The experience of all of us who have been in the House any length of time is that hasty legislation after little or no deliberation is often useless and not used either.

I gently suggest to the Prime Minister that it is usually a good idea to have a discussion with the experts before announcing policy proposals, rather than announce policy proposals and talk to the experts afterwards. We should now get rid of this new item on the agenda, because new offences and new punishments—let alone offences and punishments for which the same person arrests, charges, tries and finds the accused guilty—require careful political consideration, especially if they go in a direction in which we have not gone before.

Like others, I have looked back to see how much Home Office law and order legislation there has been over the years since the Home Secretary and I entered the House. Although this year is a bumper year for Home Office initiatives, some of which are understandable and entirely appropriate—I think that there have been more than in any other year—there has not been a year since we entered Parliament without many Home Office Bills. That does

[Mr. Simon Hughes]

not mean to say that they have always been successful, lasting or good. When I consider the legislation that has been passed and look back over the press coverage and ministerial speeches, I see that the road of law and order policy has been littered with failed criminal justice initiatives launched sometimes with good and sometimes with less honourable intentions. We need to stand back from all that.

Today's debate is the first debate we have had this year on penal policy. That is a wider issue than the early release of prisoners. I want to flag up five issues that Parliament should address once a year more coherently and better than we do at the moment.

We should discuss how to reduce criminality—the propensity to crime. My hon. Friends and I believe that the initiative that the Government announced today is a good one. We should provide young people with constructive activity so that they are not bored and thus prone to criminality, which they may otherwise not get into. The more the youth service, schools, the education and training system and the Employment Service can do, the more positive the role young people can play in the community, and the more likely it is that they will not commit offences. I commend the Youth Justice Board's initiative, and the Government's and the Prime Minister's support for it.

We should have a debate about how to prevent crime and detect crime. They are two separate parts of the process. We should have a debate about clearing up crime. We had a debate in the House recently, in which we highlighted the fact that there are only three convictions or cautions for every 100 British crime survey registered offences. The last debate we should have is the one we are having today about how to reduce reoffending, including how effective punishment is and what punishment works. Unless we try coherently and regularly to consider all those five issues, we are unlikely to have a more orderly and less criminal society.

We are happy that the Conservatives have chosen this subject for debate. It is a perfectly proper issue to consider, but I wish it had been a wider debate on penal policy. I hope that we can have that wider debate later in the parliamentary year.

The Crime and Disorder Act 1998 for the first time permitted home detention curfews. That Act became law two years ago this month, although it was another six months before home detention curfews were permitted as a result of the phased implementation of the legislation. It is entirely proper for us to review how it has worked 18 months or two years later, and we welcome the opportunity to do so. To their credit, Conservative Front Benchers—notably the hon. Member for Aylesbury (Mr. Lidington)—have tabled numerous questions about the issue, and the Government have supplied answers without seeking to hide the facts.

We should review regularly all five priority areas—the effectiveness in reducing the propensity to crime, in preventing crime, in detecting crime, in clearing up crime and in reducing reoffending. The more we can do that on the basis of the evidence, the better.

Let me say something about an issue that is relevant to the set of factors that put people in prison in the first place. I said a word or two about the need to reduce the propensity to crime; let me now say a topical word about reducing crime itself—preventing crime. Perhaps at this very minute, chief police officers are having tea with the Prime Minister up the road. It is to their credit that, ever since the Government were elected and before, they have kept on saying that they need enough colleagues to do the job. Whatever else we do later in the cycle of criminal justice measures, we need to ensure that the police service is adequate to prevent crime in the first place.

When anti-social behaviour takes place on a Friday night outside a pub in Brent, Southwark or anywhere else in the country, the lay person can do some things and the publican can do others, but if crime is to be prevented there must be enough police patrolling the streets. I hope—as do my colleagues, whether their seats are in the north-west, the south-east or anywhere else—that, when the Chancellor announces his comprehensive spending review conclusions later this month, we shall find that representations made by the Home Office, Opposition Members and the police themselves have been heeded. I hope that there will then be enough in the kitty to allow the police to recruit the number of full-time, retained part-time or special police to do the job—if they can recruit them, of course. That is a separate issue.

New York's policing has been more successful recently, and people apparently feel more confident in Paris than in London, because—as the Minister will note from the figures—those cities have considerably larger police forces than our capital has. Of course, more police do not necessarily mean less crime; but, as I have said before in this place, I have never heard anyone argue that fewer police provide a better chance of preventing crime.

Mr. Bermingham: As recent examples show, the period between application to admission to the police force for training can be as long as 18 months. Admission procedures and the funding of new recruits need to be re-examined.

Mr. Hughes: I agree. I hope that we can soon have a debate about recruitment. I think that we could usefully pool the various initiatives that have been suggested by my hon. Friends and me, and by members of other parties, to make the police service more appealing to school leavers.

Mr. Ronnie Fearn (Southport): The chief constable in Merseyside proposes to ignore traffic accidents, as long as they do not involve human lives—as long as they are not "true" accidents—in order to put more bobbies on the beat. I think that that may be a good move.

Mr. Hughes: There is a big debate about it. I support a move in that direction. At the weekend, there was a story in the *Financial Times* about the Prime Minister's willingness to change the structure of the police. I do not know whether he consulted the Home Secretary about that, but, as I have said to, for instance, chief police officers, I think that jobs that could be done by others should not be done by the police. To her credit, the right hon. Member for Maidstone and The Weald (Miss Widdecombe) has made similar proposals. We need a debate on the subject. We should ensure that the police concentrate on what only the police can do, while others deal with matters such as certain motoring offences—although we shall continue to need the police to deal with some traffic matters, both in Merseyside and elsewhere.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Is the hon. Gentleman aware that many of us believe that maintenance of a good traffic police service would not only revolutionise road safety, but make an enormous impact on the numbers of road deaths and injuries? The suggestion that it is possible to hive off bits of traffic policing is a rather dangerous one that needs to be considered very carefully before the House accepts it.

Mr. Hughes: Not only has the hon. Lady long been a Member, but she has a specific interest in transport issues, on which she speaks with authority. I understand the point that she makes. I am not saying that traffic issues should not concern police. However, there is an argument—I shall not go into its detail now—that restructuring the police service would perhaps allow traffic, transport and safety matters to be dealt with far more comprehensively. British Transport police, for example, are a stand-alone part of the system, but perhaps they should be more integrated. Perhaps we should have more regional police forces, rather than county police forces. I hope that we shall be able to have that debate, as reform of the police service is on the agenda. I am sure that we will return to that agenda.

I believe that police are making clear representations to the Government on crime clear-up rates. We shall be better able to clear up crime if we better support and protect witnesses. We often fail to obtain convictions because witnesses either refuse to talk to police and the courts about the crime or, after talking about it initially, stop talking. Although I shall not elaborate now on how we can redress that situation, I have partly communicated thoughts on the matter to the Home Secretary. However, unless we devise a much better set of protection mechanisms for witnesses, we are likely to continue having a very poor conviction rate. Additionally, for those who interfere with witnesses and jurors, we should have more severe and automatic sentences. People who interfere with justice in this way should know that their action is an aggravating factor and that they will be additionally punished for it.

This debate—on when to release prisoners—is really about how we can reduce our appalling reoffending rates and make prison more effective. In the words of the former Home Secretary, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), we have to do what works. That is not a party political sentiment. In the past week, another previous Tory Home Secretary has made it very clear that he still believes that prison does not necessarily prevent re-offending. The specific issue that we are addressing is whether home detention curfew helps to prevent re-offending.

Two years ago, in our consideration of the Crime and Disorder Act 1998, the Government introduced the provision for home curfew detention. My right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith), who was then our Home Affairs spokesman, supported that proposal. Subsequently, Liberal Democrat Members supported the new clause introducing the proposal. Although the provision may not be operating perfectly, we shall not change our view on it today.

Interestingly, on Third Reading of the 1998 Act, Conservative Front Benchers supported the provision for home detention curfew. The then shadow Home Secretary, in his speech on Third Reading, said not a word about the provision's iniquity or inappropriateness. Although he talked about other things, he did not talk about that. Home detention curfew was not the big issue that the current shadow Home Secretary suggests it has become.

I do not want to add to the debate about the role of the Select Committee on Home Affairs. However, as the Home Secretary rightly said, the Committee examined the issue of home detention curfew, as it should have done, and its members—who were from all three parties representing English constituencies—unanimously supported its introduction. That is the deliberative way in which such proposals should be implemented. The proposal was enshrined in law in the right way, with the support of this place and of the other place.

The Government's amendment to the motion correctly flags up the success rate of home detention curfew. The fact is that 18,800 of the 20,000 people participating in the scheme have not re-offended. Ideally, there would have been no failures. However, there have been a considerable number of successes. We should not forget the basic facts in this debate.

Before today's debate, the Home Secretary announced that the Government are reviewing sentencing policy. We believe that such a review is a good idea, and we welcome it. Although I have not heard that the review will be entirely independent of the Government, I think that it would be more authoritative if it were.

The home detention policy, together with electronic tagging and all other alternatives to custody—as well as custody itself—should be included in the review. It is no good having a review if we do not look at how successful prison is on the one hand and how successful the alternatives are on the other. The Select Committee on Home Affairs provided a useful check list of the alternatives and looked at them all. It would be good to have such an independent review again, as well as a look at sentencing.

The Committee listed not only home detention curfew and electronic tagging, but suspended sentences, weekend prison or short prison sentences and fines. "What works?" is the question. Is it better to have a punishment that is inside, outside with a restriction or outside all the time? I would be grateful if the Minister confirmed that the review of sentencing in general will specifically include a review of home detention curfew and if he will tell us by when the Government expect the review to be completed. I suggest that it would be sensible for the review to be completed by the end of this calendar year, two years after the provisions of the Crime and Disorder Act 1998 came into place. The Liberal Democrats will play a full part in the process and will be happy to do so.

Parliament and the Government should commission independent reviews of sentencing regularly because we are not doing terribly well at the moment. Whether prison numbers are going up or down, we are not consistently bringing down crime figures, nor are we consistently bringing down the numbers of those who reoffend. If we are not doing that, clearly we are not succeeding. In our amendment, we propose a review of the policy, which we hope could be incorporated into a more general review of sentencing.

[Mr. Hughes]

The review will be no good if it is not linked with other parts of the penal policy that the Government say are important but where we are making slow progress. For most people, we still do not have a fully constructive regime in prison. My view is that people in prison should do, in effect, 35 or 40 hours of work a week in prison. Until we get to that figure, we are failing.

We should support, but go further than the Government, the introduction of rehabilitative programmes for people while they are in prison—particularly for drugs and the like—and continue them in a more guaranteed way when people leave prison. All the prisoners to whom I have spoken have said that they need support when they go through those doors so they do not get back into the old habits, the old company and the old patterns of life. We need particular support for people in the years immediately after they are released, as that is when the risk is highest and when the risk assessment comes to the conclusion that they need the maximum support.

The Home Office guidelines for home detention curfews are concerned with the right matters. We must assess whether the right people are eligible; how we calculate the sentence; what preparation there should be; who does the risk assessment, how effective it is and how it is done; what the licence conditions should be; what we say to the prisoners and what they understand by the process; what the procedures are around release and what the post-release arrangements are. That list is clear and I do not quibble with it.

That is where the criteria set by the Conservatives for this debate are shown to be wrong. When I asked the right hon. Member for Maidstone and The Weald about the honesty in sentencing principle—which appears to be her great answer to the problems of the present system—she failed on each count to answer the three specific questions I put to her. The House will be able to read that exchange, which is clear.

I understand, having read what the Conservatives have said on the subject in the past few months, that their policy would not mean longer sentences on average or cumulatively longer sentences in total. Nor would it mean many more people in prison. If that is the case, to pretend otherwise is to perpetrate a deception on the public.

We also cannot support a proposal that an incoming Government would abolish the home detention curfew scheme without any proper, objective review. It has been in existence for less than two years. It has not worked perfectly, but the answer to something that might not have worked perfectly but has worked rather well is to improve it, not abolish it. It is a hasty, inappropriate and ill-researched conclusion to say that it should go.

There is no proof that longer sentences work. Longer sentences punish more, but, as our amendment points out, almost everyone is eventually released. The scheme covers those who would be released between six months and four years later. Their sentences are shortish, and it is ludicrous to reject a scheme for their sensible, phased reintroduction into society, as the hon. Member for St. Helens, South (Mr. Bermingham) pointed out. As I have said, we must ask what works.

It would be helpful if the Minister of State would give a considered response to the question that the Conservatives, people outside and I have asked about whether we can now work on the basis that we have 4,000 spare prison places—even though prison governors tell me that their prisons are overcrowded and they cannot cope. I understand that any spare capacity is mostly in open prisons. If that is the case, the Government may need to review whether we are using our prison establishment appropriately. The Government could also review the categorisation of prisoners, because they might be able to reallocate prisoners more effectively. That could reduce overcrowding in some places and stop some prisons trying to do several things at once. Some are asked to act as a local prison, a prison for lifers, a prison for immigration offenders awaiting deportation and a remand prison, and it is difficult to do all those jobs at the same time. A review of the use of the prison establishment—why some prisons are overcrowded and some are comparatively under-occupied—could be appropriate and I hope that the Minister will let us know when he winds up whether the Government will consider a review of this too. It could discover whether we have a sufficient prison stock for future projections and can save lots of money by not having to build all the additional prisons, which will not be cheap.

Let us have a coherent prison and penal policy debate, but let us not believe that being tough on crime and on the causes of crime is proved only by the punishment meted out. That is not the only test. Longer sentences do not by themselves lessen the chance of reoffending.

Some of the Government's suggestions are out on a limb. For example, in their amendment, they suggest two policies that we believe would be unhelpful in obtaining the right balance between rehabilitation and punishment. The first is the proposal that offenders on benefits would lose their benefits. The second is the removal, at a stroke, of the right to choose jury trial, which will have no great benefit in reducing crime, or the causes of crime.

When the Prime Minister was shadow Home Secretary, his policy became, "Tough on crime, tough on the causes of crime". That soundbite worked well then, but I hope that what has happened over the weekend has taught us that we must be equally tough on soundbite policy, and tough on the causes of soundbite policy. Policies must not be made up on the back of an envelope, or according to the latest wheeze. It would be helpful if the Prime Minister and the Leader of the Opposition came up with fewer unsupported and insufficiently developed ideas.

The lessons from criminal justice policy over the years are that what sounds tough often does not work, and that what works often requires a much more sophisticated balance between punishment and rehabilitation. After this debate and the events of the past few days, the arguments about criminal justice and penal policy would be best served if all parties resolved to have fewer gimmicks and to be less intent on grabbing immediate headlines. An additional benefit for the House might be that political leaders might also look a little less foolish.

5.15 pm

Mr. Gerald Bermingham (St. Helens, South): I shall be brief, as I shall stick to the specific subject of the debate and refrain from going over all the things that have or have not gone wrong over the 30 years that I have been in the House. I declared my interest as a practising lawyer in my intervention in the speech by the right hon. Member for Maidstone and The Weald (Miss Widdecombe). I have many years of practical experience as a solicitor and a barrister.

The right hon. Lady's speech saddened me, as it combined prejudice with ignorance. It also coupled a lack of knowledge with an inability to foresee results. I do not mean that in a rude way, because the tragedy of the past 30 years is that we have failed to grapple with the simple, practical problem of why people who have been in prison commit crime again. Why has prison, supposedly such a great deterrent in the criminal justice system, failed to work?

When I was a young man, not so very long ago, I was a primary school teacher in the poorer part of Rotherham. My headmistress told me that the father of a child in my class was in prison, and that that was a great disgrace—to the street and to everyone. However, I know of streets today in which almost every resident has been to prison at some stage. Does that mean that we have become a much more criminal society or have we failed, for reasons of expediency, to tackle the problems of why people commit crime, and of what to do with criminals?

I fear that the answer to the second question is yes. I have heard many a speech over the past 30 years extolling the virtues of tough prison sentences and punishment, but the crime rate has not gone down. It has gone up, although it is falling again now. Even so, the prison population has risen, not fallen—so what has gone wrong?

I concede immediately that imprisonment is necessary in certain cases. I am neither a fool, nor a soft libertarian. I believe that people who rape and rob, harm and murder should go to prison, and that prison must meet three criteria. It must be a place for punishment, rehabilitation and repayment. By the latter term, I mean that prisoners must be able to repay their debt to society.

At present, overcrowding means that many prisons lack any form of educational provision and provide no means of rehabilitation. They fail on every conceivable score. That has not always been the case, so who is to blame for the present situation? That question immediately reopens the debate, and the slanging match about where the fault lies begins again.

I have always found that counter-productive, even though it was I who posed the question that sent the House into a spiral earlier. I asked why the Conservative Opposition criticise prisoner releases when the previous Conservative Government a few years ago increased the amount of remission that could be earned in a sentence.

Penal reform over the past 25 or 30 years has taken us away from the absolute deterrent of the death penalty and towards incarceration. Life sentences do not last for life, but for a set period of time. People serving a very long prison sentence are often released on parole or on licence, which contains a degree of supervision and of reintegration into society. That is a good thing.

The judiciary would say, almost to a man, that they wish that the suspended sentence could be reintroduced tomorrow. It was a very effective sentence, with the sword of Damocles hanging over what I call the middle-range offender's head. It was a deterrent, and it worked. It was abolished, which was a mistake. I will not lay blame for that: it happened, and we must look at the reality of today.

Remission rose from a third to a half for sentences of less than four years, although why we have that arbitrary limit of four years, I have never yet understood. Someone can receive a sentence of three years, 11 months and three weeks and get remission of a half, but someone who gets a sentence of four years—one week longer—serves three years. The remission in that case is a third, not a half. It is an arbitrary and pointless policy which has led to resentment in the prison system, as anyone who knows anything about the subject will readily concede. I have in the past asked the Home Secretary what is the point of this arbitrary four-year line. Why cannot we reconsider that, for example?

Home leave has been in place for a very long time; it is a means of reintegrating the long-serving prisoner towards the end of his or her sentence. We have seen the introduction of day release, work in the community and the development of open prisons. Far more development in this field could take place and with it, again, the policy of reintegrating the offender into society. If we can succeed in reintegrating the offender, we have achieved our purpose—he or she does not commit a further offence. That is good; it is what the whole thing is all about. That is how we develop our penal policy.

On home curfew towards the end of a sentence, I heard the figure of 700 crimes—gosh, shock, horror. It is a 2 per cent. failure rate.

Miss Widdecombe: It is 700 crimes.

Mr. Bermingham: The right hon. Lady, from a sedentary position, throws her eyes to heaven and says "700 crimes". Did she, in her experience at the Home Office, ever look at the figures of crimes committed by those released on licence and on parole, or when they were under a suspended sentence? If those were totalled up, noughts would be added to that figure of 700. I concede, from the word go, that 700 is 700 too many. However, in terms of success and failure, in looking at things realistically, it is a 2 per cent. failure rate, or a 98 per cent. success rate. I reckon that 98 per cent. success is pretty good, bearing in mind—*[Interruption.]* The right hon. Lady has an annoying habit—*[Interruption.]* No, just one. She sits there and mumbles like a little furry mole stuck in a corner with its snout out of the ground. Up come the little puffs of rubbish, disseminated frequently, and taking us nowhere.

Is someone is raped or murdered in this land, that is a horror for which there is no justification. However, no one has ever devised a policy—whether it is licence, parole or probation—that prevents all rape, all murder and all crime. How about those who commit crimes while on home leave and never come back? Despite that, we are not stopping home leave. No one will get it perfectly right.

We should look at the overall picture. If, by and large, the system is working—and to a very large extent, it is—we can look at the ways in which we choose those who are eligible to participate, learn lessons from our failure and improve our success in the future. That is a positive way forward.

Fair sentencing sounds wonderful. We will say to the prisoner, "You will go to prison for three years." Three years later, the door opens and out he or she comes. My experience extends across half the world. I have seen prison systems in the east and in the west, in Europe and elsewhere, and I have never yet found a system that works in that way. The one thing that a prison needs is the ability to encourage prisoners and to give them an incentive or a goal, whether that is done by remission or privileges, or a combination of the two. In that way, discipline is

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retained and the progressive behaviour of the prisoner is enhanced. In other words, his or her rehabilitation is enhanced.

If we say to prisoners that there is no hope, no matter how good they are, that is a policy of despair and disaster. It is dishonest and counter-productive; it takes us nowhere. If that is what the Opposition mean by honesty in sentencing, it is a recipe for disaster.

Mr. Simon Hughes: I am sure that the hon. Gentleman knows that that is the view of all prison governors and their staff. They need not only an end of sentence period, but an earlier date of release period. That gives prisoners an incentive. They realise that if they behave themselves, they will get out more quickly. Without that, the job of prison staff would almost certainly be impossible everywhere.

Mr. Bermingham: I could not agree more; that is absolutely right. That has been my experience in the conversations that I have had over the past 30 years.

I said that I did not intend to take long, and I hope that I have not. I end as I began, by saying that we are discussing an experiment that is in its early days. To date, it has been 98 per cent. successful. That is not bad for a first shot. It is a block upon which we can build. We can develop other sentencing theories and schemes, and perhaps rehabilitation. There may come a time in the not too distant future—I suspect long after my time professionally and politically—when it can be said that it is the minority of prisoners who reoffend. We shall then have developed a penal policy that is a success and a credit to us. We have taken a step on that road. It is a long road and we have a long way to go. I wish the Government well with it.

5.27 pm

Sir Nicholas Lyell (North-East Bedfordshire): The Government's policy on law and order is plainly in a serious muddle. It is ill thought out. It is designed to sound tough, but in practice it is weak on real criminals. It is becoming increasingly illiberal and increasingly oppressive on the rights of the ordinary citizen who is on the margin of crime or who may find himself accused unfairly. His rights are being diminished.

A sensible law and order policy requires a clear and consistent message which tells those who seek to make their living out of crime that crime does not pay. That message was clearly spelled out by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) during the last five years of the previous Conservative Government. Sentences for housebreaking and burglary increased. They were served for more substantial periods and the degree of housebreaking and that sort of crime fell during the period. It was a matter of cause and effect.

We in the United Kingdom believe in a firm policy on law and order. Certainly we in the Conservative party believe in that. But the Briton, the Englishman, requires a policy that is fair. An important part of that fair policy is a fair trial by jury if the individual chooses that right, not if it is granted to him from on high by a court.

The problem with the Government is that on all matters of serious crime, what they say and what they do are different. What they are doing in practice is deceptive and weak. On the rights and freedoms of the subject, however, they are becoming oppressive and illiberal.

This debate centres on early release and the home detention curfew. The problem is the extent to which home detention has not been used for the purpose for which it was introduced—as an alternative to custody so that borderline offenders could be kept out of prison. It is being used instead as a method by which to keep down the prison population and, thereby, to save money.

That is deeply disillusioning to the public. How can it be otherwise if someone rightly sentenced to six months imprisonment comes out in six weeks? It is equally disillusioning when the same applies to more serious offenders; for robbery, for example, people sentenced to an average of 26.3 months are being let out in 11.4. That sends the wrong message, which dissipates the deterrent effect on criminals, which in turn results in what is happening now: the incidence of crime in areas in which it was falling under a Conservative Government is now rising under the Labour Government. The Government are making a grave mistake.

The same error is about to be repeated in relation to the Criminal Justice (Mode of Trial) (No. 2) Bill on trial by jury. The rights of ordinary citizens will be reduced and removed. Meanwhile, serious criminals, who should be kept in prison for reasonable periods in order that the public may be protected, will serve reduced terms of imprisonment. If Home Office answers to parliamentary questions are correct, the term in prison of an average thief or handler will reduce from just under 11 months to just over 3.5 months.

The policy is designed simply to save money. The Criminal Justice (Mode of Trial) (No. 2) Bill is expected to save £120 million, but close questioning has revealed that the Government expect £84 million to result from reductions in periods of imprisonment among precisely the type of criminal who should be in prison—the experienced, repeat, dishonest offender who is alleged to be playing the system. Far from suffering, those criminals will serve only one third of the sentence that presently faces them. The Government's policy on trial by jury is deeply mistaken. It is relevant to this debate because it will reduce sentences for serious crimes committed by recidivist offenders from whom the public should be protected. That ought not to happen.

The public should see that the Home Secretary's policy to prevent wrongdoers from playing the system will in fact assist wrongdoers; and, far more seriously, it will take away the centuries-old right of the people of England and Wales which is an absolute foundation of our liberties. Much is said about democracy in current jargon, and even in the European convention on human rights—in almost every article of which the word "democracy" and stipulations of what is needed in a democratic society are mentioned. However, those who enjoy the privileges of this country should never forget that one of the greatest protections of our democracy, and one of the greatest protections that our citizens enjoy against oppression and—in Lord Devlin's word—tyranny, is the fact that, when they are accused by the public prosecutor and tried in the public courts, the decision on whether they are guilty is tempered and decided by ordinary citizens sitting in the mini-parliament of 12 good men and women and true—the English jury.

It is that right to an English jury that this oppressive Government are setting out to reduce. One of the frightening aspects of the matter is that they are stumbling into it semi-blind; they have not thought about it. They do not believe that they are doing what I described; they think that what they are doing does not really matter, but they are wrong. They should wake up.

There is a real place for tagging and for the home detention curfew. About half an hour ago, that matter was properly debated by the Home Secretary and by my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe), who tried to pin down exactly which cases home detention curfew should deal with. I speak with some knowledge of and affection for the policy: I am proud that I was the first person to suggest such a scheme to the House—in 1981 during the Committee stage of the Criminal Justice Act 1982.

The idea was sensible; it had been proposed by Hertfordshire magistrates and carefully worked up—unlike the Prime Minister's policy proposals at the weekend. The scheme was introduced in a small way through night restriction orders and, with the development of electronic tagging and scientific testing, has become much more practical. The problem—then and now—is to ensure that people will remain at home if they are given a home detention order as an alternative to custody.

The scheme is about a tough law and order policy. My right hon. and hon. Friends—including my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) who is in the Chamber—constantly tried to persuade our colleagues and the House that to be tough on law and order, one does not have to demand long sentences on every occasion. The courts must have a range of sentences and disposals—in the jargon—so that they can impose a penalty that fits the particular offence and the particular offender. I am proud that, during 18 years, we built up a fine quiverful of penalties and disposals for the range of offences met by the courts.

Nowadays, the home detention curfew will play an increasingly important part in dealing with offenders who represent only some risk to the public. If we can be sure that they are at home and if we can give their family, the police and the probation service some opportunity to check that they are where they should be, the scheme provides a valuable penalty and disposal. It keeps people out of prison—as it is much better to do. Recidivism rates after the home detention curfew are likely to be much lower. When people go to prison, they do tend to get into colleges of crime. It would not be sensible to say that much reform is undertaken in prison; it is right to attempt reform, but difficult to succeed.

The home detention curfew was introduced in 1991. I should be happy to see it develop—provided it is used for the right purpose. It has a real place in that quiverful of remedies. However, it is not being used rightly at present.

I end as I began—attacking the Government for deceiving themselves and the public. The Government are not being tough; they are being soft on serious criminals and letting them out too soon. The Government are abusing—if that is not over-harsh—or misusing a remedy designed to keep borderline offenders out of prison; they are using it to help to reduce the number of people in prison, to save money, to give a false impression, to send the wrong signal and, in the end, to weaken the criminal justice system that it is their duty to strengthen. The debate has brought that out. I commend our motion to the House.

5.39 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): It is always a great pleasure to follow my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell).

I congratulate my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) on bringing this debate before the House. We do not discuss prisons sufficiently and there are a variety of reasons why we should. One is that we should be concerned by what goes on inside prison. There is plenty of scope for abuse and, unless that is subject to harsh scrutiny in the House and elsewhere, the chances are that abuses in prison will continue. Anyone who has been involved with the Prison Service knows that prison life has its unsatisfactory features that should trouble any humane and compassionate person.

The Home Secretary reminded the House that I was the Under-Secretary responsible for prison policy in the late 1980s. At that stage, we were deeply troubled by, for example, overcrowding. I remember, too, being deeply troubled by the condition of hospitals in prisons. Some of the circumstances in which offending prisoners were kept were wholly deplorable and it is right that the House should focus as often as it can on the conditions in prison. If we do not, most assuredly, no one else will. My right hon. Friend is to be congratulated on introducing this debate.

In the first instance, I shall focus on the immediate subject under discussion—the use of home detention orders. My right hon. Friend is doing me the courtesy of staying here to listen to my speech, but I know that she needs to go and I shall certainly not take it amiss if she does. However, she articulated clearly the arguments that are to be advanced against the orders, and I wish to emphasise two of them.

First, the orders are a serious departure from honesty in sentencing, which is an important policy objective. I know perfectly well that I was a member of a Government who did not achieve that aim, but that does not mean that we should not achieve it. Broadly speaking—I shall come to the detail shortly—I am very much in favour of honesty in sentencing. It is profoundly unsatisfactory that, for sentences of up to four years, an individual can be let out of prison having served less than half the sentence.

I find that extremely difficult to justify and I believe that the public also find it extremely difficult to justify. Although I do not argue that the public should necessarily have the determinate say on penal policy—they tend to be unduly severe—we must have a penal policy that commands public support. If the public fully understood that, under the home detention curfew order system, it is possible to release people—and very serious offenders, too—who have served less than half their sentence, there would be a serious loss of confidence.

Such a loss of confidence would be compounded by the fact—the Home Secretary was fair in admitting this—that the process is an executive and not a judicial one. He said that, generally speaking, such decisions are made by

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prison governors and I am unhappy about the fact that a prison governor is able to substitute his or her decision on the appropriate sentence to be served for that of the trial judge. I know that an offender with a sentence of up to four years may be released when he has served half the sentence, but the trial judge at least knows that fact when he or she imposes the penalty. However, in the case of the orders, an executive decision is taken by an official, namely a prison governor.

The motives for the decision may be mixed. I do not dispute the fact that many prison governors will try to use the policy simply and solely to give a defendant a better chance of reintegrating into society. I am perfectly willing to accept that, because I have always had a high regard for prison governors. However, overcrowding is also bound to be a factor in the decision.

I have not done any research on the matter, so I may well be wrong. However, we may find that many of the orders are made by prison governors in charge of the local prisons. The overcrowding is in local prisons, as opposed to training or open prisons. I would be very disturbed if I found a high concentration of home detention orders made by prison governors of local prisons because I would be suspicious that they were made primarily to reduce overcrowding. So, I do not like the orders in principle, partly because they depart from the principle of honesty in sentencing, and partly because they are executive decisions, and that troubles me.

I also support the point made by my right hon. Friend the Member for Maidstone and The Weald that a number of offences have been committed by persons who have enjoyed the benefit of the orders. It is perfectly true that the failure rate—I am using jargon—is relatively low, as the hon. Member for St. Helens, South (Mr. Bermingham) said, but that is of precious little benefit or consolation to the victims of crimes including grievous bodily harm, robbery, burglary and rape. In one sense, the offenders might have committed the offences any way, but they would not have committed those particular offences. Therefore, the Home Secretary has some difficulty uttering reassuring words to the victims of offences committed by persons let out under such orders.

I shall go a little further to address, as other right hon. and hon. Members have, the question of honesty in sentencing. We should move away from what is in effect automatic release—in respect of sentences of up to four years at the half-way point and thereafter at two thirds. In general, a sentence should mean what it says. If one went up and down the high street, one would find that most people felt that, broadly speaking, the sentence means what it says, and that they would be surprised to learn the extent to which it does not. That broad principle is subject to two provisos.

I agree with the proposition that a discount needs to be earnable. I agree with what the Home Secretary said in response to my intervention—that it would be difficult to maintain order in prisons if there were no discount. Indeed, the process of discounting may have a role in integrating a person more fully into the community, where they are going in any event in almost the universality of cases. However, a discount of one half for sentences of up to four years is too much. I would like about 20 per cent. discount, with a requirement that it be earned. Discount should not be automatic; it ought to be able readily to be withheld, which is not so now. In other words, the person seeking the discount must establish an entitlement to it.

The other point is an overlapping one. I am sure that it is necessary for people to be released under supervision before their final release date, simply and solely to make the process of integration readier. Therefore, I strongly support the concept advanced by my right hon. Friend the Member for Maidstone and The Weald of honesty in sentencing, but in doing so I make it subject to the two provisos that I have just articulated.

I should like to make one other point in that connection, which concerns the question of life sentences and homicide cases. I am very attracted by one offence of homicide rather than the distinction between murder and manslaughter as in current law. I hope that, from time to time, the Government or the Opposition will address that question.

The second and related point is this: I am also very attracted by determinant sentences for homicide cases. I am very uneasy with the concept of the life sentence, simply because it does not mean what it says. There are very few whole-life sentences. In fact, the average time served—at least in my day at the Home Office, and I do not think that it has changed much—is about 12 years. There is a strong case to be made for giving the trial judge a power to impose a determinate sentence.

There is one problem with that which I must address, and I have not reached a final conclusion—that is, with regard to risk. At present, in life sentence cases in respect of murder, when a person has served the tariff, there is a discretion as to whether to let that person out, determined by an assessment of risk as to whether the person will reoffend. It must be accepted that the determinate sentence does not take full account of that.

There would be a way round that, which would enable the prosecution authorities to apply to the trial judge, but there is a problem. Perhaps, at least for the present, in murder cases where the life sentence is mandatory, the solution is a different one—to give the trial judge the right to set the tariff. It would be set in open court and might be subject to appeal, but it would be a judicial act.

I had to set tariffs. Subject to the supervening view of my right hon. Friend Lord Hurd, I set the tariff in about 600 cases. I had no inhibitions about doing so. Indeed, we ratcheted the tariffs up. I make no bones about that. However, I feel strongly that Ministers should not set the tariffs. I used to do it. Reading the documents, often late at night, I gave them as much consideration as I could, but obviously I knew but a part of what the trial judge knew.

I did not think that that was a proper exercise for a Minister. It was capable of constituting unfairness. I suspect that, in the fullness of time, it will be struck down by the Strasbourg Court, and we would do well to anticipate that by deciding that, in murder cases with mandatory life sentences, the tariff should be set by the trial judge.

Sir Nicholas Lyell: My right hon. and learned Friend is making interesting points, many of which I agree with, but the sentence for murder—a mandatory life sentence—requires review over a long period, and the approach to that review is inevitably part of the governance of the nation. Does my right hon. and learned Friend agree that, in a sense, that is always political, and there is more wisdom than is sometimes recognised in leaving it with the Government of the day?

Mr. Hogg: Of course, what my right hon. and learned Friend says on this matter and on all matters should be listened to with great respect. He is right for a number of reasons, one of which I think that he would emphasise: confidence in the criminal system depends, at least in part, on a response by those administering sentences to the public sense of what is right and wrong. One must concede that, oddly enough, politicians are rather better at sensing that than are judges.

I suspect that at the back of my right hon. and learned Friend's mind is a fear that the tariffs to be set by the trial judge might be somewhat on the low side. I share that anxiety, but in the end my conclusion is that it is important that the trial judge sets the tariff. However, it is a difference of degree. We have so much in common, that I am sorry not to agree with my right hon. and learned Friend on this narrow point.

Sir Nicholas Lyell: I am grateful to my right hon. and learned Friend. I do not disagree with him about the judge setting the tariff, providing that it is a minimum. What is important is that the overview of life sentences for the most serious offence should remain with the Government of the day, answerable democratically to the people of the country.

Mr. Hogg: We are very close, my right hon. and learned Friend and I, on the matter. I think that I do not agree with him, but it is a matter on which two friends may disagree without any acrimony, so I hope that he will forgive me if I do not entirely accept what he said.

I shall make two final points. The first is about the nature of imprisonment. It is extremely important that the House should go on saying that the deprivation of liberty is the penalty. I say that because, like all constituency Members, I am often approached by people who want conditions in prison to be harsh. I do not. I want conditions to be sparse and rigorous, but I do not want to dishonour people.

The punishment lies in the deprivation of liberty, and one should not humiliate people unnecessarily. There are good pragmatic reasons for that. The first is that, if one dehumanises people, which comes from unnecessary humiliation, one yet further alienates them from the mores of society, to which they must ultimately return. Leaving aside reasons of humanity, I am pragmatically very much against that.

Secondly and differently—this goes back to a point that I made at the beginning of my speech—if one dehumanises people, one removes the inhibitions that others have about ill-treating them. If one coops them up in extremely unsanitary conditions and generally treats them as animals, one should not be at all surprised if the prison officers misbehave towards them. For those two pragmatic reasons, I am not in favour of unnecessarily humiliating prisoners.

That takes me to the next point, which was touched on by my right hon. Friend the Member for Maidstone and The Weald, who spoke eloquently on the same point at the Conservative conference two years ago, I think—the need to make prison as purposeful as possible. One of the things that struck me forcibly when I was prisons Minister and when I have gone round the prison in my constituency, Morton Hall, is the degree to which prisoners lack basic skills and social skills.

For an enormous number of prisoners, numeracy and literacy have no meaning at all. I am very much in favour of pursuing vigorous educational programmes to the extent possible in prisons, and related to that, taking every opportunity to give prisoners skills relevant to their employment prospects in the future. That, too, needs to be done in prisons to the maximum possible extent.

An overlapping but equally important point is that efforts should be made to get prisoners out of their cells, for association, yes, but for work as well, within the prison and sometimes—at Morton Hall it is possible—work outside the walls of the prison. Their time should be occupied in a fulfilling and purposeful way. It contributes a little to rehabilitation—I am not one of the great optimists about the prison system, but it makes a contribution.

My final point goes to the status of the inspector of prisons. During the greater part of the time when I was prisons Minister, the inspector of prisons was Judge Tumim, who was a highly distinguished inspector of prisons. I have a high regard also for the present inspector, Sir David Ramsbotham. The status of the inspectorate of prisons is important, and I do not want it to be in any way downgraded or its authority or status diluted.

The truth is—this goes back to a point that I made earlier—that there is too little external insight into the way in which prisons are run. We are greatly indebted to the boards of visitors. I used to read the report of the board of visitors in respect of every prison when I received it. The boards of visitors are valuable and have an important role to play, but it is not a sufficient role, partly because they spend a considerable time working with a particular prison, which means that their experience and judgment is focused on that prison and does not necessarily have the wider perspective that I would wish.

I know perfectly well that reports from the inspector of prisons can be extremely embarrassing to the prisons Minister. I must have had 20 reports while I was prisons Minister, and from time to time I was, indeed, embarrassed by what Judge Tumim stated. We were called upon to answer his criticisms. I would say to the Minister of State, Home Office, the right hon. Member for Brent, South (Mr. Boateng), that, although it is tiresome and one may be embarrassed at the time, for goodness sake, take a broad view.

Let us recognise that prisons are places where abuses can happen only too readily, and where they are never discovered. I hope that nothing will be done to undermine the authority, status or importance of the inspector of prisons. Above all, his office should not be merged with the inspectorate of probation. That would undermine and dilute it.

My right hon. Friend the Member for Maidstone and The Weald has returned. That is most kind. I congratulate her on introducing the debate. When she is responsible for implementing penal policy, could we please have regular debates on the prisons?

Miss Widdecombe: Yes.

Mr. Hogg: That is reassuring. Will she also ensure that we get rid of the home detention curfew order scheme?

Miss Widdecombe: Yes.

Mr. Hogg: The answer is yes. Subject to my proviso, which she did not hear, but can read, will she be careful to ensure honesty in sentencing?

Miss Widdecombe: Yes.

Mr. Hogg: I know that my right hon. Friend attaches great importance to making prison life purposeful through education and work. I am sure that it will be one of her priorities.

Miss Widdecombe: Yes.

Mr. Hogg: Finally, my right hon. Friend should maintain the status, importance and authority of the inspector of prisons.

Miss Widdecombe: Hmm.

Mr. Hogg: Yes! That is all I wish to say.

6.1 pm

Mr. William Ross (East Londonderry): The main purpose of the debate is to discuss early release from prison in England and Wales. However, this Parliament covers the United Kingdom, and it is important to bring to the House a perspective on the early release of prisoners from the Celtic fringe, as it were. I listened to the comments of the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) on early release and large amounts of remission. I also listened with interest to the remarks of the hon. Member for St. Helens, South (Mr. Bermingham) on the same subject. Both appeared to believe remission should be earned. I suggest to the Minister that, regardless of the amount of remission, it should be earned more easily by a first offender who is serving his first prison sentence than by a chap who is serving a second or a third term and proving himself to be a persistent offender and professional criminal.

I hope that those who are in prison for the first time for lesser offences might be less willing to go back, and could have an early release target towards which to work. Thereafter, there should be harsher honesty about sentencing and remission. Folks should know that if they return to prison for the second, third or fourth time, it will be more difficult to get out early than it was the first time around.

I want to consider the consequences of the early release of prisoners that resulted from the Belfast agreement. We have heard that the Government have seen fit to grant early release to some 20,000 convicted criminals on the mainland, including drug dealers and traffickers, robbers, burglars, violent offenders, sex offenders and God knows what other sort of offender. The motion does not mention murderers. However, for anyone from Northern Ireland, the debate is a case of, "I've heard all this before; I've been there, done that."

I can give the right hon. Member for Maidstone and The Weald (Miss Widdecombe) some good news: early release of prisoners in Northern Ireland means that there will be many unemployed prison officers in Northern Ireland and two empty prisons of which good use could be made. It might be a little far to go to visit prisoners, but the accommodation is there. If the number of prisoners and misbehaviour is decreasing, use of Northern Ireland prisons for mainland prisoners would be a short-term answer. However, it would be useful, and would save money that would otherwise be expended on building a new prison on this side of the Irish sea.

As hon. Members will recall, the Belfast agreement was sold to the people of Northern Ireland as the answer to all their problems. Under the terms of the agreement, all terrorist prisoners—who are in a slightly different category from the prisoners that we have been discussing, but nevertheless wind up in prisons—were to be released in two years, no matter what their crime. Those two years end in four weeks. At the end of that time, every person convicted of terrorist murder up to a specific date will be out. We were told that peace and tranquillity would ensue if those mass murderers were released from prison and permitted to roam the streets freely. "Freely" is the operative word because none has something attached to his ankle to enable him to be watched. They are out, full stop. They are not electronically tagged.

The news for the people of Northern Ireland was not all bad. During the referendum campaign in 1998, the Prime Minister appeared in Coleraine in my constituency. He gave five handwritten pledges to the people of Northern Ireland, and asked them to vote for the agreement on that basis. I cannot stress enough the importance of those pledges to many Unionist people who were prepared to give the agreement a chance—wrongly, I believed. Those folk believed the Prime Minister when he promised them that those who threatened or used violence would be excluded from the Government of Northern Ireland and that prisoners would be kept in prison unless violence was given up for good.

When I dealt with a terrorist organisation, I did not believe in Santa Claus. I rarely believe it when a Government promise Santa Claus. Experience has taught us that those pledges, like so many from the Government, are merely the product of a highly sophisticated spin machine. The Government seem to us to have no clearer policy or strategic vision than to buy off terrorist organisations and to see themselves through whatever dominates the news headlines. They give no thought to the long-term consequences for the citizens who must live with them.

Mr. Michael Fabricant (Lichfield): I wonder whether the hon. Gentleman has read the intelligence reports that I have seen from time to time, which suggest that several terrorist prisoners who have been released early have since joined the Real IRA and the Continuity IRA. What does that say about recidivism?

Mr. Ross: I shall come to that in a moment. The hon. Gentleman pre-empted me by a few moments.

The Government did not give detailed, comprehensive thought to the effects of creating circumstances in which a well-organised terrorist structure could claim success in getting prisoners out before they had completed their sentences. That unquestionably happened. Hundreds of such people from both sides of the community have benefited from early release.

The first releases took place on 11 September 1998. Those released include some of the most violent criminals that the United Kingdom has ever had to tackle. For example, the IRA Brighton bomber, Patrick Magee, was one of them—even the Home Secretary had reservations about releasing him early. Sean Kelly, who murdered nine people in the explosion in a fish shop on the Shankill road, was released early. That is only the IRA side. On the loyalist side, the men who murdered eight people in the Rising Sun bar in Greysteel, again in my constituency, will soon be released, if they are not already out. It cannot have escaped hon. Members' notice that the recent tension in the Shankill road has not been helped by the release of the area's former UFF commander. That also happened under the terms of the Belfast agreement.

It seems to the people of Northern Ireland that those people who have been released early are the untouchables in the criminal structures of Northern Ireland. Two weeks ago, a bomb exploded in the garden shed of a house in Ballymurphy. There are strong rumours that one of the individuals involved is the IRA quartermaster for the area, who is out on early release. Several months ago, a car carrying a bomb was intercepted near Lisburn. One of those involved was also an IRA man on early release. During an Orange order parade the weekend before last, two IRA commanders, out on early release, were spotted stoning the RUC.

In Northern Ireland, early release has aided the growth of a mafia sub-culture, which is steadily increasing. Legitimate business men are faced with demands for money from people who have literally got away with murder. Such demands have been made for a long time, but they are now more subtle. When a convicted killer who has served his two-year sentence walks into someone's shop or business and requests a donation to his cause, or suggests that he provides the doorman for his bar or nightclub, what should that person do? Does he go to the police who, seemingly, often cannot help? He can try to ignore that killer, but that is not a wise policy—or he can do as the Government have done and simply surrender to the demands.

This has all come about as the result of a completely wrong reading of the situation. When I look at the system of early release of prisoners on the mainland in the light of my own experience, I wonder whether we are not taking too soft a line with many of the people involved. The real tragedy of Northern Ireland is that, rather than try to ensure that terrorists conform to the normal standards of democratic behaviour—namely, to respect the rule of law and the decision of the ballot box—the Government have sought to turn logic on its head and accept the terrorists' propaganda. They are now trying to persuade the law-abiding majority that it is acceptable for murderers to sit as Ministers, for decisions on the police force to rely on the good behaviour of the very criminals and murderers whom that same police force has fought for 30 years, and for vast terrorist arsenals to remain under the control of those terrorist organisations.

Since some of the dumps in the Republic of Ireland have been inspected, I assume that the whereabouts of such weapons is now known. If not, our security forces, never mind those in the Republic, are failing in their duty. I therefore hope that they will act properly and pick up those weapons. In Northern Ireland, the results of the early release of prisoners are plain for everyone to see. The RUC is demoralised and saying to itself, "Why bother to catch them?" That exists in a lesser form on this side of the Irish sea. In Northern Ireland, there is a rejuvenated criminal class, drugs and spiralling crime rates and an increasingly angry and frightened populace. It is hard for parents and teachers to teach children and young people the difference between right and wrong when one of the principal wrongdoers is now the Minister of Education and when they can see people who have literally got away with murder walking the streets.

Early release has massive implications for the criminal justice system. If someone can shoot eight innocent people dead in a bar because they believe them to be Roman Catholics, or blow up nine innocent people in a fish shop because they believe them to be Protestants, and then, after being caught, be released after serving less than two years for such mass murder, how can we possibly decide a reasonable tariff for a thief or a burglar? Early release has been a disaster in Northern Ireland. It was misconceived there and is equally misconceived here, because it lets criminals off too lightly and forgets that there is not only a rehabilitation but a payment to be made for crime. It is therefore an insult to the victims of crime. The sentences of innocent victims cannot be reduced. Why, therefore, should there be a reduction of sentence, except in limited circumstances, for those who do the injuring?

6.13 pm

Mr. Michael Fabricant (Lichfield): It is a privilege to follow the hon. Member for East Londonderry (Mr. Ross) who, of course, is right: the purpose of prison is not only to punish and rehabilitate, but to protect people from crimes that criminals might commit if they were not in prison. As he said, in Northern Ireland terrorists have left prison early, joined Real IRA and Continuity IRA and committed terrorist offences in Northern Ireland and on the mainland of Great Britain.

It is a privilege to speak in this debate as a member of the Select Committee on Home Affairs. I am the only Committee member here today, although that is not the result of my colleagues' negligence—they are off on a visit to Europe, examining the integrity of ports in respect of asylum seekers and others trying to enter the United Kingdom. The Government's policy on asylum seekers demonstrates the Home Office's effectiveness on that, as does its policy on early releases. The Government have become notorious for the use of spin, re-launching existing policies and announcing new sums of money which, time and time again—as a little examination demonstrates—double, treble or quadruple the actual amounts that are given.

In considering whether we are soft on asylum seekers and why they seek out this country, the Home Affairs Committee visited Sangette, on the outskirts of Calais, where we saw 600 or 700 asylum seekers living in the most appalling conditions. Those who spoke English told us that they had travelled across Europe from locations as varied as Iraq, Kurdistan, Iran and Syria.

Mr. Deputy Speaker (Mr. Michael Lord): I am sure that the hon. Gentleman will appreciate that the title of the debate is "Prisoners (Early Release)". I should be grateful if he would direct his remarks to that.

Mr. Fabricant: I was going to point out a continuity, as those people had the sole objective of coming to the

[Mr. Fabricant]

United Kingdom—*[Interruption.]* I shall answer the hon. Members for Basildon (Angela Smith) and for High Peak (Mr. Levitt), who question why I am raising the issue—not that they have participated in the debate. There is a continuity, as the Government try to claim that they are achieving many things, but they have not achieved anything on crime and punishment in this country. Indeed, my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) asked the Home Secretary two questions to which we still have not had a proper answer. The first question was, where are the 4,000 prison places that are now available? The Home Secretary tried to answer, but could not reach the figure of 4,000.

The right hon. Gentleman was asked another question that he could not answer—perhaps, in fairness, because my right hon. Friend the Member for Maidstone and The Weald asked him several questions. However, I shall repeat it in the hope that the Minister may be able to answer it in his summing-up. How many double cells are now occupied by three prisoners? That follows on from points made by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), who pointed out that prison conditions are important too. As I said in my opening remarks, prison should be a place in which rehabilitation can take place, perhaps, as my right hon. and learned Friend pointed out, through the acquisition of new skills.

The Home Secretary tried to maintain that our support for electronic tagging somehow allowed the use of the home detention curfew scheme. The two do not go together, and it is not right and proper that a tagging system should mean that people can leave prison early. Indeed, as my right hon. and learned Friend the Member for Sleaford and North Hykeham said, to ensure discipline in prisons, there should be a system of rewards as well as punishments for prisoners' behaviour.

Clearly, a system of reward, as well as allowing prisoners to perform certain functions in prison that they might not otherwise be allowed to perform, should include the reward of early release. I am inclined to follow the argument presented by my right hon. and learned Friend the Member for Sleaford and North Hykeham that early release should amount to perhaps only 20 per cent. of the prison sentence set down by the judge. A 50 per cent. release is certainly not fair and is not safe for society, as my hon. Friend the Member for East Londonderry pointed out.

It is worth bearing in mind that between the introduction of the scheme on 28 January last year and 30 April this year, more than 20,000 convicted prisoners were released early. They were not released early for light crimes, as the Home Secretary referred to them: 53 people had committed manslaughter; six, attempted murder; and 2,562 wounding, aggravated bodily harm and grievous bodily harm. Most awful of all, in some respects, 2,767 had been sentenced to prison for drug dealing; 23 for cruelty to children; 20 for sex offences; 1,887 for burglary; 811 for robbery; 237 for violent disorder, and 535 for affray.

Perhaps if those convicted prisoners had learned their lesson and society was now safe from them, that would be justification, yet 700 prisoners on special early release have breached the conditions of their curfew and 40 have disappeared and remain unlawfully at large. Nearly 400 of those released on the scheme have committed further offences—offences that they would not otherwise have been able to commit had they still been in prison. They include two rapes, five threats to kill, 119 offences of burglary, theft and robbery and 43 assaults.

We should remind ourselves that those offences were committed by people who could not have committed them had they still been serving a prison sentence, yet what does the Home Secretary say? He has said:

> the introduction of home detention curfew has been remarkably successful.

That is no remarkable success.

It is not my intention to speak at length. The Government have been successful up to now in one thing and one thing only: playing with the imaginations of the electorate by launching and relaunching initiatives and by doubling, tripling and quadrupling the money available for those initiatives, at least in the imagination. However, like the little boy who cried wolf once too often, Ministers are finding that they are no longer believed. Even their core supporters can see that the Government score full marks only on rhetoric, but continue to fail in delivery, as we have heard in this debate on crime and punishment.

The early release scheme is a clear demonstration that, far from being tough on crime, as is the case with asylum the Government and the Home Secretary are regarded as a soft touch by criminals. He does not deter them. To the majority of people who are law abiding and just want justice to be done and our streets to be safe, that is unforgivable. Criminal sentences must be just, but sufficiently harsh to deter future criminal acts. They must succeed wherever possible in rehabilitation, as my right hon. and learned Friend the Member for Sleaford and North Hykeham said, and must keep criminals away from society if they are unwilling to abide by the decent rules of society. The Government and the Home Secretary have failed the British people on all four counts.

6.23 pm

Mr. David Ruffley (Bury St. Edmunds): The more I look at the scheme, the more I realise that it could be described as the camel that broke the Straw's back because it is nothing less than a disgrace. We know—the prisons Minister, the right hon. Member for Brent, South (Mr. Boateng), has told the House—that it is possible for those sentenced to six months to get out in just six weeks because the scheme means that a prisoner can be released up to two months earlier than would otherwise be the case.

That raises interesting questions on the whole issue of honesty in sentencing. My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe), the shadow Home Secretary, and my right hon. Friend the Leader of the Opposition have been very clear over the past weeks and months about the need for radical reform, so that there is honesty in sentencing. The scheme that is before us makes a bad situation considerably worse.

The figures do not make happy reading. There are some chilling statistics on the period between the introduction of the scheme in January 1999 and 30 April this year. The following number of people have been let out early under the home detention curfew scheme: 53 who were convicted of manslaughter; six who were convicted of attempted murder; a staggering 2,767 who were convicted of drug dealing; 20 who were convicted of sex offences; 811 who were convicted of robbery; and 237 who were convicted of violent disorder.

The question that we have must ask is: did the Government intend that? Looking at the record and the comments of the Home Secretary, we are forced to conclude that they did not. He said:

> We have no plans or intention whatever to provide for electronic tagging to facilitate the early release of serious or sexual offenders. Let me make that clear, with a full stop—none whatever.—[*Official Report*, 29 November 1999; Vol. 340, c. 27.]

The statistics that I have alluded to make it clear beyond peradventure that he was being economical with the truth when he made that statement. As such, he should apologise to the House for making it.

It is true, as my hon. Friends have said, that Labour acts soft, but talks tough. I am reminded of the comments by the then Home Office Minister, the right hon. Member for Gateshead, East and Washington, West (Ms Quin), when putting forward the scheme:

> Prison is the right place for those who have committed serious crimes.

However, the facts show that those committing serious crimes—sexual offences, manslaughter, attempted murder—are being let out on the scheme.

The Conservative position is simple and straightforward, as we would expect from this Conservative Front-Bench team. We have common-sense policies. Our common-sense policy on electronic tagging is that it should be used not as a mechanism of early release, but as a form of punishment in its own right. Therefore, we will not have any nonsense about our support for electronic tagging. Where we have suggested that it may be a useful disposal, it is in connection with punishment, not early release.

I often read that great work of fiction, which is worthy of entry into the next Booker prize contest. It is the called the Labour party manifesto 1997. It promised a "battle against drugs" and

> a commitment to tackle the modern menace of drugs in our communities.

We look at that at face value and then see the statistics disclosed under the scheme. As I have reported, that Government initiative has allowed 2,700-plus convicted drug dealers to be let out.

I could go on. In fact, I will. The manifesto said that

> the police have our full support.

Those are warm words from the Labour party, but more than 100 criminals convicted of assaulting our police officers and of resisting arrest have been let out early after serving less than half their sentences. I give another example. The Government talk toughly about toughening sentences for causing death by dangerous driving and they want to increase it to a life tariff. The Minister of State, Home Office, The hon. Member for Norwich, South (Mr. Clarke), said that

> the public have a right to expect . . . long and heavy sentences.

They do, but they do not expect it from this Government because 126 dangerous drivers who have killed on the roads have been let out early under the scheme.

I am surprised that Ministers show their faces. It is not difficult to understand why their Back Benchers have not bothered to show their faces today. It is an absolute disgrace that they have not been willing to be here. Even Millbank has been unwilling to page them and to tell them to come to the House to defend their own Government's policy.

Mr. Fabricant: Does my hon. Friend realise that it is worse than that? Not only are Labour Back Benchers not here now, but only one bothered to take part in what is an important debate.

Mr. Ruffley: Labour Back Benchers are frit and we know why. It is a disgraceful piece of law and order policy and it will be judged as such at the next election by my constituents. In the aftermath of the Tony Martin case, they saw the robustness and clarity of the Conservative party position as articulated by my right hon. Friend the Member for Maidstone and The Weald and the Leader of the Opposition, and the pathetic, lily-livered, duplicitous talk and triple counting by the Government. We even heard Labour rubbish about "more money" for rural constabularies. My Suffolk constabulary has yet to hear any firm details in the wake of the furore that was created on the back of the Tony Martin judgment.

I shall give another example of how the Home Secretary talks about being tough on violent crime. We all read the spin that Labour put into the public domain to soften the bad news when it finally hit us, which is that violent crime has increased and is getting worse under this Government. We know why: fewer police officers and the soft, woolly minded, sandal-wearing policy of Home Office Ministers. They have no claim to be the custodians of proper, tough and effective law and order in this country.

I shall quote another statistic. I hope that the Minister can deal with it—probably not, if experience is anything to go by. The Home Secretary called for tougher sentences for street robbers in the light of the rise in violent crime, but he has let out more than 800 convicted robbers early under the special release scheme.

There is confusion in prisons policy. I am glad that at least one Minister has decided to turn up for this debate; it happens to be the prisons Minister—the right hon. Member for Brent, South (Mr. Boateng). Perhaps, in his summing up, he will tell us how he will be able to afford the burgeoning prison population. At the end of December 1999, the prison population was 62,060 and the certified normal accommodation—the prison capacity with no overcrowding—was 62,480. Some 17.8 per cent. of those prisoners were on remand. Projections based on those statistics show that the trend is upwards. If the custody rate and sentence length remain at 1999 levels, the projected prison population will be 70,400 by 2007—in the unlikely event that a Labour Government are running law and order then. If the custody rates and sentence lengths increase, the figure is predicted to be as high as 80,300.

The Minister has probably been doing his best with the Treasury to fund Home Office policy, but we want more money for our police, and he should tell us whether he has the money to fund the increase in the prison population. If he has not, the policy is more of a shambles than it first appears.

6.32 pm

Mr. Nick Hawkins (Surrey Heath): It is always very interesting to discover what has been going on while a debate has been in progress. It is of particular note that

[Mr. Nick Hawkins]

we have some more up-to-date figures on the number of people released under the home detention curfew scheme. Those figures were released in a written answer at 3.30 this afternoon to my hon. Friend the Member for Aylesbury (Mr. Lidington). I shall return to those figures later. It is always a pleasure to follow my hon. Friend the Member for Bury St. Edmunds (Mr. Ruffley), but I have to tell him that the figures are worse than those that he mentions.

In response to an intervention from my hon. Friend the Member for West Derbyshire (Mr. McLoughlin), the Home Secretary said that the Government would introduce a proposal on the Prime Minister's much vaunted announcement about on-the-spot fines as soon as there was legislative time, but despite that fact, this evening's BBC news reported that No. 10 Downing street is now saying that the idea of on-the-spot fines has been dropped. It has spun off into oblivion, so what price the Home Secretary's response to my hon. Friend now?

I do not think that the Home Secretary has the guts to try to explain away the fact that that policy has spun off into oblivion between 4 o'clock this afternoon and 6 o'clock this evening. What has happened to the policy, which, as the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) said, must have puzzled the theologians of Tübingen? It reminds me of the nursery rhyme about Solomon Grundy that we all learned as children. We now find that Labour policy is born on a Friday and buried on a Monday. Undoubtedly, we shall see much more spinning, angels dancing on the point of a pin and the Minister's usual sophistry to try to explain away that policy.

I turn to some of the serious points that have been made. In answer to my hon. Friend the Member for Reigate (Mr. Blunt), the Home Secretary said that he would tell those who sadly and tragically have been the victims of rape committed by someone who was released on home detention curfew that it is "better to manage the transition from custody to the community" of the criminal. Frankly, that is a disgrace. Are the Government concerned about law-abiding citizen or the criminal?

All the Home Secretary's words suggested that the Government are far more concerned about better managing the criminal's transition from custody to the community, but we on this side of the House are more concerned about the law 'abiding. As my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) said, the routine of someone who should be serving a custodial sentence in full, but has been released early on home detention curfew, may involve drug dealing from home.

I shall now deal with the figures that were announced in a written answer after the start of the debate. The Government said that they would be

> "tough on crime and tough on the causes of crime",

but in which group of offences have the largest number of offenders been released on home detention curfew? We had the figures to the end of April; we now have the figures to the end of May, and drug offenders comprise the largest group. No fewer than 3,480 of those convicted of drugs offences have been released, including 122 offenders whose convictions were for the production of drugs and 1,156 whose offence was the supply of drugs—the most serious drugs offence of all. Some 1,476 had been convicted of possession with intent to supply and 462 with possession. No fewer than 222 of those who have been released early have been involved in the unlawful import or export of drugs, so international drug smugglers are being released early.

Home detention curfews are not a sensible alternative. We know that the Government say that they regard that policy as a success, but they should tell that to the victims of the criminals who have been released early. The victims do not accept that; the public will not accept it, and neither will we.

As my hon. Friend the Member for Bury St. Edmunds said, as recently as November 1999, the Home Secretary said:

> We have no plans or intention whatever to provide for electronic tagging to facilitate the early release of serious or sexual offenders. Let me make that clear, with a full stop—none whatever"—[*Official Report*, 29 November 1999; Vol. 340, c. 27.]

That was long after the Select Committee report, although the Home Secretary claimed that its members knew all about what the Government had in mind. Of course they did not. As late as last November, long after the report, the Home Secretary told the House that the Government had no plans to apply the scheme to serious or sexual offences.

I shall quote the number of sexual offenders who have been released under the scheme in direct contravention of what the Home Secretary told the House. Nineteen offenders convicted of indecent assault, one of unlawful sexual intercourse and one of buggery have been released. Those figures completely undermine what the Home Secretary said as recently as last November.

I shall deal with one or two of the other contributions to the debate. We agree with the hon. Member for Southwark, North and Bermondsey about the need for constructive work to be done in prison. He is well aware that Coldingley prison, which is in my constituency, is an extremely good example of a prison where constructive work is done. I know that the Minister has visited it and, while considering legislation in Committee, we have agreed that we want to encourage such prisons, but there is no purpose in releasing people under the scheme and denying them the opportunity to take part in constructive work in prison when their offences should justify a lengthy custodial sentence.

The hon. Gentleman also said that longer sentences do not lessen the risk of reoffending. That may be true, but we on these Benches say that offenders cannot commit offences while they are in custody. He said that there should be fewer headline-grabbing initiatives. Perhaps that applied particularly to the one to which the Prime Minister referred last Friday, which has already been dropped. We need to be concerned about the protection of the public: once sentenced by a judge to a substantial custodial sentence, a person ought to serve that sentence. There should be honesty in sentencing.

Mr. Simon Hughes: May I ask a follow-up question? Given that, at the moment, almost everybody sentenced to prison is released, do the Conservatives believe that more people should be sentenced to prison with no chance of ever being released?

Mr. Hawkins: That simply does not address the issue of home detention curfew, which is what we are discussing, and the hon. Gentleman has raised a canard that has no relevance to the debate. We have said that there should be honesty in sentencing and that the sentence imposed by the judge, which the public believe will protect them, should be served.

I refer to some of the remarks made by my right hon. and hon. Friends. From his great experience as a former Attorney-General, my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) pointed out that the Government's law and order policy is in a mess, saying that although the Government sound tough, in practice the policies are weak and designed to save taxpayers' money. Reducing periods spent in prison, especially for the serious offender, saves the Treasury money, but does not protect the public.

My right hon. and learned Friend spoke with particular authority. In 1981, during the debates in Committee on what became the Criminal Justice Act 1982, he was the first person to suggest a type of curfew scheme, which those in Hertfordshire who pioneered the idea called the night restriction order. He pointed out that it was intended for borderline offenders who might not get custodial sentences. It was never intended for serious offenders, to whom the Government are now applying it.

My right hon. and learned Friend also pointed out that over our 18 years in government we built up what he described as a fine quiverful of disposals and sentences that are open to the courts. By using the policy as an Executive act, the Home Secretary has undermined the integrity of sentencing judges and magistrates in the court. That is the most serious condemnation of the Government.

My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), who always makes a powerful speech to the House, supported honesty in sentencing and talked about the need for the public to feel that sentences are appropriate. He stressed that the problem with home detention curfews as the Government use them is that they represent an Executive decision, which departs from the principle of honesty in sentencing, and made a powerful call for moving to a sentence discount of no more than 20 per cent. and for that discount to be earned with good behaviour and work in prison.

My right hon. and learned Friend also made the important point that so many prisoners, as I know from my own experience at the Bar, lack basic skills such as literacy and numeracy. Therefore, one needs to provide incentives and to try to ensure that prisoners are asked to do worthwhile work in prison.

In an extremely powerful speech, the hon. Member for East Londonderry (Mr. Ross) called for a tough approach to those who have committed the most serious offences—in particular, terrorist offences in Northern Ireland—and drew parallels with what happens in Ulster. He knows that we on these Benches have repeatedly called for an end to early releases until there is actual surrender of guns and explosives and he is aware that we strongly support what he said about that: too many concessions were made to the terrorists and too soft a line has been taken.

As the hon. Gentleman said, based on their highly sophisticated spin machine and to get over the short-term difficulties, the Government made promises without giving any thought to the long-term consequences for law-abiding citizens. I say to him that that is true not only in relation to Ulster. Sadly, the Government cause the same problems—spin as opposed to substance—on the mainland. My hon. Friend the Member for Lichfield (Mr. Fabricant) drew attention to the double counting and the re-announcement of Government policies with which we are so familiar in this policy area as in so many others.

The Home Secretary made desperate stabs into political history to try to bolster his argument, but got into trouble when he talked about the so-called vacant prison places. My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) pointed out the difference between certifiable normal capacity and usable operational capacity. Just like the initiative for on-the-spot fines, we know that that is another matter that the Prime Minister has completely misunderstood. On home detention curfew as on so many other law and order policies, we can be absolutely certain that what is vacant and certifiable is Labour policy.

6.45 pm

The Minister of State, Home Office (Mr. Paul Boateng): We can be equally clear that crime doubled under the Conservatives while the number of criminals convicted by the courts fell by a third. That is the base from which we were required to move. Protecting the public and ensuring that we use prisons as an opportunity to address the underlying causes of offending with far greater success than the Opposition ever managed when they had stewardship of these matters are at the heart of what we seek to achieve. Therefore, it is disappointing that the Opposition have chosen to use this, their day, in such a way.

Let us not forget that today is the Opposition's day, not ours. We do not have to come into the Chamber to listen to them, but when one considers who turned up to listen to whom, it is interesting that the maximum number present on their side when Opposition spokespersons were not speaking was four on my count. Indeed, at one time they were outnumbered by Ulster Unionist Members, so let us be clear about who attended the debate.

Dr. Julian Lewis: Will the Minister give way?

Mr. Boateng: No, I have no intention of doing so.

Let us be clear: despite all the shilly-shallying and all the ranting and raving that we have heard from the Opposition, they cannot get away from the fact that the overwhelming majority of those placed on the home detention scheme have successfully completed their curfew. The overwhelming majority have not offended on curfew and the scheme has helped thousands of short-term prisoners to make the difficult transition back into the community. That is what it was designed to do—that was its purpose—and it is better to protect the public by ensuring that we better manage the transition of offenders from custody into the community.

Let us have a brief look at where all this began. The home detention curfew scheme was universally approved, without dissension, by the all-party Home Affairs Committee. The hon. Member for Surrey Heath (Mr. Hawkins) put his signature to its report and no amount of slithering and sliding can get him away from that fact. His fingerprints are all over the report—we do not need DNA to tell us that. Furthermore, I have here a record of the debate of 8 April 1998, in which he spoke. He had this to say:

> I particularly welcome the provisions on electronic tagging.—[*Official Report*, 8 April 1998; Vol. 310, c. 417.]

[Mr. Boateng]

There it is. He cannot say that he did not know—it was all in the Bill and it received not just a welcome, but a particular welcome.

Mr. Fabricant: On a point of order, Mr. Deputy Speaker. In the light of the news that the Prime Minister has announced that there will not be on the spot fines, has the Home Secretary said that he wishes to make a statement in that regard?

Mr. Deputy Speaker: I have no knowledge of those matters. In any case, it is not a matter for the Chair.

Mr. Boateng: Even the speech of the hon. Member for Lichfield (Mr. Fabricant) was better than that intervention, and that is saying something.

We need to be clear that the home detention curfew scheme is just one of the many measures that we have introduced to help prepare prisoners for release, as part of our strategy for reducing reoffending and protecting the public.

Some good points have been made in this afternoon's debate. One was made by the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), who spoke of the importance of ensuring that we take care to reflect on what we do in prisons to address recidivism. That point was taken up with some force by my hon. Friend the Member for St. Helens, South (Mr. Bermingham), who endorsed the Government's approach on this issue. The right hon. and learned Gentleman spoke about how, on occasion, he was "deeply troubled" by the failure of his Government and the Prison Service better to address that issue. Well, we have been addressing the issue. We have been applying additional resources to addressing basic skills in literacy and numeracy, which were neglected for 18 years by the previous Conservative Government. It has taken a Labour Government to begin to address those deficits.

Miss Widdecombe: Will the right hon. Gentleman give way?

Mr. Boateng: No. [HON. MEMBERS: "Give way."] If I may finish the point that I am making, the right hon. Lady can then make her point in her own inimitable fashion.

We are spending additional resources: £26 million has gone into education—basic literacy and numeracy skills—to address the causes of offending. That is money that was never spent by the Conservative Government when they had stewardship of the Prison Service. Now, without costing their proposals, they seek to renege on their previous commitment to developing a penal policy that would have recognised the benefits that the home detention curfew scheme presents in terms of better protecting the public by better managing the transition from prison into the community.

Miss Widdecombe: Will the right hon. Gentleman confirm one very simple fact: that under our stewardship of the Prison Service, purposeful activity rose to a peak of 26 hours, whereas it is now down to below 23 hours? How on earth is that developing prisoners' potential?

Mr. Boateng: The right hon. Lady knows, because in her serious moments she has done some serious thinking on the issue, that the definition of purposeful activity is seriously flawed. In fairness, she will admit that. She also knows that, by any definition, this Government are spending more money on, and devoting more energy and resources to, basic literacy and numeracy than her Government ever did. *[Interruption.]* All the baying in the world cannot get over that basic fact.

Let us go back to the subject of home detention curfews. We have not sought to renege on that in the course of our stewardship of the Prison Service. It is but one element of our overarching strategy for reducing reoffending and protecting the public—one important element. However, let us examine what we need to do and should be doing better to protect the public, and what we are doing. A basic part of the structure of the home detention curfew scheme is the better assessment of risk, the reduction of risk and the managing of risk after release.

The Government are addressing the long outstanding issue of the partnership that needs to exist between the Prison Service and the probation service. That partnership was not in place under the Conservative Government, but it is now in place and the public are better protected for it.

In their consideration of these issues, the Opposition have failed to recognise the importance of ensuring that the criminal justice system as a whole works better. We need a Crown Prosecution Service, a court service, a probation service, a Prison Service and a police service that work in ways that are better designed to reduce the impact of reoffending and to protect the public. Importantly, they must also be based on recognition of the vital role that can be played by the home detention curfew scheme in terms of the transition from prison into the community.

It really is disappointing that, on a day on which the Conservative Opposition should have addressed the real issues—[HON. MEMBERS: "We have."] No; I mean the issues that show that it is possible to do as we have done, effectively to redress the impact of burglary and vehicle crime, and to take measures that have led domestic burglary and vehicle crime to fall. That is our record. Under the Conservatives' stewardship of the criminal justice system, crime doubled and the number of criminals convicted by the courts fell by a third.

This Government are reversing the fall in police numbers—[HON. MEMBERS: "No."] Oh yes.

Miss Widdecombe: Will the right hon. Gentleman give way?

Mr. Boateng: No. [HON. MEMBERS: "Give way."] I shall give way when I have finished this point.

Our crime fighting fund is providing the police with an extra 5,000 recruits over this financial year and the next. Under the previous Government's stewardship of the police service, the number of police officers fell. That is the record, and we are in the process of reversing that.

Miss Widdecombe *rose—*

Mr. Boateng: No; let me finish. Opposition Members hate being—*[Interruption.]*

Mr. Deputy Speaker: Order. There are far too many sedentary interventions. The Minister has said that he will give way, but not at the moment.

Mr. Boateng: The Opposition hate to hear about their record in government. This Government's actions include the home detention curfew scheme, the crime fighting fund and £180 million spent on CCTV schemes. We have paid attention to anti-social behaviour, with the introduction of anti-social behaviour orders, which the Opposition opposed. It is this Government who, time and again, have taken the hard decisions. We have addressed the basic causes of offending and created a real partnership between the police, the probation service and the Prison Service.

It is our Government who will deliver increased numbers of police and steadily falling reconviction rates for offences such as burglary and vehicle crime. We will succeed with our policies in better protecting the public. That is why we must oppose the motion that the Conservatives have proposed. I ask the House to support our amendment and to oppose the Conservative motion.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 137, Noes 319.

Division No. 245] **[7 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smyth, Rev Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John Randall and
Mr. Peter Luff.

NOES

Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Blizzard, Bob
Blunkett, Rt Hon David
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul
Follett, Barbara

Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hancock, Mike
Hanson, David
Harman, Rt Hon Ms Harriet
Harvey, Nick
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hoey, Kate
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Ladyman, Dr Stephen
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Rendel, David
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. David Jamieson and
Mr. Don Touhig.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 272, Noes 153.

Division No. 246] **[7.14 pm**

AYES

Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Caton, Martin
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cooper, Yvette
Cousins, Jim
Cox, Tom
Crausby, David

Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dismore, Andrew
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall-Andrews, Robert
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. David Jamieson and
Mr. Don Touhig.

NOES

Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bell, Martin *(Tatton)*
Bercow, John
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Bruce, Ian *(S Dorset)*
Burnett, John
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Grieve, Dominic
Gummer, Rt Hon John
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David

Hogg, Rt Hon Douglas
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jenkin, Bernard
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maude, Rt Hon Francis
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Pickles, Eric
Prior, David
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John Randall and
Mr. Peter Luff.

Question accordingly agreed to.

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House notes that the introduction of Home Detention Curfew with electronic tagging as in the Crime and Disorder Act 1998 was specifically welcomed in the unanimous Third Report of the Home Affairs Select Committee, Session 1997–98 (HC 486-I), whose members endorsing the report at that time included the honourable Members for Woking, Surrey Heath and Aldershot; believes that one of the major factors contributing to re-offending is an inadequate transition between custody and life outside prison in the community; applauds the work initiated by HM Government better to manage that transition, through Home Detention Curfew, more effective drug treatment, Welfare to Work and greater emphasis on education, work and offender behaviour programmes; notes that short term prisoners are only released on Home Detention Curfew after a careful risk assessment, that about 94 per cent. of prisoners have completed Home Detention Curfew successfully, and that the latest information indicates that fewer than 2 per cent. have been arrested, prosecuted or convicted for offences committed on Home Detention Curfew; applauds the Government's toughening of the sentencing regime, its practical approach to honesty in sentencing, and its establishment of a comprehensive review of the sentencing framework; and further notes the Opposition's action in opposing strong measures against anti-social behaviour, benefit sanctions for probation offenders and reform of mode of trial, comforting only the miscreant at the expense of the victim and the community.

Neill Committee (Ministers and Special Advisers)

Mr. Deputy Speaker (Mr. Michael Lord): I inform the House that Madam Speaker has selected the amendment in the name of the Prime Minister.

7.25 pm

Mr. Andrew Lansley (South Cambridgeshire): I beg to move,

That this House notes the recommendations in the Sixth Report of the Committee on Standards in Public Life, "Reinforcing Standards", concerning Ministers and Special Advisers; regrets that the Government has failed to respond to that report; notes that the Prime Minister will not accept responsibility for adjudicating on the compliance of Ministers with the Ministerial Code of Conduct; further notes that the number and cost of Special Advisers continue to increase; believes that Ministers should be accountable for conflicts of interest and failures to comply with the spirit as well as the letter of the Ministerial Code of Conduct; further believes that the number, and activities, of Special Advisers is prejudicing the impartiality of the Civil Service and accountability of government; and calls upon the Government to accept in full the recommendations of the Committee on Standards in Public Life in relation to Ministers and Special Advisers.

It would not have been necessary for the Opposition to table this motion if the Prime Minister and the Government had responded promptly and positively to the sixth report of the Committee on Standards in Public Life, which was published in January, and particularly to the recommendations on the ministerial code of conduct and special advisers. As it is, far from there being a positive response to the Committee's recommendations, we have seen further evidence of the Government's arrogant disregard for standards in public life, which they claim to have been elected to uphold.

On 7 May 1997, the Prime Minister told the parliamentary Labour party that Labour was not elected

to enjoy the trappings of power but to do a job and uphold the highest standards in public life—*[Interruption.]*

That reaction from Opposition Members clearly illustrates my point—that such a remark would be farcical if it were not so tragic for the public interest.

We did not need Lady Richard's diaries to know that, from the outset, Ministers were more determined to secure their privileges and perks than to deliver on their election promises. However, Ministers' petty pursuit of privileges and perks is not the point of this debate. The purpose of this motion and the debate is to press the Government, particularly the Prime Minister, to take responsibility for Ministers' compliance with the ministerial code of conduct and to curb political advisers and their corrosive influence. We have warned the Government about that almost from day one.

Mr. Andrew Miller (Ellesmere Port and Neston): The hon. Gentleman started by referring to the sixth report. Does he acknowledge that that report actually says that special advisers play a valuable role? Is it not therefore inappropriate to use words such as "corrosive" to describe that role?

Mr. Lansley: Later in my speech, I shall explain at length to the hon. Gentleman—whom I suspect knows it, but will not admit it—why we are saying not that special advisers or political advisers have no role to play, but that the manner in which the Government have deployed them, the number of advisers whom they have employed, and the way in which the advisers have done their job has made that role utterly corrosive rather than valuable, as it was under the previous, Conservative Administration.

Mr. John Gummer (Suffolk, Coastal): Will my hon. Friend contrast the position in the Department of the Environment, Transport and the Regions—which has no advisers to help in addressing detailed and expert issues in, for example, design, architecture and planning—with that which prevailed in the former Department of the Environment? When a Conservative Member was in power at that Department, many of the advisers whom we had did not have party political allegiances. Although one of the advisers had been a Liberal Democrat candidate, he also happened to be the best expert on environmental issues that we could find. Would my hon. Friend also like to contrast advisers and political appointees?

Mr. Lansley: I am grateful to my right hon. Friend. He has demonstrated from his own experience as a former Secretary of State for the Environment the way in which the previous Administration not only employed fewer special advisers, but employed those who could help the Government to serve the public interest, rather than only those who would serve a party and a partisan interest.

We saw what the Government intended almost from day one. It all began with the spin doctors pushing out the civil service Government information officers. Andy Wood, the former director of information at the Northern Ireland Office, described the

> trashing of reputations of certain members of the then Government Information Service by special advisers.

The spin doctors then turned to members of the Government. Lord Hattersley described how a former Minister was rubbished to him by Downing street. Then, they got hold of Government statistical presentation, triple counting spending plans on health, and announcing the same education initiative 17 times; £500 million for farmers that turned out to be £1 million; and the 5,000 extra police who turned out to be no extra police at all. And so it went on.

Mr. Brian White (Milton Keynes, North-East): Will the hon. Gentleman remind the House how many times the Conservative Government changed the unemployment statistics when they were in power?

Mr. Lansley: I do not accept the hon. Gentleman's stricture but, even if I did, is he arguing that before the election the Labour party decided that it had seen things that the previous Conservative Administration did that it believed were wrong, and proposed to imitate them? Or did Labour believe that it was coming to office to do things differently? It did not do things differently—it did things worse.

So it went on. The more the spin machine has grown, the more it has fed on the legitimate role of Ministers and the civil service: promoting its own interests, feeding the egos of those involved by manipulating the careers of others—all the classic techniques of the palace courtiers. Not only does the Prime Minister demand to be treated like the Chinese emperor, with everyone kowtowing to him, but he needs his equivalent of the eunuchs to do his bidding.

Mr. Fraser Kemp (Houghton and Washington, East): Will the hon. Gentleman give way?

Mr. Lansley: On that apposite note, I will happily give way to the hon. Gentleman.

Mr. Kemp: I share the hon. Gentleman's concern about the improper use of taxpayers' money for people to operate in a party political role. Will he assure the House that none of the Short money allocated to the Opposition—more than £3 million—is spent in Conservative central office and specifically the war room within Conservative central office? The right hon. Member for Wokingham (Mr. Redwood) was asked three times on the "Today" programme to give that assurance; on each occasion, he failed to do so.

Mr. Lansley: I am pleased that the hon. Gentleman did not disappoint me; he made precisely the point that I expected. He will know that the Leader of the House provided precisely the answer. She said:

> Recipients of Short money have to furnish the Accounting Officer of the House with the certificate of an independent professional auditor in a form determined by the Accounting Officer to the effect that all expenses in respect of which the party received financial assistance during the period ending with that day were incurred exclusively in relation to the party's parliamentary business under the House's resolution.—[*Official Report*, 13 April 2000; Vol. 348, c. 272W.]

In the context of a debate on the Neill committee recommendations, it is interesting that the hon. Member for Houghton and Washington, East (Mr. Kemp) did not make it clear that the increase in the Short money was voted by this House and was in response to a recommendation from the Committee on Standards in Public Life. We are here to see why the Government, having pursued that recommendation successfully in the House, are not willing in the same way to impose on themselves recommendations which stem from the Committee.

Mr. Gummer: Will my hon. Friend tell the House whether the Government provide similar assurances for the money spent from the public purse on all their special political advisers?

Mr. Lansley: My right hon. Friend is absolutely right to raise that point. We will get no such assurance or accountability. It will be hidden in the increases in running costs of Government Departments, which have gone up by £2 billion in comparison with what would have been spent by the Conservative Administration at this stage. Special advisers cost £1.8 million in the last year before the election; the figure is now up to £4.3 million—some £2.5 million extra.

Even the new Labour backers and Labour Back Benchers have now noticed that the emperor has no clothes, and they have rebelled. They know the malign effect of the spin machine. The dam has burst and Labour's own people are speaking out.

Tony Wright (Cannock Chase): I agree with the hon. Gentleman that it would be unfortunate if the Short money

[Tony Wright]

issue distracted us from the debate, but we shall get distracted only if the hon. Gentleman does not gives the assurance for which he has been asked. At least we know who the special advisers are, what they are paid and so on. Short money is designed to be used for the parliamentary activities of the Opposition parties. Is it being used only for such activities? Can he give us that categorical assurance?

Mr. Lansley: I am surprised that the hon. Gentleman should make that point. I have made it clear that the Leader of the House has set out the way in which the Short money is to be accounted for. It will be accounted for in precisely that way. There will be no difficulty about that.

The condemnation that is now falling on the Government for their spin machine is something for which they have only themselves to blame. We told them it was wrong. The Neill committee took evidence and made recommendations. Even six months ago, changes could have been made in response to those recommendations, and the corrosive influence of Labour's spin machine would have been rolled back.

Labour's reaction to criticism illustrates the problem—there is no contrition or humility, only an arrogant denial of what everyone knows to be true. We are asked now to believe that every one of the stories from "sources", rubbishing Labour Ministers, is an invention of the press. All critics are dismissed and their motives questioned. They are described as "self-indulgent"—meaning they will not stay on message and have the effrontery to say what they think and what they know to be true.

The Prime Minister said two years ago, that Labour had to be very careful

> that we are purer than pure.

The Prime Minister has failed and it is his personal responsibility. It is no good the Prime Minister delegating responsibility to the Parliamentary Secretary, Privy Council Office; it is the Prime Minister's power that is being used to ill effect and it is his abdication of responsibility which has brought this condemnation on his Government.

Not least, it was the Prime Minister's responsibility to uphold the highest standards in public life by following the recommendations of the Committee on Standards in Public Life and he has not done so.

Mr. John Redwood (Wokingham): The House will notice tonight that the Minister for the Cabinet Office is not in her place to reply to the debate. Does my hon. Friend think that that is because she has consistently been badly briefed against by senior Labour spin doctors; that she does not accept the feeble line put out by Labour that it was all made up by the press; and that she has wisely stayed away because she does not want to lie to the House?

Mr. Lansley: My right hon. Friend will be interested to know that the Minister for the Cabinet Office is attending a meeting in Paris to discuss drugs policy. The Parliamentary Secretary, Cabinet Office is here. The Leader of the House was replying in detail to media questions yesterday. I am surprised that as the Minister for the Cabinet Office could not attend this debate, the Minister of State, Cabinet Office, and the Leader of the House have not. The Government have searched carefully for Ministers who have neither sinned in this respect nor been sinned against. They had to look very far down what the Leader of the House described in an interesting aside—it gives away what they think about this matter—as the feeding chain.

On the ministerial code of conduct, the Prime Minister sold the pass in the first instance by failing to adopt in particular the formulation proposed by the Committee on Standards in Public Life:

> It will be for the Prime Minister to determine whether or not Ministers have upheld the highest standards in particular circumstances.

However, the code, published in July 1997 read:

> It will be for individual Ministers to judge how best to act in order to uphold the highest standards. They are responsible for justifying their conduct to Parliament and they can only remain in office for so long as they retain the Prime Minister's confidence.

In the light of the evidence, the Neill committee has now proposed that this be replaced by a text, the final sentence of which reads:

> The Prime Minister remains the ultimate judge of the requirements of the Code and the appropriate consequences of breaches of it.

There is a critical issue at stake. It has always been true that a Minister who loses the confidence of the Prime Minister, or that of this House, cannot continue in office. We did not need a code to establish that. The purpose of the code is to set ministerial conduct within an ethical framework, with a mechanism for accountability. The present formulation makes compliance with the code a matter essentially for the Minister concerned. The Minister becomes judge and jury in his or her own case.

The Prime Minister can avoid—and, in practice, has avoided—becoming the arbiter and defender of the code. The authority of the office of the Prime Minister has not been harnessed to compliance with the code. Yet that is precisely what the Prime Minister implied in July 1997, when he wrote a foreword to the code and said that he expected

> all Ministers to work within the letter and spirit of the code.

One important case will serve to illustrate the problem. The Deputy Prime Minister has had the benefit of a flat leased to him by the RMT on the basis of a statutory secure controlled tenancy. This tenancy continued after the RMT's sponsorship of the right hon. Gentleman ended. Questions relating to the registration of this as a benefit and a conflict of interest in relation to parliamentary proceedings were examined by the Standards and Privileges Committee. I make no comment about that. However, it is important to be aware that the Committee was concerned only with the right hon. Gentleman's position as a Member of Parliament, not his position as a Minister.

Separately, my hon. Friend the Member for Tunbridge Wells (Mr. Norman) wrote to the Prime Minister about the conflict with the ministerial code. The code is specific. Paragraph 113 states that while Ministers can be trade union members,

> care must be taken to avoid any actual or perceived conflict of interest.

It adds that Ministers

> should receive no remuneration from a union.

After its inquiry, the Standards and Privileges Committee invited the Deputy Prime Minister to enter his tenancy of the union flat in the Register of Members' Interests as a registrable benefit, so the breach of the code could not be clearer. In the view of the Committee, the Deputy Prime Minister receives a benefit from the tenancy and should register it.

Mr. Michael Jabez Foster (Hastings and Rye): The hon. Gentleman's recollection of the decision of the Committee might be inaccurate. It did not decide that the tenancy was registrable, but that it would be better to register it. That is a different matter.

Mr. Lansley: And how many angels will fit on the head of a pin?

So what did the Prime Minister do about the case? To start with, he replied to a written question on 4 April by saying that the letter from my hon. Friend the Member for Tunbridge Wells had been passed to the office of the Deputy Prime Minister for reply. A further letter from my hon. Friend was referred to a Minister in the Department of the Environment, Transport and the Regions for reply. The absurdity of that should be obvious even to Labour Members—that one of the Deputy Prime Minister's junior colleagues should be asked to pass judgment on his boss.

After two further letters, eventually my hon. Friend got a prime ministerial reply. The Prime Minister used two arguments. First, he said that the Standards and Privileges Committee report had—in his view—vindicated the Deputy Prime Minister. Secondly, he said that the Deputy Prime Minister continued to have his confidence and that no actual conflict of interest had occurred. It is clear that the Prime Minister is willing to blur the issue of the position of Member of Parliament and Minister, and to use a test of confidence, not compliance with the code. There is no evidence in the Prime Minister's reply to my hon. Friend of an understanding of the requirements of the code, no evidence of an investigation and no explanation of how he has applied the code.

It should not be acceptable to this House that the Prime Minister will not secure scrutiny of the code or any investigation of substantive complaints, nor provide an impartial account of the findings of such complaints. The power of the Executive in our constitution is so little fettered that the highest ethical standards must be maintained, and be seen to be upheld.

Tony Wright: I know that the Conservatives have decided to elevate amnesia to an ideology, but I remind the hon. Gentleman that it was the first Nolan report, in 1995, that made the recommendation about the role of the Prime Minister in relation to the code. That recommendation was explicitly rejected by the previous Government.

Mr. Lansley: The hon. Gentleman is an expert on such matters and he will know that the point at which the code of conduct is customarily reissued is when a new Administration are formed. There was not a new Administration until 1997—two years after the 1995 recommendations. A Labour Prime Minister then had responsibility for reissuing the code. Therefore, it falls to the present Prime Minister to explain himself. I will take no criticism of my right hon. Friend the Member for Huntingdon (Mr. Major), who established the Nolan committee in the first place and has an honourable record in the matter.

The Prime Minister has ignored both the letter and spirit of the code. It is another case of a Prime Minister who will say whatever he thinks will garner him support, but do whatever he finds expedient in his personal and party interest. The pursuit of party interest rather than the public interest is the hallmark of this Government. It is true also in the way in which Labour has packed Government with its political placemen.

Mr. Nigel Beard (Bexleyheath and Crayford): The hon. Gentleman alleges that the Government pursue party interest, not the public good. Would he care to comment on the case of Michael Simmonds, who was the political adviser to the chairman of the Conservative party in 1996-97 and not only on the Government payroll, but based in Conservative central office?

Mr. Lansley: The hon. Gentleman should have given me notice of that question before he asked it. However, I can answer it from the Conservative party's experience. In the run-up to the 1992 election, I was a paid official of the Conservative party and I was appointed as a special adviser. However, the Conservative party paid my salary. It provided me with, as it were, board and lodging. Under present circumstances, people who act exclusively in the party interests of the Labour party are scattered across Whitehall, at the taxpayer's expense.

Mr. Andrew Robathan (Blaby): The Neill committee specifically referred to the foreword to the ministerial code of conduct. It said that the effect of the foreword is to underline the status of the code as the Prime Minister's document, written not only as guidance for Ministers but as a pledge to the public. Does my hon. Friend think that the current behaviour of some Labour Members shows that they take that pledge to the public seriously?

Mr. Lansley: I take my hon. Friend's point. Labour Members do not take that pledge seriously. All the promises that were made at the election were about securing office. They are concerned with power, not with serving the public interest.

Mr. John Bercow (Buckingham): Does my hon. Friend recall that only last year the Prime Minister, abandoning his high-mindedness of 1997, boasted at Question Time of the effectiveness of his press secretary—someone paid from the public purse—in attacking the Conservative party? Was not that an absolute disgrace?

Mr. Lansley: My hon. Friend is right, and his point aptly brings me to the points I wish to make about special advisers. Three years ago, before the election, there were 38 special advisers; now there are 79. Earlier this year, there were 74 at the point at which the Neill Committee recommended a limit on numbers. Since then, the Government have not only ignored that recommendation but continued to add to their number.

Let me make it clear—the question was raised earlier—that I am not opposed to the appointment of special advisers. There is a defined role in offering political advice to Ministers, and in keeping that separate from the impartial advice of the civil service. But that is not the

[Mr. Lansley]

way Labour's special advisers work—they seek to act as gate-keepers to senior Ministers, take executive roles, speak at party meetings, make overseas visits, engage in political briefing of journalists, subvert the work of the Government information service and blur the boundaries between civil service and party. They act not as a complement to the disinterested advice of civil servants, but as a partisan operation, devising policy for the presentational benefit of the Labour party. To those people, the Labour party's interest and the public interest are the same.

It is no wonder that Labour is all spin and no substance. It is dominated by spin doctors. It thinks only of the short-term presentation, not the long-term public interest. Those Ministers who do not do the same are done down by the mischievous briefings of the spinmeisters and their apprentices.

Most dangerous of all is the tripling of the number of advisers in 10 Downing street. In the past, party officials going to Downing street knew that they were entering the heart of the Government machine. They were the outsiders. Now it is civil servants who feel that they are the outsiders. No. 10 is a Labour party office. It is the recreation of the Millbank tower operation inside Government. The Labour party cannot or will not stop being an Opposition. It still believes that it can spin its way out of the reality of the public's experience.

Dr. Julian Lewis (New Forest, East): Is it not typical of the Government's attitude that in their amendment to our motion they quoted from the Neill report the comment that

special advisers have a valuable role to play.

However, the Government have omitted the remarks later in the same paragraph:

> There is the argument, however, that if the numbers of this type of public servant, and their degree of influence, rise to a point where the influence of the "objective" public servants is outweighed, the effectiveness of the principle of objectivity in public life is diminished.

Is not that precisely what is happening?

Mr. Lansley: My hon. Friend is right. What he says does not surprise me, as it is in the nature of spin to extract from a paragraph the half sentence that suits the Government's purpose, and to ignore all qualifications and additions.

The Government do not understand that, ultimately, they will be judged by reality. They will be judged by delivery and not by spin. Reality influences perception, not the other way around.

Special advisers cost £1.8 million in 1997, and they cost £4.3 million now. Running No. 10 Downing street cost £3.4 million before the election, and costs £5.9 million now. The Government are setting up the knowledge network—dubbed the Ministry of Truth in Whitehall—at a cost of £240,000 and rising. The research and information unit has eight staff, and no one knows what they do. The strategic communications unit used to have six staff, but now Mr. Alastair Campbell is its operational head and it has 11.

We know that, technically, Mr. Campbell is allowed to undertake partisan political work only in his lunch hour and tea break.

Dr. Julian Lewis: A long lunch.

Mr. Lansley: My hon. Friend anticipates me. Mr. Campbell must be breakfasting, lunching, dining and taking tea for the benefit of his party these days.

I know that Mr. Campbell cannot answer back in the House of Commons, but that does not matter as everyone knows that he will be answering back in unattributable briefings. However, spin and Mr. Campbell himself have become the story—and there, as Mr. Charles Whelan will tell him, lies the danger.

Ken Follett attacked the Labour spin machine and the Prime Minister's responsibility in particular. He was right in the most important thing that he said: he noted that the main problem was not who said what, but that the Prime Minister was responsible for what was happening and had not stopped it. The reason for that is that he cannot; he knows no other way.

The Labour Government have no purpose other than power. They are more concerned with who is up and who is down than with what they are achieving. They applaud spin over substance. They need to cut the numbers of special advisers.

We have a commitment to differentiate specialist advisers from political advisers, and to ensure that those specialist advisers are appointed according to Nolan rules. The Government will not do that. We will cut the number of political advisers close to the level inherited by this Government at the general election, which means that we will virtually halve the present total. We will restore clear boundaries between the political function in government and the civil service functions that should properly be impartial and disinterested.

That is the challenge to the Government in this debate. Why have they failed to make any response to the Neill committee on its important recommendations? Will they respond now? Will they understand the importance of the problem, and act on it? The Government have not understood that, and I know that they will not. This is a Government who have lived by spin, and now will die by it.

7.53 pm

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): I beg to move, To leave out from 'House' to the end of the Question, and to add instead thereof:

> 'welcomes the statement by Lord Neill that there is now less cause for concern about standards in public life than when the cash for questions affair led to the setting up of the Committee in 1994; restates the Government's commitment to maintaining a non-political permanent civil service; agrees with the Sixth Report of the Committee on Standards in Public Life that "special advisers have a valuable role to play"; acknowledges that the Report deals with the serious issues across a wide range of subjects; and notes that the Government plans to respond before the summer recess.'

Perhaps I should begin with an apology, as I am delighted to hear that I have neither sinned nor been sinned against. I am grateful for that double blessing from the hon. Member for South Cambridgeshire (Mr. Lansley), and I shall try to keep up the record, keep my night job, and shine my halo.

At the outset, I wish to make it clear that the Government value the work of the Neill committee highly. We strongly supported the establishment of the Committee on Standards in Public Life in October 1994, which took place amid deep disquiet at the conduct of some Conservative Members. Labour's 1997 manifesto promised to clear up politics and to rebuild the bond of trust between the British people and the Government.

We said that we would clean up politics. Our system of government is centralised, ineffective and bureaucratic. There is unquestionably a national crisis of confidence in our political system. An early decision in November 1997 was to extend the remit of the Neill committee's work to review issues relating to the funding of political parties, and to make recommendations as to any changes in the present arrangements.

The Committee's sixth report, "Reinforcing Standards", is a review of its first report. We therefore welcome Lord Neill's statement that there is now less cause for concern about standards in public life than when the affair about cash for questions led to the Committee being set up in 1994.

Mr. Redwood *rose—*

Mr. Tipping: I am sure that the right hon. Gentleman will remind us all about the allegations of corruption that were made while he was a Cabinet Minister.

Mr. Redwood: I am grateful to the Minister for giving way. He probably needs an intervention, as he is wallowing badly. Will he explain where all the stories in the press come from about his boss, the Minister for the Cabinet Office? She is not here tonight, but the stories say that she is on the way out, that she is useless and not a team player, and that she has fallen out of love with Downing street. Does he take the line that Conservative Members take, which is that the stories came from senior Labour spinners and members of the Government? Or does he take the line being put out by Downing street—that all the journalists who wrote those stories are liars?

Mr. Tipping: The right hon. Gentleman ought to stick to his spinning on the cricket pitch. As the new leader of a political unit, he should do a bit of research. My boss is not the Minister for the Cabinet Office. If the right hon. Gentleman cannot get the small points right, what hope is there for the new campaign that he is to lead forth?

Mr. Redwood: The Minister for the Cabinet Office is clearly the Minister's boss in this debate, because she should be here to answer it. I hope that the Minister talked to her before producing this drivel. Will he answer the question? Did the stories about the right hon. Lady come—as we all know that they did—from Labour spinners and senior members of the Government, or is the Minister going to say that all journalists are liars?

Mr. Tipping: I think that the right hon. Gentleman needs to look at what my right hon. Friend the Minister for the Cabinet Office said. She said that there was no substance in allegations that the Prime Minister or his official spokesman spun against her.

Dr. Julian Lewis: If the stories were made up by journalists, how is it that items rubbishing the right hon. Members for South Shields (Dr. Clark) and for Edinburgh, East and Musselburgh (Dr. Strang), and the Minister for the Cabinet Office when she was Secretary of State for Northern Ireland, were followed rapidly by the demotion of those Ministers? If the stories were made up by journalists, those journalists are remarkably well informed. The reality is that they did not make the stories up—the stories were fed to them by spin doctors paid for out of the public purse.

Mr. Tipping: I sometimes wish that journalists were remarkably well informed and researched. If they were, they would write stories about the numbers of doctors and nurses in training and about standards rising in our schools. They would be interested in the comprehensive spending review and the transport plan, both of which are to be announced shortly. None of those stories appear, and that is a measure of how out of touch many journalists are.

Mr. Andrew Tyrie (Chichester): That sounded a bit like *Pravda*. My right hon. Friend the Member for Wokingham (Mr. Redwood) asked where all the stories about the Minister for the Cabinet Office came from. Are they all a complete fiction? What did the right hon. Lady mean when she told *Saga* magazine, in response to that very question, that someone was out to get her?

Mr. Tipping: I am always delighted to give way to an hon. Member who was special adviser to two successive Chancellors of the Exchequer between 1986 and 1989. The hon. Gentleman makes the allegation, but he must tell the House where the stories come from. My right hon. Friend the Minister for the Cabinet Office has made it absolutely clear that she has no idea as to the provenance of those stories. She has said that she disbelieves the claim that the Prime Minister and his official spokesman were spinning against her.

Mr. Gummer: Will the Minister give way?

Mr. Tipping: The right hon. Gentleman, of course, employed special advisers during his long career.

Mr. Gummer: As the special advisers that I employed included members and candidates of other parties, it is difficult for the hon. Gentleman to attack me. May I bring him back to a point that he made earlier, when he repeated the Prime Minister's view that the new Labour Government would re-create confidence in these matters with the British public? Given that they have failed even to re-create confidence with Mr. Follett, what hope have they of convincing people who were not on their side in the first place?

Mr. Tipping: Mr. Follett writes interesting books, which are pure works of fiction. I am very sorry that my friend Ken Follett cannot distinguish fact from political fiction. I think that he should stick to his real job of writing novels.

I remind the right hon. Gentleman that Lord Neill said that standards in public life were higher now than in 1994. The criticism tonight is that the Government are not responding quickly enough to the committee's report. Our position is unchanged—we will respond to the 41 detailed recommendations by the end of July, which is just 18 parliamentary working days away. Conservative

[Mr. Tipping]

Members express surprise and astonishment at what I have just said, but the position is extremely clear. My right hon. Friend the Prime Minister wrote to the Chairman of the Select Committee on Public Administration, who has already intervened in the debate, way back on 26 May, and said clearly that he would respond before the summer recess. The hon. Member for Chichester (Mr. Tyrie), who will be winding up for the Opposition, is a member of that Committee, and rightly prides himself on being in touch with issues of this sort. He must have seen the Prime Minister's letter.

Similar commitments have also been given on several occasions in the House, particularly during business questions and through parliamentary answers.

Mr. Lansley: Will the hon. Gentleman give way?

Mr. Tipping: Let me just make this point, as it might help the hon. Gentleman.

No time limit is set down by which a response must be made to the committee. I remind the House that the previous Administration took nine months to respond to the second report of the committee, then under the chairmanship of Lord Nolan. It is less than six months since the sixth report was published, and so that there is no confusion, I will reaffirm that we intend to respond before the end of the month.

Mr. Lansley: I am grateful to the Minister for giving way. Is it not true that when Lord Neill went to the Public Administration Committee, he said that he wished that the Government had made a response sooner, and that they had made it by now? Secondly, is not the point that the Government are getting into all kinds of disasters because they should have responded—and positively—at an earlier stage?

Mr. Tipping: I am grateful for the hon. Gentleman's good wishes and good news. I wish that he would give us more support of this kind. However, these are complex matters, and we will be responding to them. There are 41 recommendations covering a wide range of issues, some of which have important constitutional implications.

Several hon. Members *rose—*

Mr. Tipping: Just a minute. The recommendations that relate to the conduct and privileges of Members of Parliament are particularly complex. The House will want to consider those issues carefully. They have already been subject to some preliminary discussions by the House.

I am in a position of slight embarrassment, in that two special advisers are among those who wish to intervene. I refer to the hon. Member for Epping Forest (Mrs. Laing), who was special adviser to the right hon. Member for South Norfolk (Mr. MacGregor) from 1989 to 1994—she is sitting next to her former boss—and to the hon. Member for Buckingham (Mr. Bercow), who was special adviser to Jonathan Aitken and to the right hon. Member for South-West Surrey (Mrs. Bottomley) from 1995 to 1996. So I will give way first to special advisers.

Mrs. Eleanor Laing (Epping Forest): I thank the hon. Gentleman very much for giving way. He may not have been sinned against before this evening, as was said earlier, but, given his position, he is certainly being sinned against now. How can the Government justify the enormous increase in taxpayers' money to fund special advisers who are carrying out Labour party policy and working for the Labour party but paid for by the taxpayer? Why do the Government need to spend so much more in taxpayers' money on propaganda, when it should be spent on schools and hospitals?

Mr. Tipping: Substantial sums of extra money are being invested in education and schools, in health and hospitals. The amount of money spent on the civil service is declining from that spent by an Administration to whom she was a special adviser.

Mr. Bercow: I am very grateful to the hon. Gentleman for giving way. Why, in 1998, did the then Minister for School Standards, the right hon. Member for Tyneside, North (Mr. Byers), complain to the permanent secretary at the Department for Education and Employment when the press officer, Mr. Jonathan Haslam, refused to insert party political material into an official Government news release?

Mr. Tipping: I am clearly not in a position to answer that question. It may well be relevant to this debate, but I cannot take responsibility for the intimate workings of all 3,600 senior civil servants.

Mrs. Gillian Shephard (South-West Norfolk): The Minister seems to be accusing Conservative Members of having been special advisers. Are we to infer, therefore, that the hon. Gentleman disapproves of special advisers, in which case he disapproves of his Government's policy? What is his problem with this? Does he not understand that the debate is about elected accountability, and that his Government's reliance on spin and the use of special advisers blurs elected accountability and damages democracy? That is the point of the debate.

Mr. Tipping: The right hon. Lady is a former Minister and has been a distinguished Secretary of State. She will know that special advisers are responsible, through their Ministers, when it comes to criticisms and accountable to the House. Nothing has changed there. The hon. Member for South Cambridgeshire (Mr. Lansley) made it quite clear that he supported special advisers, and so do I.

I wish to make a bit of progress.

Mr. Robathan: Will the hon. Gentleman give way?

Mr. Tipping: As the hon. Gentleman is pushing his luck, I will give way to him. However, I have given way many times already, and I will make some progress after this intervention.

Mr. Robathan: The Minister has been characteristically courteous. He has given way a great deal, and for that I thank him. However, he seems to be trying to get off the hook by saying that the Government will respond to the Neill committee's sixth report by the end of the month. Part of the debate refers to the ministerial code, which can be enforced now. Why will the Prime Minister not enforce paragraph 113 of the ministerial code relating to the relationship with trade unions, of which he is very well aware, as regards the Deputy Prime Minister and his flat in Clapham? It can be done now—the Prime Minister does not have to wait.

Mr. Tipping: The hon. Gentleman took me back to where I was before I took a number of interventions. There are 41 recommendations in the report. Some are complex, some affect the House, some relate to proposed legislation on the criminal law on bribery. These are serious matters, which require careful attention.

My right hon. Friend the Home Secretary has recently produced proposals for discussion. The sixth report, however, is a package of proposals, and the Government will respond to the package. We are giving these matters the serious consideration that they deserve rather than producing a knee-jerk reaction, for which we would no doubt be criticised by Conservative Members, who now characterise mature reflection as delay. The time for a debate on the sixth report will be after the Government's response. The debate this evening is premature. It is characteristic of an Opposition who will try to jump on any passing bus. Opportunism for all and everything now appears to be their cry.

As they say, a week is a long time in politics. When it comes to major parliamentary and constitutional changes, 10 years may come too soon. It is important to try to get these things right.

Mr. Kemp: Does my hon. Friend share my concern about a disjointed response to questions from the Opposition? Earlier, I asked whether not one penny of Short money—£3.5 million-worth of taxpayers' money—should be spent on party political purposes, when we know that it is being spent on the Conservative party's war room. The hon. Member for South Cambridgeshire (Mr. Lansley) did not answer that question and refused to give an assurance. Does my hon. Friend share my concern about a quote from the right hon. Member for Devizes (Mr. Ancram)? He said, "We have spent this money in many ways. One of these is for support for the shadow Cabinet in the war room."

Mr. Tipping: I noted what the hon. Member for South Cambridgeshire said about the matter. He said that the Conservative party would be duly accounted and audited. The comment from the chairman of the Conservative party is clearly a quotation that any audit would want to take into account.

Mr. White: Will my hon. Friend give way? [HON. MEMBERS: "Give way."] If the Conservatives have nothing to hide on Short money, why did they try so hard to prevent the Select Committee examining it?

Mr. Tipping: I am sorry but I missed my hon. Friend's point. Conservative Members were complaining that I am not giving way often enough. I have given way many times to Opposition Members, and only twice to my hon. Friends.

A number of charges have been made about Ministers and special advisers. I do not intend to reply to them in detail or to get drawn into discussion of individual cases. However, I will say that the ministerial code is working and is effective. We welcome Lord Neill's conclusion that there is no need for an independent ethics commission to investigate alleged ministerial abuse. That speaks volumes.

The party that gave us the A team—Archer, Aitken and Ashcroft—can speak only from weakness. If there is a crisis of confidence, the previous Conservative Government have much to answer for. What is more, I have not mentioned the H word—Hamilton.

Much has been made about the growth in the number and influence of special advisers. I suspect that some Conservative Members are coming to believe the magic and mystery that is alleged to surround some of these postholders. It is inconceivable that 78 special advisers can corrupt and politicise the senior civil service of 3,700, or a civil service of 466,500 permanent staff. We remain committed to an independent and impartial civil service.

It seems that no one has denied—it has been a theme of the debate—the need and role of special advisers. The Opposition Benches are littered with a handful of distinguished former occupants of the post, and we have heard from some of them. Perhaps we should note what the Neill committee says on the matter. It acknowledged the valuable role of special advisers, but no judgment was passed on the numbers considered appropriate.

Nevertheless, the Opposition complain about the numbers and costs of special advisers. Special advisers existed under Conservative Administrations, and guidelines then were far from clear. It was this Government who were responsible for publishing the model contract for special advisers. The contract is explicit and public about their role. That is a transparency that did not exist under the previous Administration. We have also been open—it has been quoted back to us—about the number of advisers and their costs.

For healthy debate, politicians need support and assistance. I was delighted at the decision to increase financial aid to the Opposition parties. There was a 270 per cent. increase to £3 million in Short money for the Conservative Opposition alone. That sum has risen to £3.4 million in the current year. The Leader of the Opposition also receives an additional £500,000. Whether value for money is being achieved remains a moot point. The carping that we are hearing tonight needs to be set in the context of the public support that the Opposition parties have received.

Select Committees deserve support, too. Recent changes in our procedures have provided more time to debate Select Committee reports. There is a continuing debate on the need for the appropriate level of support for Select Committees.

My right hon. Friend the Deputy Prime Minister has been mentioned. I remind the House that the twelfth report of the Select Committee on Standards and Privileges cleared my right hon. Friend of complaints against him. It concluded that he should register his tenancy only because

> in the current climate it would be better

if he were to do so.

Mr. Robathan: I can see the Minister's embarrassment from this side of the Chamber. Will he confirm that the

[Mr. Robathan]

Select Committee on Standards and Privileges has no role in commenting on, or enforcing, the ministerial code of conduct? That code is the responsibility of the Prime Minister. I am sorry to embarrass the hon. Gentleman because I think that he is a decent person. The ministerial code has been blatantly flouted and the Prime Minister is taking no action whatsoever.

Mr. Tipping: I am not embarrassed at all. It is the hon. Gentleman who should be embarrassed. He was one of those who made the complaint against my right hon. Friend the Deputy Prime Minister, and the Select Committee dismissed it out of hand.

Despite all the concerns and the accusations that will be made this evening, the House and the public should be encouraged by Lord Neill's statement that there is now less concern about standards in public life than when the committee was established in 1994. The Labour party said that we would clean up politics, and we are. We will take no lessons from the Tories on cleaning up politics.

Mr. David Winnick (Walsall, North): Is it not rather odd to be lectured on integrity in public life by Opposition Members who supported the most sleaze-ridden Parliament since the times of Lloyd George? Surely they are the last people to give us lectures on integrity.

Mr. Tipping: My hon. Friend has made his point in his own way.

Mrs. Virginia Bottomley (South-West Surrey): Will the hon. Gentleman give way?

Mr. Tipping: Yes, but for the last time.

Mrs. Bottomley: As the hon. Gentleman is seeking to reassure the House of his commitment to maintaining high standards in public life, will he speak to the Secretary of State for Health, who has apparently not found time to see Dame Rennie Fritchie after her extremely critical report on the abuse of the appointments system in the health service? There has been the most disgraceful stuffing of NHS boards with Labour councillors, and that has been repeated with primary care trusts. There has been no response to the report and apparently Dame Rennie has not even been seen by the Secretary of State for Health.

Mr. Tipping: The sixth report of the Neill committee draws attention to public appointments. I have said that we shall respond within 18 working days. A factor that came out of the Fritchie report was that the numbers of women who have been appointed to trust boards, along with people from the black and Asian communities, have increased substantially. We should be proud of that.

Several hon. Members *rose—*

Mr. Tipping: No, I shall make some progress.

At the end of the day,

> it is easy to overstate the magnitude of the House of Commons' problems. It is equally easy to exaggerate the attractions of the House in its "golden age".

Those words are from a recent pamphlet of a former special adviser to successive Chancellors of the Exchequer between 1986 and 1990. Despite his words, I suspect that, unfortunately, we shall hear about problems along with exaggerations in bucketfuls throughout the rest of the debate.

8.19 pm

Mr. John MacGregor (South Norfolk): The House knows that I am a member of the Neill committee. However, I do not propose to speak mainly in that capacity this evening. I have another interest to declare, because I think that I was one of the earliest special advisers, although that was not our title at that time. Way back in my youth in the early 1960s, I was a special assistant to Sir Alec Douglas-Home, when he was Prime Minister. There were two of us at No. 10. I hasten to add that we were paid by the Conservative party and not out of public funds.

Of course, I have had special advisers. Two distinguished special advisers who have made an admirable contribution are both in the Chamber. I recognise the value of special advisers, but their value is not the issue this evening. We all realise that special advisers have a role to play. I am not criticising the concept, and I think that the model contract brings the point out well. It states:

> Special advisers are appointed to advise the Minister in the development of Government policy and its effective presentation.

The point is that both the role and number of special advisers have changed under this Government. That is why there is so much scrutiny of them and of spinning.

I heard the Leader of the House speaking on "The World This Weekend" yesterday. I understand why the Minister for the Cabinet Office cannot be here this evening, but I believe that the Leader of the House should have taken this debate. Certainly, when I was Leader of the House I would have done so. The Parliamentary Secretary, Privy Council Office is a nice, decent man, but, with respect, he has floundered this evening, and it would have been proper for the debate to be taken by a Cabinet Minister. One wonders why it was not. Either the Government are attempting to spin down the issue—in which they will not succeed—or the Leader of the House is all too aware of how much substance there is to our charges.

Dr. Julian Lewis: I can enlighten my right hon. Friend, I think. The fact is that the Leader of the House was herself the target of a vicious campaign of leaking and briefing. Her own position was in jeopardy, and it was only when three Conservative Back-Bench Members—among whom I am proud to include myself—spoke up for her that the campaign finished.

Mr. MacGregor: My hon. Friend offers a third reason, and he may well be right—I suspect that the answer may be a combination of all three.

When I listened to the Leader of the House yesterday, it struck me that she was commenting on the kind of issues that inevitably arise in the run-up to a general election. I was Leader of the House from 1990 to 1992 in the run-up to the general election, and I understand her point. However, we were extremely careful to distinguish between the work that civil servants should do and the work of those employed on party activities. If the description of what Alastair Campbell does is anything like right, he is coming dangerously close to a position in which he ought to be funded by party funds, not public funds.

The Leader of the House seemed surprised yesterday that special advisers had become an issue of public debate. She has overlooked two points. First, everyone realises that news management is more important to the Government than policy. How things look matters more than what the Government do. Spin matters more than substance, so it is not surprising that that has become part of the public debate. What is surprising is that it did not happen earlier—I thought that that would happen last year.

The whole process of spinning has gone on for a long time and has been increasingly commented on, so the danger for the Government is that it has become a real issue. Spin is like a fire that has smouldered under the surface for a long time and which suddenly blazes out. The issue has been commented on so often and so many examples have been given that it has become a liability for the Government—and one that they will not easily shake off. As my hon. Friend the Member for South Cambridgeshire (Mr. Lansley) said, those who live by spin will fall by spin. The second reason for the issue's importance is that the numbers of special advisers have greatly increased, particularly at No. 10. I had misgivings about the way in which information officers were treated early in the Government's life. We never contemplated doing anything like that.

Mr. Ken Follett is not the only commentator; indeed, he has come rather late to the debate. It was fortuitous that his article appeared in *The Observer* on Sunday and it is revealing that he has come out in public. It fits my bonfire point that Labour Back-Bench Members are beginning to express misgivings that have existed for some time and that are now coming to the surface. Mr. Follett is not alone, and I cannot believe that all the stories about malicious remarks about colleagues are simply invented. We all know what the Lobby is like, and that its stories often have some substance.

My own admirable daily newspaper, the *Eastern Daily Press*, contained its Commons diary on Friday, in which the political editor commented on the closure of the Press Gallery over the weekend because of air conditioning problems. He wrote:

> The air conditioning has gone wrong and part of it is leaking fluid into MPs' offices downstairs. This is one of the few leaks in recent times not to have originated in 10 Downing Street.

Mr. Peter Kellner, in the *Evening Standard* today, gives several instances of leaking and details Labour Back-Bench concern about it.

Mr. Winnick: If there were any lobbying against Ministers in the way alleged by the right hon. Gentleman, I should be against it. I always have been against such briefing. May I remind the right hon. Gentleman of the role played by Bernard Ingham? Time and time again when a Minister was to be sacked, we knew beforehand. John Biffen is the best-known example, but there were many others, including a Foreign Secretary. When one considers what Ingham did, whatever Mr. Campbell may or may not have done seems slight by comparison. Did the right hon. Gentleman protest at the time against the actions of Ingham?

Mr. MacGregor: I have read Bernard Ingham's autobiography, in which he makes it clear that he did not engage in that kind of activity. Indeed, he has been extremely robust in drawing a contrast between his behaviour and that of Mr. Alastair Campbell.

Mr. Michael Jabez Foster: The right hon. Gentleman obviously has enormous confidence in Mr. Ingham's denial. Bearing in mind that Mr. Campbell has also denied such action, and from a forensic point of view, does the right hon. Gentleman have even a shred of evidence for what he is suggesting? Does he have any concrete proof to support his comments?

Mr. MacGregor: I am not sure to which comments the hon. Gentleman is referring. I believe that leaking is taking place. Ex-Ministers are discussing it publicly. The hon. Member for Newcastle upon Tyne, North (Mr. Henderson) said on the "Today" programme this morning that spin doctors and political advisers now have disproportionate influence and that too much goes through the sieve of the policy unit at No. 10. The burden of the hon. Gentleman's charge is precisely the sort of thing that I have talked about. Leaks are taking place.

No. 10 and Mr. Alastair Campbell deny that any of the leaks come from them. The Leader of the House said yesterday that leaks could have come from lower down the food chain. I think that she meant by that that they might have come from special advisers and their ilk. It is an important point. The role of special advisers has clearly changed since our Government were in power. None of our special advisers would have made comments about colleagues or spread mischief. Something is wrong in the Government's body politic.

Tony Wright: To avoid confusion, would the right hon. Gentleman say exactly where he comes from on this matter? The Opposition motion states that the Opposition

> believes that the number, and activities, of Special Advisers is prejudicing the impartiality of the Civil Service and accountability of government,

but the Neill committee inquiry and report explicitly repudiated that view. Is the right hon. Gentleman making a party speech, or does he claim to speak on behalf of the Neill Committee, which said something completely opposite to what he is saying?

Mr. MacGregor: I made it clear when I began, and shall do so again later when I refer to the Neill recommendations, that I am speaking mainly on my own observations of the situation as someone who has been involved in these matters for a long time. The Government are damaging themselves greatly by allowing the type of activity to which I have referred to continue. Often, I suspect, it is being conducted by special advisers.

There have also been many mutterings from civil servants about the way in which special advisers have increased their role in private offices and similar areas, and I think that that is highly dangerous. We limited the role of special advisers. As anyone who had special advisers will know, ministerial meetings would be

[Mr. MacGregor]

attended by at least five or six civil servants and only one special adviser. It seems that the balance may have switched the other way.

Mr. Bercow: Will my right hon. Friend confirm that under the previous Government, it was not merely that special advisers were not encouraged to brief against Ministers in other Departments, but that such activity was specifically prohibited? I recall that on day one as a special adviser to my right hon. Friend the Member for South-West Surrey (Mrs. Bottomley), she made it clear to me—quite rightly—that no such activity would be tolerated.

Mr. MacGregor: I shall come to that point later, but I agree with my hon. Friend. Indeed, I am sure that my hon. Friend the Member for Epping Forest (Mrs. Laing) would have said exactly the same. I can say with confidence that we did not do what this Government have done.

Why are the Government doing it? It is part of the climate of spin. Either advisers are being tipped off by Ministers to do a hatchet job for them, or they have an inflated idea of their own importance, fed by flattering encounters with journalists.

Mr. Kemp: I share the right hon. Gentleman's concern about the need for democratic accountability among special advisers. Is he aware, however, that an inquiry was held two years ago into special advisers? The Select Committee on Public Administration invited Mr. Alastair Campbell to sit before it for five hours of tough questioning. I recall that the hon. Members for Chichester (Mr. Tyrie), for Bury St. Edmunds (Mr. Ruffley) and for Aldridge-Brownhills (Mr. Shepherd) led the questioning, asking everything possible. There was not a scintilla of truth to the accusations, and no evidence that Mr. Campbell or any other special adviser had briefed against anyone. That was democratic accountability in action. Few other Parliaments in the world operate in that way. That happened less than two years ago, and no evidence was produced that people had behaved improperly in any way.

Mr. MacGregor: The stories have not gone away—nor has the flavour or the smell. Now, it is very often Members on the Government Benches and Government supporters who complain about the Government's approach and activity.

The Neill committee's recommendations on special advisers will help by providing a framework to put the role of special advisers on a proper basis. However, they do not get to the heart of the problem to which I referred. Although desirable in themselves, the recommendations do not address the concerns currently being expressed about the Government's methods and priorities. That is a matter for Ministers—especially the Prime Minister—to deal with, but, clearly, that is not happening.

I am disappointed that the Government have not already acted; I look forward to what will be said in a few days time, but I cannot understand why they have not acted on limiting the number of special advisers. The Neill committee recommended that such provisions might be incorporated in a civil service Act. I fully accept that such a measure would take time; that is why the committee also recommended that, in the interim, the House could introduce a statutory instrument. If the House could vote on the matter, that would be the way to proceed. That is exactly how the issue of special advisers has been dealt with in the Scottish Parliament and the Welsh Assembly, where there are statutory limits on their numbers.

The Government could at least deal with the Neill recommendations. Perhaps that would help to overcome the feeling that they do not want to face up to the problem, because they cannot control the numbers.

The sixth report contains other important recommendations—for example, on the procedure in seriously contested cases in the House. That is probably the matter that the Parliamentary Secretary had in mind when he said that it raised big issues. The proposal has been well thought through—with much support in the House and elsewhere—as a way of achieving natural justice for Members who find themselves in such situations.

There are important recommendations on the composition of the Select Committee on Standards and Privileges, and on a change in the advocacy rules to enable Members who have a direct interest in a matter, but who know what they are talking about, to initiate debates and propose amendments. I cannot understand why we do not implement that quickly; it would greatly help the proceedings of the House. The recommendations on a civil service Act and on the sponsorship of Government activities are also important.

It is a pity that the response to the report will not come out until the end of July. I hope that the Government will not dribble it out on the last day before the summer recess so that we do not have a chance to consider it. I hope that it will be published well before Parliament rises and that there will be quick action on the recommendations. The matter should not be allowed to drag on; the recommendations are widely supported.

Tonight's debate is, above all, about the manner in which the Government conduct their business—the way in which they have allowed this tremendous feeling of conflict to take root, with a concentration on spin rather than on policies. I warn the Government that the issue will not go away; they have not tackled it quickly enough.

8.33 pm

Tony Wright (Cannock Chase): I declare an interest in that the Select Committee on Public Administration, which I have the honour to Chair, is currently considering the issues of special advisers and the ministerial code. We hope to say something useful to the House on those matters in due course.

I take the House back a brief six years to 25 October 1994. I remember that day vividly. I sat on the Opposition Benches, watching John Major—a Prime Minister who was beleaguered—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman should know how to refer to another hon. Member.

Tony Wright: I apologise, Mr. Deputy Speaker.

The right hon. Member for Huntingdon (Mr. Major) was beleaguered and under siege. Each day brought a new revelation. It was the high point of the age of sleaze.

We could hardly believe many of the revelations; it was so extraordinary that people could behave in such a way—bringing themselves, the House and the whole of public life into disrepute. Worst of all was the fact that we got used to such things; they became so routine and casual that they ceased to astonish us. They ceased to outrage us. We expected them to happen and they did.

That is why the right hon. Gentleman had to announce, in extremis—under pressure—the establishment of the Committee on Standards in Public Life. That evening, I stood in the taxi queue downstairs, listening to the conversation among a group of Conservative Members of Parliament. One of them said, nodding his head darkly, "This is a bad day. It will cause us nothing but trouble because this will not go away." That was the point.

The right hon. Gentleman's action was brave and necessary, because public life was being rocked. The most important fact was that the committee was set up not as a short, sharp fix in order to get over one day's, or one week's, bad news, but on a standing basis so that it would continue to report to this House—as it were, constantly delivering bad news and challenging the House to do something about it.

Mrs. Laing: In the light of what the hon. Gentleman says, is he paying tribute to my right hon. Friend the Member for Huntingdon (Mr. Major) for his decency and honesty in taking that action?

Tony Wright: I frequently pay tribute to the right hon. Gentleman. In a moment or two, I may well do so again, because he was the first Prime Minister to publish the ministerial code. I think he was embarrassed—who would not be?—by what was going on around him. I think he was embarrassed by his party, and in considerable distress that the behaviour of members of his party had brought both the party and public life into disrepute.

Dr. Julian Lewis: I do not contest the general thrust of the hon. Gentleman's remarks, but does he acknowledge that, at that time, as at present, there were more than 650 Members of the House? If he were to add up the scandals, he would find that only a small number of people were involved. It is not fair of the hon. Gentleman to try to smear an entire political party for the sins of a few—especially as many current Members from that party were not Members of the House at the time.

Tony Wright: That is a most interesting and revealing intervention. It is best answered by a short extract from the first report of the Committee on Standards in Public Life, published in 1995. In the section on Members of Parliament, paragraph 13 states:

> Whatever the reason, there has been a significant growth in the number of Members of Parliament who have entered into consultancies or other forms of agreement which might reasonably be thought to influence their Parliamentary conduct. Analysis of the 1995 Register of Members' Interests suggests that 26 Members have consultancy agreements with public relations or lobbying firms and a further 142 have consultancies with other types of company or with trade associations. These 168 Members hold between them 356 consultancies. If Ministers and the Speaker are excluded there are 566 MPs. Thus almost 30% of eligible Members of Parliament hold consultancy agreements of these types.

Paragraph 15 states:

> While the lack of detail in the Register makes precise analysis difficult, it appears in their different ways that some 389 of the 566 eligible MPs—almost 70%—have financial relationships with outside bodies which directly relate to their membership of the House.

We are not talking about a small handful.

Mr. Robathan: The hon. Gentleman quotes accurately from the first report of the Nolan committee. However, he will admit that, after we take away Ministers, there were about 230 Conservative Members in the previous Parliament. I was one and I did not have any consultancies, and many of my hon. Friends did not, either. Out of the 389 Members of Parliament mentioned, quite a few—at least 150 and possibly more—were from parties other than the Conservative party. Indeed, most of them were from the Labour party, and I make that point in a spirit of bipartisanship.

Tony Wright: That is a nice try, but it is simply not true. The figures are entirely clear. I do not make my point in a churlish or ungenerous spirit, because it is a matter of historical record that the previous Parliament, I am afraid, was contaminated by the behaviour of large numbers of Conservative Members of Parliament. We ought to put that point on the record, but we should put it behind us. Thank goodness, the Neill committee was set up to do something about the problem and, thank goodness, it managed to do things that the House had failed to do over many years.

Paragraph 49 of the first report of the Nolan committee sums up the position. It states:

> In recent years Members have acquired paid consultancies on a large scale. Over the same period public scepticism about MPs' financial motives has increased sharply. It must be more likely than not that these two developments are related, but in any case their combination can only tend to undermine the dignity of Parliament as a whole.

Mr. Bercow: I am a little worried by the hon. Gentleman's propensity to smear or, at least, to seek to smear. Will he, therefore, tell the House how many of the people to whom he has just referred were found to be guilty of wrongdoing?

Tony Wright: I am surprised when hon. Members ask such questions, because they are almost an invitation to go through the whole wretched roll call again. I am more than happy to do that. I have the roll call with me, but I assure the hon. Gentleman that going through it would embarrass him far more than it would detain me. In a spirit of generosity towards him, I do not think that it would be helpful to do that. However, I am sure that I have friends here who would be more than happy to toss names into the pot and to remind the House of these great episodes of the past.

I am perplexed by the Opposition's approach to this issue. Why on earth do they want to return to the issue of the Committee on Standards in Public Life? Every time that they return to the issue, it revives all these blessed memories. It tells the British public again why the committee was set up in the first place and what its history is.

Even more, I cannot understand why the Conservative party wanted to ennoble the wretched Ashcroft. All that it did was revive the same memories. Why, having spent

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years trying to bury that history, do Conservative Members want to resurrect it by such an outrageous act? It brings back all the memories of why on key issues, such as party funding, the previous Government resolutely refused—despite being asked many times—to refer the issue of party funding to the Committee on Standards in Public Life. They would not do it, because they were dreadfully embarrassed about the secrecy surrounding the Conservative party's accounts and the fact that it was funded by a small number of individuals, most of whom were based abroad. Therefore, we were not able to have the type of public scrutiny that we should have had. It took this Government to refer the issue of party funding to the Committee on Standards in Public Life and to proceed with detailed legislation following from that inquiry.

Dr. Julian Lewis: If the hon. Gentleman will not give us a number, will he not tell us whether he is trying to suggest that the many people who held consultancies were all guilty of wrongdoing? If he is not trying to suggest that, what was the point of his saying what he said? He seems to think that the previous Government included people who were guilty of wrongdoing and that they were manifestly punished at the polls by being ejected from office in such large numbers. However, if he thinks that that will stop the present Opposition from holding this Government to account, he has got another think coming. We will expose their wrongdoing as rigorously as though there had never been the problems for which most of us were not responsible in the past.

Tony Wright: The words and the figures that I gave were not mine; they were Lord Nolan's. I merely reminded the House of the context in which his inquiry was established, the evidence that he pointed to and the links that he made.

However, as the hon. Gentleman invites me to reflect more on this serious issue, I shall consider what has happened to trust in public life in the same period. We can have a party political battle and it is the Opposition's job to make useful political mischief out of the headlines of the day. We all know that is what it is about. However, the underlying issue is how people perceive the political system and the trust that they have in it. That is far more fundamental than the party political battle.

The biggest indictment that I would level against the Conservative party is not so much the individual incidents that took place, but the corrosion over that period of the fundamental trust that people have in public life, politicians and the political process. If we lose that trust and it is eroded, it is very hard to claw it back. Lest the hon. Gentleman is about to intervene to ask me whether I am making that up, let me assure him that I am not. According to the annual British attitudes social survey, by the mid-1990s fewer than one in four people trusted British Governments to put the interests of the nation above those of party. That is a fall of 16 percentage points on the previous decade. That was the effect on trust in politicians and public life in that period whereas the proportion had been more or less constant for the decade before the mid-1980s.

I referred to a period of steep decline in public trust, but that began to recover just before the 1997 election. In fact, its recovery was associated with the establishment of the Nolan committee. When people saw that something was being done about the problem, there was the beginning of a recovery in the figures for the trust that people have. I do not make the point in a partisan sense, but that trust grew sharply during the 1997 election and grew even more sharply afterwards. In 1996, although 25 per cent. of people strongly agreed with the statement that parties were interested only in their votes and not in their opinions, that figure had fallen to 20 per cent. by the time of the 1997 election. After polling day, it fell to 14 per cent. The cheering news from those figures is that, despite the catastrophic erosion of people's trust in politics and public life in the 1990s, it has been possible to reverse the trend. I take that to be a rather good development.

Mr. Bercow: The hon. Gentleman is a versatile specimen, so I should like to tax him on the breach of trust involved in briefings against Ministers. If Alastair Campbell was not, as is widely supposed, responsible, who was responsible for describing the Chancellor of the Exchequer in every national newspaper as "psychologically flawed"?

Tony Wright: As I said, it is the Opposition's job to make political mischief and they are fully entitled to do that. I wish them well, but it is a wearisome business.

As I have been invited to say something about the issue, however, may I point out that I am astonished by the outbreak of what one might call political virginity among the political classes? It is though it is a shock and a revelation to learn that politicians like to be liked, like to be liked more than their colleagues and try to ensure that the world knows that they are liked more than their colleagues. [HON. MEMBERS: "Ah."] As I said, this bogus political virginity is extraordinary. I take the fact that politicians want to be liked as an axiom of political life at all times in all places. The idea that that fact is somehow something about which the world should know is extraordinary. It is an interesting political game to play; it is probably more interesting than chasing after real issues.

I should like to make one further, perhaps more substantial, point on the matter, because it concerns me.

Mr. Bercow: The hon. Gentleman has said that before.

Tony Wright: I am on to a more serious, not trivial, point.

The political class—not just here but across the world—is far more adept than ever before at controlling political communication. If politicians can control the news, they will do so. That is, in a sense, their job in life. It is the job of the media to stop them controlling the news. Two dangerous developments are occurring. First, there is the idea that we must all speak with one voice. We have a political class that is more control-minded than ever before—I talk not in a party sense but across the board, as all politicians want to control the news, and technology helps them. Secondly, the ability to translate that idea into day-to-day politics is far more developed than ever before. The effect is to close down political debate; to create a suffocatingly narrow area within which genuine political debate can take place.

How do the media respond? Do they respond by ensuring that political debate comes out and that the issues are pursued? Of course not; they respond by seeking a cigarette paper's difference between two people from the same party. The story becomes one of division and split. No one cares about the issue involved, yet the media claim that they are acting in the interests of something called—perhaps—public service broadcasting. The only thing that they are interested in is trying to find three words that someone might utter that can be set against three words that someone else might have uttered in order to write a story about split and division.

If one puts together the two abdications—if I may call them that—of the political class from open political debate, which is a feature of modern life, and of the media from the real pursuit of issues, beating, playing and overcoming the spin, I am afraid that one has the atrophy of political life. That is the real condition of politics in Britain today. That is where political debate is going. We should be concerned not with silly arguments about who briefed what against whom, but with what is happening to the quality and character of our political life owing to such developments. If the Opposition were at all serious, that is the issue on which they would be challenging the Government. I am sorry; that was a diversion and a distraction.

There is a history to all this. As I sought to remind the House earlier, the previous Government refused even to send the issue of party funding to the Nolan committee. It was the previous Government who, when presented with the first report of the Nolan committee on the ministerial code and the role of the Prime Minister, rejected it. It was a good try of the hon. Member for South Cambridgeshire (Mr. Lansley), but the question was not one of waiting for another Government to come along. The fact is that the Government of the day produced a detailed response to Nolan and specifically would not accept it. One cannot blame the Prime Minister of the day, the right hon. Member for Huntingdon. Who would accept that they had to take responsibility for such stuff going on around them?

Mr. Winnick: My hon. Friend made mention of consultancies and the rest, but does he accept that the Nolan committee, as it became known, was appointed by the Prime Minister only as a result of cash for questions? Although I accept a great deal of what my hon. Friend has said about the media and triviality, tribute should be paid, as I said in debate in 1994, to *The Sunday Times*. Although the paper suffered tremendous criticism for the way in which it tried to trap Members on the tabling of questions for money, it is extremely unlikely that the Nolan committee would ever have been appointed but for its series of articles. Therefore, I have always paid tribute to *The Sunday Times* in that respect.

Tony Wright: I very much agree. I regret that serious investigative journalism is much diminished these days in the pursuit of the other material that I have described. That is part of the abbreviation, the attenuation of public life that we are seeing.

I do not want to detain the House very much longer, but I want to say a word about the issues raised in the Opposition motion arising from the Neill report. The special advisers issue is an interesting one. It is of course fertile territory for such exchanges, but it must be recorded that Neill has conducted the only extensive inquiry into the matter. Having considered the matter, the Neill committee thought that special advisers were in essence a good thing. I shall not quote the sentence that has already been quoted, but point out that, in summing up the evidence, the report said:

> Almost all witnesses made clear their view that special advisers were valuable components of the machinery of Government.

Mr. Tyrie: That is not in dispute. Nobody is suggesting the abolition of the adviser system. We are asking the Government to implement Lord Neill's recommendations. So far, they have been determined to refuse to do so.

Tony Wright: We are all going to agree about that. The hon. Gentleman invites me to point out that his evidence to the Neill committee on the matter of special advisers sharply contrasts with the evidence given by the shadow Leader of the House, the right hon. Member for North-West Hampshire (Sir G. Young). On the key issue of who should pay for certain categories of advisers, Lord Neill preferred the right hon. Gentleman's evidence.

Mr. Tyrie: I am sorry to delay the House, but as a matter of record, I made four recommendations to the Neill committee. Three became three of the Neill report's main recommendations and the fourth, to which the hon. Gentleman referred, is now beginning to be widely discussed by people questioning Alistair Campbell's behaviour. If he is exclusively to do party political work, perhaps his salary should be paid from Labour party funds.

Tony Wright: I simply make the point that the Conservative party could not even manage to put one voice before Neill on these issues, but that is unworthy and I withdraw it.

Perhaps the more revealing comment during the inquiry came from the Cabinet Secretary, Sir Richard Wilson, who, when asked whether the number of special advisers was damaging the civil service, as the motion claims, and whether there was politicisation of it, said:

> My short answer to your question on that is that I do not think the Senior Civil Service of 3,700 people is in danger of being swamped by 70 special advisers. That is not what is happening and I do not see it as creeping politicisation.

Even in their motion, which in some sense claims to support Neill, the Opposition directly contradict the Neill inquiry.

The Neill inquiry was important. The committee has made some important recommendations on a new code for advisers—to which I hope the Government will respond positively—and on numbers. Parliament should have an opportunity to decide, broadly speaking, on the numbers.

I want to say a word about the code, a subject that has surfaced during the debate and in which I have taken an interest over the years. There are a number of questions to be asked about the ministerial code, and I am not entirely sure that the Neill committee got it quite right. There are questions about who the ministerial code belongs to. I am not persuaded that the Prime Minister should have it in his back pocket as an informal rule book. I would be happier if the code belonged to the House of Commons and fitted into a larger framework of parliamentary accountability, but I may not be able to persuade the Government of that.

I am not sure that Neill got it right on the question who investigates alleged breaches of the code. That is an important issue. The Public Administration Committee

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has spoken to Lord Neill about it, and I was not entirely persuaded by what he told us. His broad answer was that the Prime Minister can get anyone in the land to help him to make inquiries.

That is not a satisfactory position. The Cabinet Secretary said to Neill, "It is not my job to find out what went wrong. I am not that kind of investigating officer." Permanent secretaries have said to Neill, "It is not our job to find out whether our Ministers have been in breach of the terms of the code." Whose job is it to go and find out, so that we can have some real assurance that there has been a proper investigation, and so that Parliament will know what happens? The Government need to think carefully about that.

A further question is where the buck stops. I referred earlier to the recommendation in the first Nolan committee report, which basically stated that under the terms of the code, given its ownership and its status, the buck must clearly stop with the Prime Minister. That was not accepted by the previous Government. It has been stated again in rather different language in the sixth report from the committee, and the Government must now accept it. If the code is to be a prime ministerial document, there is no avoiding the fact that there must be prime ministerial responsibility for deciding whether breaches of the code have occurred.

If we could detach ourselves from the happy exchanges during the debate, there are some serious issues to consider. There is need for eternal vigilance on these matters. The fundamental issues are important. It is essential to ensure that the boundary lines are properly transparent and are properly policed between the different elements of the system. I do not for a second underestimate the importance of that.

There are challenges for all of us. If I may say so, the challenge for the Opposition in tabling such a motion is to show a certain amount of what might be called constructive humility. They have a past to account for. Collectively, they did great damage to British public life over an important period, and I hope that now, in a constructive way, they might seek to help us to rebuild it.

On our side, as my hon. Friend the Parliamentary Secretary said, we came in with a challenge and a promise. We said that we would develop a new kind of politics and that there was to be a new kind of trust. A huge responsibility comes with saying that, and we have to make sure daily that we discharge it. Anything that departs from that is a derogation from the promise that we made to the electorate three years ago.

9.2 pm

Mr. Paul Tyler (North Cornwall): I am pleased to follow the hon. Member for Cannock Chase (Tony Wright). He may recall that it was my question at Prime Minister's questions in the previous Parliament that prompted the right hon. Member for Huntingdon (Mr. Major) to set up the Nolan inquiry. My question was

> . . . can the Prime Minister reassure the House that his Administration is now a sleaze-free zone?—[*Official Report*, 18 October 1994; Vol. 248, c. 142.]

It was not first and foremost about Parliament, nor about civil servants or special advisers. It was about members of the right hon. Gentleman's Government. Conservative Members are foolish to have raised the question in the way that they have done this evening.

For all that, I believe that the Nolan committee and now the Neill committee have done the House and the country a great service. They have shone the searchlight of inquiry into the far reaches of Whitehall and Westminster to good effect.

Spinning may be considered a political disease by the professionals, but in the eyes of the public, the besetting sin of politicians is hypocrisy. We have all found that in our dealings with our constituents. Conservative spokesmen this evening are probably too young to recall that great spinner—the godfather of spinning—Bernard Ingham, but I well recall the occasions when he spun so effectively, as has been mentioned, about Ministers who had fallen out of favour with his mistress, the right hon. Member for Finchley, as she then was. When he referred to the then Leader of the House as being a semi-detached member of the Cabinet, sure enough, very soon afterwards he was completely detached.

In that connection, I was amused to see that Baroness Thatcher was warning us today about the danger of spin doctors and soundbites. It sounds very much like Queen Boadicea giving a lecture on road safety.

Special advisers, politicisation in the civil service and negative briefing are not the monopoly of the new Government. Indeed, I read in *The Daily Telegraph* this morning:

> Mr. Follett is plain wrong, though, about his other main contention, that this government is much more prone to internecine briefing than are other parties or were other times. It is simply not true. The Tories are at it like cats in a bag, constantly.

That is from *The Daily Telegraph*, which many of us regard as the house magazine of the Conservative party.

In that great work on the civil service, "Yes, Minister", Jim Hacker once memorably observed that the British Government had the engine of a lawnmower and the brakes of a Rolls-Royce. The Government have responded to the sixth report of the Neill committee with brakes rather than an accelerator. We urgently need to know the Government's intentions, especially as we anticipate that legislation will be necessary and, as the spinners constantly remind us, we may not have a full Session after this year's Queen's Speech.

Much emphasis has been placed on the number and cost of special advisers. Surely the most important question is not their number or their cost, but their actions. The debate is especially relevant in that context. As Lord Neill's committee made clear, there is a strong case for limiting the numbers and the cost. However, as the right hon. Member for South Norfolk (Mr. MacGregor), who was a member of the committee emphasised, their function in the body politic is more important and raises wider issues.

In the past, political advisers existed largely to stop Ministers going native and to prevent them, once they were ensconced as head of a Department, from being drained of every drop of radicalism from the right or the left. However, that role has been subtly reversed. Today, a special adviser exists not to prevent a Minister from becoming too dogged by the Department's agenda, but to ensure that he remains on message about the party agenda and to make sure that other Members of Parliament follow the same agenda. Outwith the usual competitive system for appointments, special advisers find themselves acting as intermediaries between members of the party and members of the Government. There has been a sea change in their role since it was first invented.

Before the last general election, there was an agreement between the two Opposition parties that we urgently needed a civil service Act to underpin the political neutrality of the civil service. I am delighted that chapter 5—a well argued chapter—of the Neill report reverts to that, and that recommendation 17 makes it explicit. I shall not refer to the chapter in detail, but it contains an explicit commitment by the former Chancellor of the Duchy of Lancaster to a civil service Act. I hope that, later this evening, we shall hear when such legislation will be introduced.

While in opposition, the right hon. Member for Hartlepool (Mr. Mandelson) stated in a debate on 2 November 1995:

> we must be very vigilant about using civil servants to perform party political tasks, such as writing conference speeches, briefing Government Back Benchers on party points and so on.—[*Official Report*, 2 November 1995; Vol. 265, c. 482.]

I am not sure whether his successors or his Department have followed his advice. He continued:

> Almost one third of the current flock of advisers have been taken on directly from Conservative central office. Are they helping Ministers in pursuit of better government, which would certainly justify the public expenditure involved, or are they merely assisting politicians in pursuit of their party careers, in which case the payment of their salaries should revert to Conservative central office?—[*Official Report*, 2 November 1995; Vol. 265, c. 483.]

The Labour party was worried about the politicisation of the civil service under the Conservative party. So were we. We remain worried; we have good cause. Now that the Labour party is in power, the story has changed. In May 1997, the new Government reworked the model contract for special advisers, but Parliament was not informed. A major change was made, but nothing was said about it.

In July 1996, the model letter of appointment for special advisers obliged them not to

> engage in activities likely to give rise to criticism that you are being employed at the public expense for purely party purposes.

That might appear a flimsy protection of the public interest.

However, in May 1997, it was clearly felt to be too rigorous for the new Government and it was watered down and effectively taken out. A new clause was put in, giving special advisers a specific role in the briefing of Members of Parliament. The justification for that role appears in paragraph (iii) of schedule 1 (part I) of the contract which my hon. Friend the Member for Bath (Mr. Foster), an avid watcher of special advisers, refers to as the control freak clause. It states:

> It would be damaging to the Government's objectives if the Government Party took a different approach to that of the Government itself, and the Government will therefore need to liaise with the party to make sure that the party publicity is factually accurate and consistent with Government policy. To secure this consistency the Government will also want to make sure that Party MPs and officials are suitably briefed on issues of Government policy.

That watered down the previous advice and made it clear that special advisers now have a direct role in ensuring that party members in this House and, no doubt, the other place, toe the party line.

The degree of briefing that these people undertake, examples of which have been quoted this evening, has, of course, been considerable. Again, my hon. Friend the Member for Bath has done some useful analysis of briefings by special advisers. He has obtained, for example, a briefing from the Department for Education and Employment which included details of the Government's Green Paper on teachers and suggested rebuttals of the Opposition's attacks on that policy. That is not just promoting the Government, but suggesting how to respond to the Opposition: if that is not political, nothing is.

My hon. Friend put questions to Ministers on those written briefings, but he was simply fobbed off with an answer which stated:

> similar arrangements have applied under successive Governments.

That is a subjective reply, if ever there was one. My hon. Friend was also told:

> Records are not held of when such briefings were given.—[*Official Report*, 14 July 1999; Vol. 333, c. 251W.]

Such records should be held and should be publicly available.

Despite the fact that the DFEE briefing given to my hon. Friend was clearly numbered and dated, and referred to similar documents and where to get hold of further copies, we need a real freedom of information Act and we need it fast. Other Departments seem to suggest that they do not have such information to hand. Perception is sometimes as important, if not more important, than reality. Inevitably, we are given the impression that, by stealth, the taxpayer is funding more and more party political work. The number of special advisers is significant but, as I said earlier, their role, surely, is important too.

Civil servants' role and neutrality is under attack from other directions. Included in that attack is the growing number of taskforces, to which the Neill committee referred and which are completely unelected bodies, set up to discuss particular issues. They may include civil servants from many Departments, but they also include so-called outside experts. Common to all is a lack of guidelines, context and accountability. Again, the Neill committee's recommendations deserve a clear and positive response from the Government.

Similarly, there has been an explosion in the number of secondments from private sector companies to Departments. Surely, that should be monitored and governed by clearer guidelines. I feel uneasy when I see how many companies have been negotiating large contracts with Departments and, at the same time, placing staff with those Departments—a potential conflict of interest, if ever there was one.

Mr. White: Does the hon. Gentleman accept that a perennial criticism of the civil service is that it has not been aware of what happens in industry, and secondments are a way of dealing with that fundamental criticism, which has endured for a long time?

Mr. Tyler: That question remains open. Is there a hotline or an inner track from those companies to Minister's decision-making roles? Giving advice is one thing; being in on the decision-making process is another. At the very least, guidelines should be publicly available, be seen by this House and be considered by the Public Administration Committee to ensure that the position is clear and does not involve a conflict of interest.

[Mr. Tyler]

In an article in *The Observer* on 25 June, under the heading "'Staff for Favours' row hits Treasury", Anthony Barnett wrote:

> Financial consultants Price Waterhouse Coopers, Ernst & Young and Pannell Kerr Forster have all donated staff to Brown since the election. All have won lucrative consultancy contracts from the Treasury, at least one without a competitive tender. These firms have also had success in forcing Brown to backtrack on plans to stop their multinational clients avoiding tax by channelling profits through offshore companies.

That is the answer to the hon. Member for Milton Keynes, North-East (Mr. White). If it was absolutely clear that there was not just a Chinese wall, but an iron curtain between the responsibilities of those advisers or consultants and the decision-making process, we would all be more confident that the proper procedures were being followed. Whereas the civil service is subject to proper controls, that type of taskforce and those types of adviser are subjected to no such guidelines. We need them urgently.

I come to the issue of propaganda, which again has featured in the debate. The Liberal Democrats are concerned about the extent to which civil servants are under pressure to politicise their work. It is an old story; it did not start on 1 May 1997. There was evidence enough under the previous Government, but sadly there is plenty of new evidence that there is a new problem.

The Government information and communication service, headed by the chief press secretary Mr. Alastair Campbell, spent £126 million in 1998–99 alone publicising the Government. It issues press releases and maintains Government departmental websites. Since 1997, it has spent £634,000 on press releases and £4.8 million a year on websites. Again, the rules that are supposed to prevent such activities from being "polemical" have clearly failed. They are simply impossible to police.

The increase in press releases since the Labour Government came to power is huge. There are 40 per cent. more than in 1996, and 80 per cent. more than in the previous mid-term year: 1995. The working guide for government information officers says that all Government publicity should be

> relevant . . . objective and explanatory, not tendentious or polemical

and should not

> be or be liable to misrepresentation as being, party political.

Mr. Kemp: The hon. Gentleman has made the point about press releases and what they should and should not do. Can he give one example where a press release has breached those guidelines?

Mr. Tyler: I am grateful to the hon. Gentleman. If I did not know him better, I would think that that was a planted question. I am just coming to that. He must have seen my text—another leak.

Press releases issued by the Government do not always abide by that code. For example, a press release about the new deal, which was numbered DFEE 550/98 and issued on 26 November 1998, attacked political opponents. It was headlined "Smith Slams Cynical Fabrication of New Deal Figures." That was specifically about the Opposition. It was not about Government policy. Some press releases deal with re-announcements, rather than news. Repetition is a propagandist tool, not a neutral representation of Government policy.

Perhaps the prime example of party having undue influence is the No. 10 website. I do not know whether you, Mr. Deputy Speaker, are a frequent visitor, but I can tell you that it has a number of "manifesto commitments" under the heading, "Facts." My colleagues have researched some of those "facts" and found them to be misleading.

The first fact is about education spending and is belied by the figures that we can obtain from the House of Commons Library. The pledge on the website is as follows:

> Over the course of a five-year parliament we will raise the proportion of national income spent on education.

Underneath, it says:

> The proportion spent on education will rise by 0.1 per cent. in 2000/01 and 0.2 per cent. in 2001/02.

As we all know, that is a selective statistic. Between the financial years 1992–93 and 1996–97, 4.98 per cent. of gross domestic product was spent on education. The forecast is that, between 1997–98 and 2001–02, 4.67 per cent of GDP will be. It is a drop—lies, damned lies and statistics.

No one who visits the Prime Minister's website can be under any illusion about its primary purpose. It exists to build the image of the Prime Minister, but what do the rules state? They state that it is okay to build the image of a Minister so long as that is a by-product of the Government's publicity operation.

The civil service code states that Ministers have a duty to use public resources for party political purposes. *[Interruption.]* I am sorry; that is an extra spin on the meaning. It states:

> duty not to use public resources for party political purposes.

In addition, there is no accountability over the use of sponsorship and advertising on Government websites. I could quote several such examples, but I want to be brief. The Neill report hardly examines websites, and reaches no great conclusion. However, it acknowledges that such sponsorship needs to be properly monitored.

The new GICS handbook states:

> Sponsorship should not be sought or accepted from firms which are involved in significant commercial negotiation with the host Department (whether or not linked to the event), or which may be affected by the exercise of that Department's regulatory or licensing work.

There is no effective monitoring or policing of that particular requirement.

I turn to partisan research. In the past, civil servants would vet parliamentary questions and refuse to handle any that seemed to be simply about Opposition policies, and rightly so. The Labour party has its own resources and researchers to carry out such research. However, in October 1999, Richard Foster, chief executive of the Employment Service, costed the Tory policy of making the jobless sign on once a day for his Labour ministerial masters. That seems to be in gross conflict with all the indications that we have been given, not only by the Cabinet Secretary, but throughout the history of the civil service. Today, it seems that civil servants are expected not only to evaluate Government policies, but to help the Government to attack Opposition policies and discredit them.

Such politicisation is compounded by the increasing number of gagging clauses that Departments place on the research that they commission. During this Session, my hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris) has asked Ministers a series questions about research. He found that 12 out of 15 Ministers included the power to veto publication in their contracts with academics and that 13 out of 16 required academics to ask the civil service for permission to discuss the research with the media, often in perpetuity and not merely at the time of publication—a gagging clause if ever there was one. The implication is that, although the taxpayer foots the bill, if the research outcome is disagreeable to the party in power, it may be indefinitely suppressed.

The same is true of the opinion polls carried out by the Government. Two thirds of the poll results paid for from the public purse, for which the House gives appropriate funding, never see the light of day. My hon. Friend the Member for Bath has questioned the Government on that issue over many months and has exposed the extent to which the results are simply kept secret. The Cabinet Office has produced guidelines requiring Departments to make the results publicly available, but so far very few have done so. However, we live in hope, and it will be interesting to see the results of the polling that has taken place since the general election. That shows how important it is to have a really comprehensive freedom of information Act.

At all levels, there is a worrying elevation of the party good over the public good and a problem with accountability, neutrality and transparency. The Library research paper makes it clear that

> there are three features of the British senior civil service which set it apart from American and European models. These are
>
> Accountability through Ministers to Parliament
>
> Selection and promotion on merit, and
>
> Political neutrality.

Traditionally, the purpose of the senior civil service has been to serve the Government of the day, and thus the electorate. It is alarming to find that the Government are not only indirectly withdrawing power from the electorate, through the use of extra-civil service bodies and political appointees, but politicising their work and using research commissioned by them by the back door. It is no excuse to say that the process started under a previous Government. This Government came to office with a mandate to clean up the Augean stables, and we want them to do just that.

9.25 pm

Mr. Martin Bell (Tatton): I see from the course of the debate that my campaign for briefer speeches is unlikely to succeed. I shall pursue it unilaterally.

More than any other Member of the House, I was elected on an issue of public trust. Public trust matters to me, as it does to all other Members, and the reputation of the House has improved marginally—maybe even substantially—over that which it had in the previous Parliament. That is due partly to Members themselves, who are being more careful to avoid conflicts of interest, and partly to the machinery set in place. I am pleased to see the right hon. Member for Ashton-under-Lyne (Mr. Sheldon), the Chairman of the Standards and Privileges Committee, in his place. He has done great work, as has the Parliamentary Commissioner for Standards herself. I very much regret the whispering campaign against her.

Members of the House signed on to a set of rules, and they are beginning to realise how stringent those rules are, but it is much better to be criticised for being too zealous in applying them than for being lax. Does that mean that the spectre of corruption has gone away and that public trust is completely restored? Of course not. The beast is out there, lurking somewhere beyond the nets and harpoons of the parliamentary policing system. It lies down there at the other end of this great building on issues of party funding and honours. Peerages have been and are being bought, as are knighthoods. We must get to grips with that and hope that we do so when the Political Parties, Elections and Referendums Bill comes back to us.

I do not expect widespread support when I say that the power of the parties has increased and is increasing, but ought to be diminished. That is what I believe, however, and special advisers are a relevant issue: by all means, let the parties have their placemen and placewomen in ministerial offices if they must and if that improves their liaison, but I cannot see any reason why they should be paid for from the public purse. They should be paid for by the parties.

Shortly after being elected, I attended one of those meetings of the supposedly great and good—academics and politicians from both sides of the Atlantic—on precisely the issue of how to increase public trust. I put forward the heretical notion that behaving better was one way for us to achieve that. There was a sharp intake of breath around the table and an American Congressman in trouble with his state police and press over an issue of corruption said, "Sir, they will nickel and dime you to death." Well, so far they have not.

So far, we are doing better, but we have to improve what we are doing to curb the power of the parties. I have to tell you, Mr. Deputy Speaker, that the parties are not as popular in the nation at large as they think they are or think they should be. We need the parties to make government work, but let them not overreach themselves. I believe that they are overreaching themselves on the issue of special advisers.

9.28 pm

Mr. Hilary Benn (Leeds, Central): I have listened to the speeches of Conservative Members with considerable interest and one theme that has emerged is that before 1 May 1997, special advisers were paragons of rectitude and that they have since become subverters of democracy. On that subject, I can do no better than quote Sir Bernard Ingham, who, talking of special advisers, said that

> some of them can cause immense chaos.

As he was talking about his time in government, I hope that that does not reflect badly on some of the former special advisers on the Opposition Benches. All I shall say on spinning—I hate the term—is that in my experience, those who spin are likely to become dizzy. It is not a practice that I would recommend.

I have some experience in this matter as a former special adviser, as do other Members, and I would be the first to acknowledge that there is a serious debate to be had about the role of special advisers in government. As other Members have said, the Government have been open about the work of advisers and I am genuinely sorry

[Mr. Hilary Benn]

that instead of engaging in the serious debate to which my hon. Friend the Member for Cannock Chase (Tony Wright) referred, the Opposition have chosen to create an atmosphere of dark intrigue, which I must tell the House is far from what I remember in my job at the Department for Education and Employment, which I did for two years.

The two key questions concern legitimacy and influence. I think that the House agrees that special advisers are legitimate, not least because of how long they have been in existence but also because it is recognised that Ministers need a particular type of support. That has been acknowledged by the Neill committee, the 1968 Fulton committee, the 1976 Expenditure Committee and the 1985–86 Treasury and Civil Service Select Committee. That Select Committee report said:

> we have formed the impression from talking to witnesses that in general special advisers and career civil servants have been able to work creatively and harmoniously together.

That is certainly how I recall my time at the Department for Education and Employment.

Reference has been made to whether special advisers should be paid for out of public funds. The hon. Member for Tatton (Mr. Bell) touched on that a moment ago. I see no problem with it, given that they help the Government to do their job more effectively. As the hon. Gentleman knows, the Neill committee endorsed that view and said that it could see no reason why special advisers should not continue to be paid out of public funds.

The point has been made forcefully that Short money is used to employ the equivalent of special advisers on the Opposition Benches. That is unquestionably the case, so I see nothing wrong with that system.

Mr. Bercow: In the light of what the hon. Gentleman says about the means by which special advisers are paid, does he believe that it is acceptable for a serving special adviser to speak at a party political gathering? It was not the normal practice under the previous Government; regrettably, it has become so under this one.

Mr. Benn: As I recollect my contract of employment, it said specifically that I was not to take part in party political conferences. That should be pursued in all cases.

The central question is whether special advisers undermine the impartiality of the civil service. All the evidence is that that is not the case, because their existence helps to protect that impartiality by acknowledging that Ministers require particular forms of support and advice, which they need from a distinct source. The code of practice that has been published specifically recognises that.

There is a considerable volume of work in a modern Government Department. Government is more complex than ever, and because of their background and expertise, special advisers, who have—or at least should have—a unique knowledge of the governing party's background, history and policies, are able to give advice which it would be wrong to expect a civil servant to give. They have a different perspective, which is why they have a different status. I genuinely believe that that is no different now from how it was under the previous Government.

I see with interest that Professor Anthony King, remarking on the status of special advisers, said that they were

> neither hog, dog, nor mutton.

I had not come across that expression before. If I was ever the dog of the Secretary of State for Education and Employment—I thought that somebody else had that job—I tried to fetch and carry diligently; if I growled, I did so with discretion; and if I barked, I never ever did so in public.

More seriously, advisers also help officials to do their job. I was interested to see that, in its evidence to the Neill committee, the First Division Association specifically acknowledged that that was so.

Let me deal with the central question of the charges of wrongdoing, which appear to be the substance of this debate. Having said early on in his speech that he would back up his charges, the hon. Member for South Cambridgeshire (Mr. Lansley) miserably failed to do so. Where is the evidence of corrosive influence? As others have said, if such evidence exists, why was it not submitted to the Neill committee? More important, why did the Neill committee comment so favourably on the role that special advisers perform? Why did Sir Richard Wilson, in answer to specific questions when giving evidence to the Neill committee, say, first, that he could see no evidence of abuse and, secondly, that he was not concerned about politicisation?

On the subject of briefing the press, Sir Richard Wilson told the committee:

> not just under this Government, but under previous governments, in my experience, political advisers have spoken to and briefed the media.

It is important that that is put on the record.

My final point concerns the question of influence. Ultimately, it is for Ministers to decide whose advice they wish to take in reaching decisions, with the understanding that they will then take the consequences. In other words, the buck stops with Ministers, not with their special advisers. Special advisers should never become the story in themselves, because that makes it much more difficult for them to do the job that they are supposed to do. I have no problems whatever with the Neill committee recommendations in relation to special advisers.

Much of the debate this evening has been hot air about advisers. It has been a substitute for a debate about the nature and practice of our political process. I very much endorse the comments of my hon. Friend the Member for Cannock Chase. In the courts of days gone by, if one wanted to criticise the king but did not have the guts to do so, one said that he was badly advised. If the Opposition are unhappy about the Government's policies, they should say so directly. If the Opposition did their job more effectively, they would not be so obsessed with special advisers.

No Government can survive on spin, and that includes this Government. This Government will succeed because of their achievements. They have a lot to be proud of. They have achieved a great deal and have much yet to do. I believe that that is what the public also think, and I suspect that that is what rankles with the Opposition so much.

9.35 pm

Mr. Andrew Tyrie (Chichester): The hon. Member for Leeds, Central (Mr. Benn) was doing very well until the end. His father is a consummate spinner, and the hon. Gentleman could learn a few tricks from him. At the end he lost the plot completely, but I shall not pick up all the things that he got wrong. I would rather make a few points about the debate, and more particularly about the way Britain is being governed.

It has been an interesting debate about advisers. I think that everyone is agreed that advisers have a legitimate role. However, as many hon. Members know, I for one—I have now been joined by a large number of others—have become increasingly concerned about the role of advisers in this Government. I encouraged Lord Neill to look into their role, and I made some proposals for reform in my evidence to him. In particular, I suggested that a cap should be placed on the number of advisers—which has risen from 70 to about 80 since I wrote that evidence—that advisers should be subject to a statutory code of conduct, and that the code should be enforced by permanent secretaries, because at the moment there is no means of enforcing the code. I am pleased that Lord Neill has accepted all those recommendations.

Many of us are concerned about advisers not just because their numbers are up or because they have started travelling abroad on a huge scale—they have been on something like 500 trips since 1997—or because they gossip to the media. Those are just symptoms of something much more fundamental. Advisers are assuming new roles in Government that they have not had in the past. The plain fact is that No. 10 Downing street—the very heart of Government—is being taken over by advisers.

A few months ago, I asked the Cabinet Secretary for a chart showing the structure of No. 10 Downing street and how it operates. Excluding the support staff, there are 67 staff in mainline jobs, of whom 27 are special advisers. What is more, the whole building now answers to a special adviser, Jonathan Powell. That was explicitly denied when I asked the question of the then Cabinet Secretary, Sir Robin Butler, but it has now been confirmed in a letter to me from his successor.

The truth is that No. 10 has ceased to be merely the centre of a civil service machine at the heart of Government, but is becoming a Labour party headquarters. It is an open secret that the Prime Minister takes far more notice of his advisers than he does of his ministerial colleagues. Cabinet Government is dead; even Cabinet Committees do not count for much. Ministers may have the red boxes but their contents are increasingly being provided by the Prime Minister's advisers.

Special advisers are part of the reason why Britain is steadily moving towards presidential government. The Prime Minister does his best to ignore Parliament. He hardly ever comes here, as I am sure you notice, Madam Speaker. He rarely votes, and he hardly ever speaks in the House. It goes further than that. He lets it be known that he ignores his colleagues, and prefers the advice of his advisers. His political companions are not his Ministers: they are his advisers, who are chosen by him, trusted by him and accountable to no one but him.

The fact is that, as a result of placing No. 10 in the control of advisers, doubling the number of advisers in Whitehall and releasing them from many of the constraints on what they can do, there has been a fundamental change in the way in which Britain is governed. That has had profound effects. It has undermined, or is in the process of undermining, the traditional checks on power that come from a politically neutral civil service. It is undermining the customary ways of making decisions through Cabinet Sub-Committees; and, because Parliament now has no contact with many of the real decision makers in this Government—the policy advisers at No. 10 Downing street—it is beginning to undermine Parliament itself.

Mr. Beard: Can the hon. Gentleman tell us what evidence he has to back up the saga that he is spinning, and why it should be treated as anything other than media gossip and tittle-tattle?

Mr. Tyrie: The evidence is overwhelming.

Dr. Julian Lewis: If the hon. Gentleman had been here for the whole debate, he would have heard it.

Mr. Tyrie: Indeed.

The hon. Gentleman should, for instance, have a look at a piece by Peter Kellner in the *New Statesman*, which makes it clear that a large number of his hon. Friends agree with what I have just said—although they probably will not stand up and say so tonight. Let me quote directly from what Mr. Kellner has written—unless, of course, he is making it up and writing fiction just as everyone else is said to be doing at the moment. He wrote:

> Tony has contempt for Parliament, and it shows. He doesn't even turn up to vote.
>
> Tony's handling of Wales and London was terrible. He came to office with people believing he'd do politics differently, better. Now he looks as if he's just as bad as everyone else.
>
> All those kids in their twenties making policy in No. 10. What do they know about anything?

Those are just a few quotations given to Peter Kellner by some of the Prime Minister's colleagues, presumably over the past few days.

I do not believe that the British people want this. In fact, I do not think that many Labour Back Benchers want it. I do not even think that Ministers really want government of this kind, any more than anyone else does. It should therefore come as no surprise that many people have begun to raise their voices. At first they just criticised the advisers, but now they are beginning to criticise the Prime Minister himself.

What those people dislike most is the impotence that comes from playing out a parliamentary ritual in an increasingly presidential Government. Of course that is what one would expect the Opposition to say, but those who are speaking loudest are from the ranks of the Labour party. They are the old Labour supporters, and the new Labour luvvies. Such people are sick of watching or, worse, suffering political assassination by briefing from No. 10 Downing street—the back-stabbing whispers. This is a political culture that has more in common with Medici Florence than with 21st-century Britain.

There is a long list of victims: the Chancellor, the Minister for the Cabinet Office—although she seems to have recanted recently—the right hon. Members for Camberwell and Peckham (Ms Harman) and for Copeland (Dr. Cunningham) and the Chief Whip, to name but a few.

[Mr. Tyrie]

As for the list of those complaining, Lord Hattersley says that he was briefed by a No. 10 press officer and encouraged to rubbish a Minister in an article that he was writing.

The hon. Member for Newcastle upon Tyne, North (Mr. Henderson) has, in many ways, been even more blunt than Ken Follett. He says:

> Too many people believe that spin doctors and policy advisers are running the government's policies . . . rather than the members of the cabinet and other ministers who were elected to do the job.

He also says:

> There is too much reliance on the presidential system.

That is my view, and I suspect that, on a free, secret vote, it would prove to be the view of most Members of the House.

Ken Follett really went for the advisers. He called them

> the rent boys of politics.

That is a bit over the top, but it does rather stick in the gullet that we are paying the rent.

Ken Follett's most stinging remarks, however, came when he explained why the Prime Minister was not doing anything about the situation. He said:

> Tony's sure touch deserts him when he faces a decision which cannot be based on expediency . . . he seems not to possess the inner core of strong convictions.

Ken Follett then lists a series of moral rocks on which the Government have foundered: the Bernie Ecclestone affair, arms to Indonesia, and much more.

According to Alastair Campbell, all those people are presumably

> peddling the propaganda of the right

or are

> better known for their fiction than their judgment.

At least that is what he has been telling the media today.

Is that not, however, the heart of the matter? The first instinct of the Government, particularly of the Prime Minister and of the Prime Minister's press spokesman, is to disparage and rubbish anyone who suggests that the Government's manipulation of the media has anything to do with the decline in the Government's popularity.

Mr. Kemp: The hon. Gentleman asked who pays the rent for special advisers at No. 10 Downing street. Who pays the rent for the special advisers, particularly the press secretary, to the Leader of the Opposition—the Tory party or the taxpayer?

Hon. Members: Killer question.

Mr. Tyrie: Yes, that really was a killer question. As the hon. Gentleman has been in the Chamber for the whole debate, he will know very well that the Short money is fully audited. As he is quite experienced, he should also know that Short money pays primarily for the office of the Leader of the Opposition.

The hon. Gentleman also knows very well that Short money is a quid pro quo for many services provided to the Prime Minister by the civil service. To give just one simple example, the Leader of the Opposition has a team of people to help him to reply to his correspondence. Who does that for the Prime Minister? It is done by a large team in Whitehall, which is quite independent of the new team of special advisers. There is little comparability between those employed on Short money and special advisers. Any such comparison is a smokescreen put up by the Labour party to try to avoid dealing with the truth, which is that the Government have hired a huge cadre of people who are becoming a campaign team for the re-election of the Labour party.

I believe that a good press team—I acknowledge that Alastair Campbell ran a good press team in opposition—is no substitute for good government. The Prime Minister's style of government is destroying ministerial accountability and corroding parliamentary accountability. Above all, it has started to erode respect for our democratic institutions.

The Prime Minister can do something about that. The first thing that he should do is to curb the power and activities of Alastair Campbell. If the Prime Minister wants a political hatchet man, he cannot expect the taxpayer to provide the funds. If Alastair Campbell is doing exclusively party political work, he had better resign and be paid for by funds from the Labour party.

Secondly, the Prime Minister had better clean up his act at No. 10 Downing street. He had better put the building back in the charge of civil servants. He had better start using Cabinet Sub-Committees for some genuine decisions, rather than working out how to implement decisions. He should also show some respect for Parliament.

Thirdly, the Government should implement in full Lord Neill's recommendations on advisers. Lord Neill has made it plain that he cannot understand the Government's delay in responding to his report; neither can many Opposition Members. Now, let us have a response.

9.48 pm

The Parliamentary Secretary, Cabinet Office (Mr. Graham Stringer): It would have been easy to respond to the hon. Member for Chichester (Mr. Tyrie) if he had bothered to give any facts in his statement, but it was almost pure rhetoric. We cannot, however, be surprised that we get almost pure rhetoric from him. He writes books and gives evidence in which he says that Select Committees should have more power in the House and that that is the way forward in ensuring greater Government accountability, whereas he has attended the Public Administration Committee—his own Select Committee—for only seven of its previous 36 sittings.

Mr. Tyrie: As it happens, a large number of Public Administration Committee sittings clashed each week with sittings of the Standing Committee considering the Financial Services and Markets Bill, which I attended regularly. The Labour party has for months been peddling the nonsense that I have not attended Select Committee meetings, and I am sick of hearing about it at every television studio that I go to. It is a load of rubbish.

Mr. Stringer: The hon. Gentleman does not contest the fact that he has managed to attend only one in five of those Select Committee sittings. It is not surprising.

Mr. Patrick McLoughlin (West Derbyshire): Will the hon. Gentleman give way?

Mr. Stringer: No; I shall not give way again. I am not surprised by the hon. Member for Chichester. In his book, he mentioned the Prime Minister's attendance in this House at votes. He forgot to mention the fact that the Prime Minister has answered more questions and made more statements than any other Prime Minister.

Mr. Tyrie: Will the hon. Gentleman give way?

Mr. Stringer: No, I will not. My hon. Friend the Parliamentary Secretary, Privy Council Office gave way many times in his opening speech. We have 10 minutes left of an important debate and I shall not give way.

My hon. Friend the Member for Leeds, Central (Mr. Benn) was characteristically precise in destroying the argument of Opposition Members. He pointed out, as others have done, that no evidence was put forward of the corrosive effect on the civil service that the Conservatives claimed existed.

My hon. Friend the Member for Cannock Chase (Tony Wright) made an interesting speech; his diversion was more interesting than many of the Opposition speeches. He reminded us of why the Nolan committee and the Neill committee existed. They existed because the Conservative party did not control sleaze; this House and the Conservative party were riven by sleaze in the mid-1990s.

All of us in the House owe a debt to the hon. Member for Tatton (Mr. Bell) for ridding it of the previous honourable, or dishonourable, Member for Tatton, Neil Hamilton. He made a characteristically independent speech. I could not agree with every word and every point, but there is no doubt that the hon. Gentleman has helped to improve standards in this House through his work on the Select Committee on Standards and Privileges. I pay tribute to him for that.

The hon. Member for North Cornwall (Mr. Tyler) made a large number of points and there is not time to answer all of them. I will give the commitment again that it is the intention of the Government to produce a civil service Act. He would be surprised if I said when that will be, as that is a matter for the Queen's Speech.

I strongly disagree with the hon. Member for North Cornwall in his reluctance to support the idea of secondments from and into the civil service. The Government support the impartiality and objectivity of the civil service, but there is no doubt that it has developed insularity over the years which is not good for the governance of this country. Seconding people with experience of industry and the outside world into the civil service is an extraordinarily good thing, as is taking civil servants out and giving them experience of industry.

Mr. Redwood: Will the hon. Gentleman give way?

Mr. Stringer: No, I will not give way.

I was absolutely staggered by the intervention from the right hon. Member for South-West Surrey (Mrs. Bottomley) who complained about appointments to health bodies. Does she not recall Baroness Denton saying that she had never knowingly appointed a Labour person to a health body? That was the record of the previous Conservative Administration.

Mrs. Virginia Bottomley: Will the hon. Gentleman give way?

Mr. Stringer: No, I will not. The right hon. Member for South Norfolk (Mr. MacGregor) made a number of interesting points. He said that the number of special advisers had changed and that the role had changed. Like a lot of his right hon. and hon. Friends, the right hon. Gentleman failed to produce any direct evidence that the role had changed. He made one mistake when he said that it was not the role of special advisers to brief the press. I have to tell him that his successor had a special adviser who regularly briefed the press, so there has been no change between the previous Administration and this in the role of special advisers.

My hon. Friend the Member for Cannock Chase made the point that he was surprised that Opposition Members kept coming back to the Nolan and Neill reports. They kept returning to their party's appalling record of sleaze in the mid-1990s. Why did they do that? There is a simple reason that I am happy to explain to my hon. Friend. Opposition Members do not want to talk about this Government's record on jobs. Opposition Members are the spinners, because they do not want the public to know that a million jobs have been created in the past three years, at the rate of one job every two minutes. Nor do Opposition Members want to talk about the extra money going in to hospitals or the extra £40,000, on average, for every school. They do not want to talk about the working families tax credit, because they would abolish it.

Opposition Members have a straightforward right-wing agenda. They want to create fear by talking about immigration and asylum seekers. The hon. Member for South Cambridgeshire (Mr. Lansley) himself has not been afraid to advise on using the race card. *[Interruption.]* It is Opposition Members who are embarrassed by the facts—

Mr. Tyrie: On a point of order, Madam Speaker.

Madam Speaker: I fear that it is a point of frustration, but I shall listen to the point of order.

Mr. Tyrie: As I understand it, the debate is about special advisers. We have just had five minutes of propaganda written by Alastair Campbell about every other area of Government policy. May we have answers to some of the points raised in the debate about special advisers?

Madam Speaker: As I thought, that is a matter for argument and not a point of order for me.

Mr. Stringer: Opposition Members do not want to talk about the Government's record. They want to keep the agenda away from the facts. What embarrasses them more than anything else is the detailed record of what they did in government. I can give the House a list of the names of Tories who were the reason for the Nolan and Neill committees. We all remember David Mellor, who left the House; Tim Smith, who was forced to stand down as the candidate for Beaconsfield; Neil Hamilton, who was defeated by the hon. Member for Tatton; Graham Riddick, who was defeated in Colne Valley and who accepted cash for questions; Jonathan Aitken; Michael Brown; and Angela Rumbold. They were the reasons why—

Mr. James Arbuthnot (North-East Hampshire) *rose in his place and claimed to move*, That the Question be now put.

Question, That the Question be now put, *put and agreed to*.

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 165, Noes 295.

Division No. 247] **[10 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Maples, John
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Geoffrey Clifton-Brown and
Mr. Peter Luff.

NOES

Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, John
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
George, Bruce *(Walsall S)*

Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian
(Makerfield)
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann
(Dewsbury)
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan
(Swansea W)
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Mike Hall and
Mr. Gerry Sutcliffe.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 293, Noes 163.

Division No. 248] **[10.14 pm**

AYES

Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Austin, John
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Caborn, Rt Hon Richard
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack
(Copeland)
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry
(B'ham Hodge H)
Dawson, Hilton
Denham, John

Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Patrick *(Bedford)*
Hanson, David
Harman, Rt Hon Ms Harriet
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lammy, David
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McCartney, Rt Hon Ian *(Makerfield)*
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Meacher, Rt Hon Michael
Meale, Alan
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Touhig, Don
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Mike Hall and
Mr. Tony McNulty.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burstow, Paul
Butterfill, John
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver

Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Maples, John
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Oaten, Mark
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Geoffrey Clifton-Brown
and
Mr. Peter Luff.

Question accordingly agreed to.

MADAM SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the statement by Lord Neill that there is now less cause for concern about standards in public life than when the cash for questions affair led to the setting up of the Committee in 1994; restates the Government's commitment to maintaining a non-political permanent civil service; agrees with the Sixth Report of the Committee on Standards in Public Life that "special advisers have a valuable role to play"; acknowledges that the Report deals with the serious issues across a wide range of subjects; and notes that the Government plans to respond before the summer recess.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the draft Northern Ireland Act 1998 (Designation of Public Authorities) Order 2000, which was laid before this House on 8th June, be approved.—*[Mr. Touhig.]*

Question agreed to.

Ordered,

STAKEHOLDER PENSION SCHEME REGULATIONS 2000

That the Stakeholder Pension Scheme Regulations 2000 be referred to a Standing Committee on Delegated Legislation.—*[Mr. Touhig.]*

Airport Regulation

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Touhig.]*

10.26 pm

Dr. Vincent Cable (Twickenham): I have great pleasure in introducing an Adjournment debate on the subject of airport regulation. I sought the debate because I am one of those Members with a constituency near to Heathrow. Those of us in that position have many constituents who work at the airport, who use it for business and, most importantly, are affected by environmental costs and aircraft noise.

Several neighbouring Members have introduced Adjournment debates about Heathrow and particularly about aircraft noise, but I approach the subject in a slightly different manner. I am not so much concerned by what I regard as the symptoms of the problem, but with the underlying causes, such as the way in which airports are regulated. That is the spirit in which I gave evidence to the terminal 5 inquiry a couple of years ago.

I shall summarise my conclusions and then develop my arguments in a little more detail. The first of the two central points that I want to make is that the system of regulating airports, and Heathrow in particular, is drastically in need of overhaul. The Government have overhauled the system of regulation for other infrastructure industries—notably the railways—but airport regulation is calling out for reform in much the same way. It was introduced in the mid-1980s, at a time when the previous Government wanted to privatise the industry as a monopoly. They did that in a way that made it attractive to potential buyers of shares in the privatised industry without affecting the interests of the recently privatised British Airways. The wider public and social interest was not a dominant concern, but it have should been. That oversight now needs to be corrected in a reform of the regulatory system.

My second concern flows from the first. The cost of landing at Heathrow airport is very cheap. I would argue that it is ludicrously cheap, because it fails to take into account the economic costs of congestion, environmental costs and, probably, it does not even cover the basic running costs of the operation. That is damaging from a variety of standpoints. It leads to the airport being overused; it leads to the relative neglect of provincial airports, such as Stansted, where there is probably a much greater willingness to see expansion; and, most important, it leads to a substantial shortfall in revenue that the Government could derive from airports for public expenditure, but that they currently do not.

I shall develop those points in a little more detail. The first element in the system of regulating the airports that needs overhaul is what is called the single till system—the principle whereby two thirds of the profits of BAA derive from parking, property and shop rentals and the other third derives from landing charges. Those revenue streams are pooled. Under the regulatory system, the landing charges are directly regulated under a retail prices index minus X formula, which is referred from time to time to what is now the Competition Commission, whereas the other two thirds of the business are not regulated, although BAA has a substantial monopoly in them.

That results in a massively grossly distorted system of airport charging. It means that Heathrow has become one of the cheapest airports in the world in which to land, despite the enormous congestion and pent-up demand associated with it. BAA quite openly acknowledges that. It recently commented:

> charges to airlines are among the lowest in the world, and have fallen by at least 15 per cent. in real terms over the past ten years."

The regulators acknowledge that the landing charges are very damaging, although they cannot do anything about them. The Monopolies and Mergers Commission, as it then was, said when asked to review charges:

> Any environmental problems, far from being reflected in higher airport charges, are exacerbated by further stimulus to demand as a result of low charges.

It was highly critical of the system that it was required to operate.

Moreover, BAA operates one of the biggest retail monopolies in the world through its control of the shopping system at the airport. That aspect is not regulated. Arguably, it results in considerable pressure to over-expand that part of its business at the expense of normal airport passengers. The pressures for T5 primarily come from that source.

So that is the problem—what could and should the Minister do about it? I understand that the Government are reviewing the system of regulation from which the following elements need to emerge. There should be a proper system of independent regulation that takes into account the wider public interest and not simply the interests of aircraft users. There needs to be a proper system of economic charging, which would almost certainly be substantially greater than the present one.

The Department of the Environment, Transport and the Regions has conducted its own studies into the matter, and I shall quote just one of them:

> given the extent to which demand for slots exceeds supply at Heathrow and (to a lesser degree) at Gatwick, it is logical to expect that a several fold increase in airport charges would be necessary to reach market clearing level.

A system of charges based on economic principles could and should be introduced. Under the present structure, such a system would result in BAA making enormous profits. There is no reason why that should be allowed. The Government could deal with that by taxing away the windfall profits, as they did in 1997.

The objection is sometimes made that such an attempt to change the charging structure would fall foul of international rules. The 1948 Chicago convention imposes constraints on Government charging. However, to the extent that I understand matters—the Minister can correct this—it should be possible to do a great deal. After all, Heathrow's charges are about half those of major European airports such as Paris and Amsterdam, as well as of those of Manchester and some of the provincial airports. Given that Heathrow's charges are substantially lower than comparable airports, there is considerable scope for increasing them.

Mr. David Taylor (North-West Leicestershire): As East Midlands airport is in my constituency, I have a keen interest in the debate. Is the hon. Gentleman aware of the estimate that it would be necessary for airport charges to treble to ensure that the market-clearing mechanism removed the excess demand for slots at Heathrow and

Gatwick, and that charges at the moment bring in £450 million a year, or thereabouts, and the excess charge would bring in about £900 million a year. Is not that an issue?

Dr. Cable: Yes, that is an issue. The hon. Gentleman's arithmetic and conclusions are entirely right. Charging is a substantial revenue source, which currently accrues primarily to the airlines—many of them foreign-owned—that benefit from the cheap charges. That revenue should ultimately go to the British public. There are mechanisms by which that could happen.

My second basic source of criticism is related, and concerns the slots. The right to land at Heathrow is effectively given away: under the grandfather principle, slots are allocated on the basis of historic use of routes, which is convenient for airlines that have traditionally had them, and less convenient for new airlines such as Virgin and British Midland, which are trying to get into the business. That is increasingly accepted as a damaging and inefficient way to run a system. An extremely valuable commodity is handed out free, competition is suffocated, and new airlines are prevented from entering the business.

It has become clear that there are alternative ways of allocating slots, notably by auctioning. American Airlines now auctions slots for domestic flights and earns substantial revenue by doing so. The Government have demonstrated through the third generation mobile phone licences that it is possible for auctions to be extremely effective, well conducted and lucrative. There is no reason why the same principle should not be adopted in an airport context.

I recognise that there are practical problems, particularly the problem of bilateral treaties and the fact that a plane that takes off must land somewhere. However, consultant studies have been done for the Civil Aviation Authority which show that, within limits, auctioning could be applied at Heathrow. At the very least, it could be employed for take-off and landing at British airports or within Europe, or to allow for competition between British airlines on transatlantic routes, for example. If the Government wanted to be bold and show that they believed in open skies, they could simply employ an open approach unilaterally. Clearly, there is scope for introducing auctions. That would raise the cost of landing to a more appropriate level and would be an alternative or additional way of dealing with the problem, beyond the reform of the single till system.

The third element of regulation that needs reform is the lack of independent regulation and the constraints imposed on the two regulators, the CAA and the Competition Commission. It is worth quoting from the commission, which described the difficulties under which it labours. It stated that the CAA said that it

> has no duty in respect of the "national interest" and no duty to consider those living near airports.

On the contrary,

> the CAA's obligations are to satisfy anticipated demands by users of airports.

That is part of the evidence to the terminal 5 inquiry. Under the present system, then, the regulators are unable to take into account the public interest or the national interest, widely defined. That needs attention.

The last aspect of regulation that requires attention is the overall context of taxation of airlines. The airlines enjoy enormous taxation privileges. They do not pay fuel duty in the way that motorists do. There are international treaty reasons why that is difficult to enforce, and even if we tried to enforce it, there is the practical problem of planes landing with full tanks in order to avoid taxation. Any change would have to take place on an international level or, at the very least, on a European level.

Estimates suggest that as a result of the airlines' ability to escape from fuel duty and also from value added tax, revenue of the order of £5 billion a year probably goes begging. I appreciate that there are obvious practical difficulties in recouping that, but it underlines the extent to which the airports operate with the benefit of considerable regulatory privileges. Whether that is dealt with through the tax route, the charges route or the slot route—there are various options for pursuing the same objective—it is clear that something should be done.

One of the consequences would be that the demand for the use of Heathrow would significantly contract. The models used at present to predict the demand for Heathrow and, to some extent, Gatwick assume a virtual doubling of demand within the next generation. That is clearly conditional on the price. I believe that the model exercise has been done by the Department of the Environment, Transport and the Regions. It suggests that if charges were doubled, which is roughly what the hon. Member for North-West Leicestershire (Mr. Taylor) suggested, the demand would be reduced by 15 per cent. below what it otherwise would be. If the full slug of taxes were imposed, and the cost was increased by 50 per cent.—

Mr. Taylor: I thank the hon. Gentleman for giving way again. Does he agree, at least on the principle of the polluter pays, that there is an argument for taxing aviation fuel? The amount of pollution generated per passenger mile exceeds that of road vehicles. Is not the system inequitable?

Dr. Cable: It is inequitable, environmentally nonsensical and extreme. We are not considering a minor disparity; motor fuel is taxed at more than 300 per cent., but tax on aviation fuel is zero. That enormous distortion in the market clearly needs correction.

I shall make a couple of points in conclusion. Charges need to increase to deal with the severe distortions that the current system of regulation creates. There are several methods of doing that and I have suggested some of them. Introducing such measures would be environmentally friendly and economically sensible; it would lead to better use of the airports, for example, by discouraging small airlines from using the airport. That would mean better capacity utilisation. The measures would encourage a better balance between Heathrow, Gatwick and the regional and smaller airports.

The introduction of such a programme would be contentious and the Government would face severe criticism from some of the affected interests. Recently, Mr. Ayling responded to the suggestion of removing slots from his airline by describing it as

> wrong, irrational, unfair, potentially corrupt and against the public interest.

I note that Mr. Richard Branson describes the current system in almost exactly the same language. The established interest and the potential new order fiercely contest rights.

[Dr. Cable]

It would be argued that any system of economic charging would drive business away from Heathrow. The rate of growth could not—and perhaps should not—be sustained. I live in west London, and it could be argued that development around the airport is excessive, not insufficient. One of the main reasons for the enormous problems that local hospitals suffer in recruiting nurses is the competing salaries in the airport-based industries. Unlimited growth around the airport is therefore not an unmixed blessing. Perhaps some restraint on growth through better regulation would be economically beneficial.

Critics would argue that measures such as those that I advocated would lead to increased fares. They might do that, although fares are largely set in an international market. Any measure that reduced some of the silly fares, which mean that it costs far less to travel to Madrid and Rome than to get to Edinburgh by train, would be welcome. Some of the irrational pricing in the airline market would almost certainly be eliminated by some of the measures that I described.

I am grateful for the opportunity of introducing the Adjournment debate, and I look forward to the Minister's reply.

10.43 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): I congratulate the hon. Member for Twickenham (Dr. Cable) on obtaining a debate on an important subject, which is acquiring increasing public prominence. I also express my thanks to the hon. Gentleman for his courtesy in giving me advance notice of the key issues that he wished to raise. I shall attempt to address many of them in my response.

It is especially timely that the hon. Gentleman should raise the subject of airport regulation now. As he knows, my right hon. Friend the Deputy Prime Minister has been leading a review of airport competition, aimed at ensuring that the regulatory and other arrangements in the sector best further the long-term interests of the travelling public. The Government will make a statement on the outcome in due course.

Let me set out the wider context. In our 1998 White Paper, "A New Deal for Transport", the Government undertook to produce a new airports White Paper, taking a 30 year forward look at the way in which the sector might and should develop, and fully considering the economic, environmental and social implications. Subsequently, the scope was widened to address the whole of air transport policy and thus cover both airports and civil aviation.

Work is in progress to lay the foundations for that White Paper and we shall consult widely while doing so. At this stage, the Government are ruling nothing in and nothing out, but we have made it clear that that is not an exercise in predict and provide: the scenarios that we are considering include those in which capacity might be lower than the forecast level of demand. In such cases, the management and control of existing infrastructure would assume even greater prominence. Whatever emerges from that work, we have a situation at least in the short term in which demand to use the airports of the south-east is moving towards the point at which capacity will be exhausted.

The increasing imbalance between supply and demand potentially places airport operators in a strong bargaining position when it comes to negotiating user charges with airlines and other airport users. It is to counter that potential that airports are subject to economic regulation. That requires airports to maintain transparent accounts and to notify their scale of charges to the Civil Aviation Authority each year. The CAA has powers to investigate complaints of abuse of position and to issue conditions to prevent or to provide redress for abuse.

At four UK airports—Heathrow, Gatwick, Stansted and Manchester—economic regulation takes the form of a cap on user charges. That is set for a five-year period by the CAA, following an investigation by the Competition Commission. That provides downward pressure on charges, while giving the airport an incentive to greater efficiency.

The hon. Gentleman argues that charges at Heathrow are too low and should be set at, or at least nearer to, market clearing levels. I admit that it is on the face of it odd that user charges should be falling in real terms at airports where demand considerably exceeds supply, but we must bear in mind that aviation is an international business and that the UK is party to a number of international agreements, as well as subject, in some areas, to European law.

Guidelines for the setting of airport user charges are produced by the International Civil Aviation Organisation, to which the UK is a contracting state. Those guidelines currently start from the principle that charges should be cost related. They state that the calculation of cost should reflect the full cost of providing the airport and its essential ancillary services. They also state that revenue from non-aeronautical airport operations, such as retail and commercial activity, should be taken into account when setting airport charges. That is, as the hon. Gentleman reminded us, the so-called "single till" principle.

ICAO guidelines provide a basis for the operation of airports and aviation throughout the world. Any decision to depart from them opens the possibility of reciprocal action in other countries. In the case of the UK, the guidelines are given greater weight by the fact that they were used in the preparation of the current bilateral air services agreement between the UK and the United States. We are committed to airport charges that are cost related; at present, we also apply the single till.

Both the Competition Commission and the CAA will no doubt want to consider the impact of the single till and the ICAO guidelines during the investigation that will precede the setting of a new cap for Heathrow charges. Their preparatory work will start shortly and their freedom of action may be increased by recent developments at ICAO.

I bring the hon. Gentleman news hot off the press. An ICAO conference in Montreal last week agreed to recommend to the ICAO ruling council that the current guidelines be amended to allow economic principles other than pure cost recovery to be taken into account when setting airport user charges. That may make it easier for charges to be modulated to demand patterns—which in plain English means higher charges at peak times than at others—or to rise to reflect overall demand for use of the airport.

Mr. David Taylor: Does that new departure allow for the incorporation into the charging regime of a contribution towards the environmental costs that are incurred by people who live in and around airports?

Mr. Hill: I hope to come to that point in due course. It is important. The hon. Member for Twickenham has already raised it. It is a point very well taken.

The conference considered the future of the single till. There was widespread agreement that full cross-subsidy of airport user charges from other sources of income may, at some airports, be inappropriate, having regard to local circumstances. The ICAO secretariat is to undertake a study of the implications of injecting more flexibility into the organisation's guidance on the subject. The results are due to be presented to the ICAO council in November. We await that report with interest.

As the hon. Member for Twickenham said, in addition to airport charges, the allocation of take-off and landing slots is another key component that affects the efficient operation of airports. He will be well aware, I suspect, that that process is governed by European regulation EC 95/93. Where a slot co-ordinator is appointed, the Government approve the appointment, but have no other role in the process. The co-ordinator is charged with acting in an independent, neutral, transparent and non-discriminatory manner when allocating slots to airlines.

Under the regulation, an airline that holds a slot in one operating season has first claim on it in the next equivalent season and indefinitely thereafter. Slots may be removed from their holder only when the airline fails to use them for at least 80 per cent. of the season. There is no other power of confiscation. At Heathrow, the overwhelming majority of slots are claimed under those grandfather rights. The remainder, together with any newly created ones, are placed in a pool for allocation.

Although the regulation's purpose was to encourage competition and promote new entry to the market, a CAA study suggests that it has not been successful in that objective and because of the scarcity of slots—particularly peak hour ones at Heathrow—it has proved virtually impossible for a new entrant airline to obtain sufficient slots at suitable times to establish commercially viable services. It has also been difficult for an incumbent to get new slots to start a service—for example, to compete on a route already served by a rival. To develop new services or to increase frequency on an existing one, airlines have had to shuffle the portfolio of slots that they already hold, or reduce or even end other services.

If the current system is not working well, what are the options for change? Obviously, the most suitable solution for airport users would be enhanced capacity so that there would be no difficulty in getting slots at the time that they want. While the White Paper work is in progress, I have to leave that option to one side. However, assuming continued slot constraints, there are two possible routes: a different regulatory regime—which would, by its nature, have to be more interventionist—or use of the price mechanism. We await European Commission proposals for changes to the regulation. Those are expected later this year, and I cannot pre-empt the Government's response. Much will depend on the overall package proposed by the Commission, but I can consider the options in general terms.

The basic problem is one of turnover. Incumbents have an indefinite hold over the slots that they have been allocated. The European Commission floated the idea that they should be required to hand back a percentage of slots each operating season so that those could be put in the slot pool and allocated from there, but it was not well received by member states and not pursued, although it remains a possibility. I would rule out direct Government intervention in the allocation process. The important principle of an independent co-ordinator has recently been affirmed by the ICAO at its conference. The Government are not attracted to the concept of ring-fencing slots for particular types of service. That would inhibit airlines' ability to respond to market demand without offering a solution to the real problem.

If changed regulation has its limits, what of the price mechanism? The possibility of airlines trading slots among themselves has often been mooted. Some operate at Heathrow for reasons of prestige, although they could be accommodated elsewhere in the London airport system, but there is no incentive in the current system for them to surrender their slots. If such airlines could sell their slots in an open market, that would encourage them to think more carefully about the scale and location of their UK operations and enable use of the slots by a carrier that valued them more highly.

It is common knowledge that airlines already use their ability under the European regulation to swap slots with each other as means of buying and selling on a grey market. That is, of course, imperfect. There is no transparency in the process and it is unlikely to be a mechanism for bringing new entrants into the market. For that reason, it has been argued that trading should be legitimised, with the availability of slots for sale made public and all parties open to bid. It has also been suggested that the traded slots should carry only time limited rights. There are arguments against slot trading that must be taken seriously. It would appear to favour the airlines with the deepest pockets, which would compound the dominance of the big airlines and alliances at a particular airport. However, that trend is already inherent in the airline industry.

It is sometimes suggested that all slots should be surrendered and sold. That is not possible under the current European regulation, as there is no power of confiscation. Pressure will no doubt be put on the Government to argue for a change to enable that to happen when the European Commission publishes its proposals. One option for moving in that direction might be to auction the pool slots. Most of the existing slots in the pool would carry no significant value, but if newly created ones were subject to auction, that might be a start, particularly if such slots carried only a time-limited right of possession.

The Government wish to see existing airport infrastructure used in a way that maximises benefit to the travelling public and to the British economy, within the

[Mr. Hill]

framework of sustainable development and environmental protection. Airport pricing policy and slot allocation are two key areas. We shall take careful account of the points that the hon. Member for Twickenham has made as we respond to the Commission and prepare our consultation document on air transport policy.

Following the issue of that consultation document, there will be an opportunity for much more debate. I expect that the hon. Gentleman will wish to contribute. We shall welcome and look forward to that.

Question put and agreed to.

Adjourned accordingly at four minutes to Eleven o'clock.

House of Commons

Tuesday 4 July 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

ALLIANCE AND LEICESTER GROUP TREASURY PLC (TRANSFER) BILL *[LORDS]*

Order for Second Reading read.

To be read a Second time on Tuesday 11 July.

CITY OF NEWCASTLE UPON TYNE BILL *[LORDS]* *(BY ORDER)*

Order for Third Reading read.

To be read the Third time on Tuesday 11 July.

GREENHAM AND CROOKHAM COMMONS BILL *(BY ORDER)*

Order for Second Reading read.

To be read a Second time on Monday 10 July at 7 o'clock.

Oral Answers to Questions

HEALTH

The Secretary of State was asked—

Children's Hospices

1. **Mr. Lindsay Hoyle** (Chorley): If he will make resources available to ensure that children's hospices receive the same level of funding as other hospices. [127508]

The Parliamentary Under-Secretary of State for Health (Yvette Cooper): Children's hospices are on the same footing as adult hospices. We are increasing the resources available to the national health service across the board, and we expect local areas to put in place palliative care strategies; that includes support for children, and families too.

Mr. Hoyle: I do not think that that is quite the case—far from it. In fact, Derian house, based in Chorley, does not get the same funding as an adult hospice would. All that we are asking for is equal funding. Quite rightly, my neighbour, Mr. Leo Duffy, who is the treasurer to Derian house, came to see me and asked me why children's hospices do not receive the same amount. I could not give him an answer, but I promised that I would raise that with my hon. Friend the Minister. I do hope that we can change the situation and that funding can be found, especially as children's hospices—particularly the one in Chorley—take children from all over the country, and therefore the burden should be spread and there should be direct funding from the Government.

Yvette Cooper: It is a matter for local commissioners to develop palliative care in each area and to set up appropriate commissioning arrangements. We expect that to include support for children as well as for adults. We are aware that, where children have illnesses that are life-threatening, there are specific additional needs for support for such children and their families. That is exactly why we have introduced the Diana's children's community nursing teams, who often work with hospices to provide extra support directly for those children and families in need.

Mrs. Marion Roe (Broxbourne): As chairman of the all-party parliamentary hospice group, I am aware that not just children's hospices but many other hospices are finding it extremely difficult to meet their revenue costs mainly from voluntary subscription, and that some are facing serious financial problems. Will the Minister undertake to review the resourcing from the Government for hospices, to ensure that they remain viable and continue to provide such a worthwhile service in our community?

Yvette Cooper: We recognise the huge contribution that the hospice movement makes to palliative care. We have identified the need for more systematic support for palliative care, especially for cancer; that is why Professor Mike Richards is currently developing a supportive care strategy for palliative care that includes suggestions of how we can improve that across the board.

Commission for Health Improvement

2. **Mr. David Borrow** (South Ribble): If he will make a statement on the role of the Commission for Health Improvement. [127509]

4. **Mr. Jim Cunningham** (Coventry, South): If he will make a statement on the role of the Commission for Health Improvement. [127511]

The Secretary of State for Health (Mr. Alan Milburn): The commission's role is set out in section 20 of the Health Act 1999. The Commission for Health Improvement is the health service's first independent inspectorate. It began its programme of hospital reviews last week. The commission will help to raise standards in all parts of the NHS as part of the Government's drive to tackle unacceptable variations in performance across the NHS.

Mr. Borrow: As a Member of Parliament representing an area where postcode medicine is at its worst, I welcome that statement by my right hon. Friend. Does he agree that users of the NHS attach much more importance to the raising of standards within the NHS than they do to the policy of the Conservative party, which is to promote private health insurance and the use of the private sector?

Mr. Milburn: My hon. Friend is right. The country has a fundamental choice to make. The Conservatives seem to have made their choice. The hon. Member for Woodspring (Dr. Fox) confirmed in the House last week—and on television earlier last week—that their policy is now to contemplate spending about £468 million on subsidising people who already have private health insurance, in company-based schemes, out of the taxpayer's pocket. I believe that it is also the case that, earlier this year, the hon. Gentleman and, indeed, the Leader of the Opposition explored the possibility of the taxpayer subsidising individuals who had private health insurance policies. The deadweight cost of that alone would come to £1 billion. That is more than the costs of this year's nurses' pay rise and of the modernisation, in which we are investing, in casualty departments in every part of the country.

The Conservatives have made their choice; we have made a different choice. Our choice is for the national health service—free, fair, funded from general taxation and based on need, not ability to pay. I believe that that will be the choice of the British people at the next general election.

Mr. Jim Cunningham: Will my right hon. Friend ensure that the commission raises standards in such a way that it will be impossible for the Conservative party to introduce a two-tier system in the national health service and, more important, for things such as hip replacements and so on; and that it will ensure that the private sector, as supported by the Conservative party, will not get a foot in the door?

Mr. Milburn: The Commission for Health Improvement has a very important role to play in the NHS. Although regrettably the Opposition voted against the establishment of the commission in the Health Act 1999, many people agree that it is about time that we had some form of independent inspectorate for the national service. We all know from our constituents that the quality of care, standards of service and even the services on offer vary immensely according to the part of the country in which people live. That is unfair and it has to change. One of the ways that we can best do that is through an independent inspectorate such as the Commission for Health Improvement.

My hon. Friend is right. Our ambition as a Government is to raise the standards of care, so that patients everywhere—and not just in some places—get first-class health services.

Mr. Peter Lilley (Hitchin and Harpenden): Does the Secretary of State accept that what drives up quality in most services is not just inspectorates—important though they are—but the choice of users within the service? Are we not fighting with one hand tied behind our back by depriving users of the national health service of choice between different hospitals? Should not that choice be restored?

Mr. Milburn: I have heard the right hon. Gentleman make such comments before both in this place and in the articles that he has written for newspapers. We have made the point before that he is wrong. In fact, if he cared to examine the history of choice in the national health service, he would know that, prior to the introduction of the Conservatives' internal market in the early 1990s, there was freedom to refer for individual general practitioners. Unfortunately, the internal market mechanisms, and particularly the establishment of GP fundholding, meant that that choice was denied to 50 per cent. of GPs. We have restored the right to refer, because every primary care group now has the choice of where best its patients should receive the care that they need.

Mr. Philip Hammond (Runnymede and Weybridge): The Government have announced plans for a proper watchdog for independent hospitals—a watchdog that will have teeth and the power to inspect the hospitals and to deregister them if they are not safe and satisfactory. By comparison, the Commission for Health Improvement is a toothless tiger with no sanctions available to it. Given the Government's policy of treating increasing numbers of NHS patients in the private sector, is it not time to establish a single, unified regulatory and inspection body that is responsible for monitoring standards across all hospitals, so that people can be confident of the quality of health care that is being delivered to them wherever it is delivered and however it is financed?

Mr. Milburn: I hear what the hon. Gentleman says, and I know that he has been exploring some of these issues in Committee with my hon. Friends. The Commission for Health Improvement and the National Care Standards Commission have very different functions. The Commission for Health Improvement is intended to act as an independent inspectorate for the national health service as a managed care system, which is what it is. The National Care Standards Commission has a quite different function. However, the hon. Gentleman is aware, as my hon. Friends are aware, that we introduced an amendment during the passage of the Care Standards Bill through the House to ensure that there is much closer co-operation and flexibility between the two commissions. That is the right thing to do, and it will help to ensure that wherever people receive care—whether in the health and social care system or in the public or private sectors—the quality of care that they receive is always of the highest possible standard.

NICE (Drugs)

3. **Mr. John Heppell** (Nottingham, East): How many people he estimates are now receiving drugs who would not have received them in their area before recommendations by the National Institute for Clinical Excellence. [127510]

The Minister of State, Department of Health (Mr. John Denham): NICE has completed its appraisal of the taxane drugs. It estimates that an additional 4,000 women with advanced breast cancer and 1,000 with advanced ovarian cancer should now be offered treatment with taxane drugs who might have been denied access to those treatments before guidance was issued.

Mr. Heppell: I thank my hon. Friend for that answer. It is particularly pleasing to know that 5,000 women suffering from breast cancer will receive a proven and effective treatment for that cancer, which they would not have previously received under the postcode prescription lottery that we inherited from the previous Government. The cost of that treatment, however, will be £7 million. How will health authorities be able to find that money?

Mr. Denham: The health authorities will be able to meet the costs of this decision from the record increases in funding that we have made available to the national health service and, in particular, the £660 million allocated to health authorities just after the recent Budget.

I am pleased to be able to tell my hon. Friend that, in Nottingham, provision for taxanes has risen from less than £30,000 in the early part of last year to more than £300,000. My officials advise me that that should be sufficient to make the drug available as indicated by the guidelines.

Mr. Nick Harvey (North Devon): Is the Minister satisfied with the progress that NICE is making? Was its original objective to examine not only new and existing drugs, but other procedures and interventions throughout the health service? Given that its first work programme was to examine only 13 drugs, that the plan is to get that number to only 30 per annum and that more than 100 new drugs come on to the market each year, how on earth will it catch up with the task of examining even just the new drugs, let alone its original task of considering all existing procedures in the NHS?

Mr. Denham: I am very pleased with NICE's progress. It has given important guidance on relenza, stents, wisdom teeth and a variety of drugs and procedures. In the first year, it has been essential that NICE establish its credibility in its decision-making and appraisal systems. It will move on to assess more drugs. We are currently consulting on the referral of about a dozen extra cancer drugs to NICE and shall shortly announce decisions on that referral. At the same time, NICE is commissioning guidelines on the handling of several different conditions.

NICE has therefore made a good start to its work. However, the hon. Gentleman is right: NICE is a critical part of the future of the national health service and we must ensure that it has the capacity to do its job fully.

Mr. Michael Jabez Foster (Hastings and Rye): May I tell my hon. Friend how welcome was the recent announcement to add zyban, the anti-smoking drug, to the possibilities to help people give up that terrible habit? However, will he explain why a ban has been placed on the prescription of that drug in East Sussex, Brighton and Hove health authority? Is that simply a local decision, and can my hon. Friend do anything to assist in making the drug available?

Mr. Denham: I shall certainly examine the position in Sussex. The answer is that that would have been a local decision by the health authority. Clearly, we are giving consideration to the question of whether zyban should be referred to the National Institute for Clinical Excellence.

Dr. Liam Fox (Woodspring): On that point, what criteria were used to make sure that beta interferon was referred to NICE, but that zyban was not, before the Secretary of State's decision was announced?

Mr. Denham: There is a set of well-publicised criteria, including the likely impact on the national health service and possible benefits for patients, all of which were set out in public form in documents that were published last summer. Those criteria have been used to make decisions on referral to NICE, and will continue to be used for the future consideration of existing drugs and new drugs that become available.

Dr. Fox: Will the Minister tell us what is the difference, in his view, between affordability and the effective use of clinical resources?

Mr. Denham: Quite clearly, NICE has been asked to assess the clinical effectiveness and cost-effectiveness of drugs and treatments. I believe that, in a speech last week, the hon. Gentleman supported the Government's position that NICE should examine clinical effectiveness and cost-effectiveness. The question of the total amount of resources available to the NHS is clearly a responsibility of Ministers and government.

Dr. Fox: What a muddle. Is it not true that there is no difference between the concept of affordability and the effective use of clinical resources? The Government changed the criteria for NICE because that was merely another spin trick for Ministers who wanted an arm's-length rationing mechanism as they were too cowardly to take decisions directly. Is not the real reason that zyban was rushed in that the Government were desperate to get another good news story on health, regardless of its consequences or even their own policy? Does that not show that Ken Follett was spot-on with his analysis of the Government, when he said that they were intellectually bankrupt, morally suspect, all spin and no substance, and were willing to let anyone suffer, as long as Ministers got good headlines?

Mr. Denham: I do not agree with what the hon. Gentleman says. We have made it perfectly clear, from the time that NICE was first proposed, that it would need to consider clinical effectiveness and cost-effectiveness. That is in all the documents that the Government published. We have made it clear many times that we amended the establishment order for NICE last summer because we had received legal advice that, as the order was drafted, NICE would not have been able to consider cost-effectiveness at all. Given that the hon. Gentleman believes that NICE needs to consider cost-effectiveness as well as clinical effectiveness, he would have been required to make that amendment, had he been in that position—*[Interruption.]* I must tell Conservative Members that that advice was received by the Government.

NHS Trusts (Mergers)

5. **Mr. Phil Sawford** (Kettering): What advice his Department gives to health authorities regarding mergers of NHS trusts. [127512]

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): We have said that mergers should proceed only where they bring clear benefits for health and health care. Every merger must save at least

£500,000 in management costs in the first two years. The savings released are retained locally for investment in front-line NHS services.

Mr. Sawford: I thank my hon. Friend for that answer. Does she recognise that in trust mergers, services do not always dovetail perfectly? Where they do not, will she give guidance and ensure that services are levelled up, rather than down, that there is no fragmentation of services and that services to patients are the principal factor guiding the process?

Ms Stuart: Of course. I agree with my hon. Friend, and the proposals for Northamptonshire make it clear that we want to create a new organisation that delivers community-based services throughout the county. It is intended that the new organisation will capitalise on best practice, and the main outcome will be that local people and staff will have access to high-quality, modern community services. My hon. Friend will be aware that consultation on the proposals is well under way, and the outcome will be accepted by Ministers only when it is clear that the proposals represent the best possible options for patients locally.

Sir Sydney Chapman (Chipping Barnet): Can the Minister give a categorical assurance that when two NHS trusts merge, each with its own hospital with an accident and emergency department, it will not lead to one of those departments closing? I am thinking in particular of the merger between Chase Farm and Barnet.

Ms Stuart: It may be helpful if I remind the hon. Gentleman that mergers of trusts should not be confused with hospital services reconfigurations. Merger proposals concern the merging of organisations and management, and the services that are to be provided form part of the reorganisation structure. Trust mergers do not always lead to the closure of associated hospitals—that is always a matter for local consultation.

Mr. Bill O'Brien (Normanton): When considering trust mergers, will my hon. Friend have regard to the fact that we now have community health trusts, whose functions are changing? Are there are any proposals to make trust mergers more efficient by merging community health trusts with hospital trusts, or is there a general policy in the Department to review the workings of community health trusts?

Ms Stuart: As it stands, it is unlikely that community and acute trusts will be merging. It is important to stress that mergers and reconfigurations are being considered because we have ended the competition of the internal market in which one hospital competed with another, and our policy has a wider scope and focuses on the provision of decent services for local areas. I take on board what my hon. Friend said about the provision of community services, but any mergers have to be in the interests of the patients and must provide significant savings for the local community.

Mr. John Wilkinson (Ruislip-Northwood): When contemplating trust mergers, will the hon. Lady always bear it in mind that a clear line of responsibility and chain of command are crucial for the effective provision of services within the hospitals that are grouped together? Is it not the case that, all too often, the loyalty and morale of individuals are undermined and, as a consequence, the standard of patient care diminishes?

Ms Stuart: I agree with the hon. Gentleman that the whole purpose of the process must be to improve patient care, and that sometimes requires sensitive handling of discussions and negotiations, because some of us fear change more than others. That is why we are always sensitive about the need to consult locally with all key stakeholders and to come up with service configurations that serve local communities. Sometimes that is difficult: when we inherit health economies that have run up huge deficits, hard choices have to be made. However, I reassure the hon. Gentleman that the bottom line for any decision is patient care.

NHS Staff (Violence)

6. **Mr. Ivan Lewis** (Bury, South): If he will make a statement on the steps he is taking to protect NHS staff from violence. [127514]

The Minister of State, Department of Health (Mr. John Denham): Violence to staff in the national health service is unacceptable. A cross-Government campaign, the NHS zero tolerance zone, was launched last October with targets to reduce violence against staff by 20 per cent. by April 2001 and 30 per cent. by April 2003. Changes have also been made to the choice of medical practitioner regulations to combat violence against GPs.

Mr. Lewis: I thank my hon. Friend for that answer. How many verbal and physical attacks on NHS staff have been recorded recently? More specifically, can he assure my constituents in Bury, South that he and other Health Ministers liaise with the Home Office to ensure that those brought to the courts and convicted of such attacks on NHS staff feel the full force of the law?

Mr. Denham: My hon. Friend raises some important issues. Our surveys show that about 65,000 staff suffered physical and verbal assaults last year. One of the aims of the new strategy is to ensure that all such incidents are recorded, so the figure will probably increase in the short term as people are encouraged to report them. He is right that cross-Government co-operation is important. We work closely with the Home Office and the Lord Chancellor's Department on that strategy. For example, the Lord Chancellor, who is president of the Magistrates Association, has said that it is entirely legitimate for magistrates to respond decisively to a particular form of criminal behaviour, such as assaults on NHS staff, and to impose a sentence that has a deterrent component. In the Bury area, where the police, the health authority and the magistracy co-operate closely, there has been a reduction in violent incidents against staff of some 24 per cent.

Dr. Peter Brand (Isle of Wight): I congratulate the Government on the work that they have done in improving casualty departments and, therefore, reducing, I hope, threats of violence in them. Employing more porters has helped in that respect. Can the Minister give an assurance that community staff will not be forgotten?

In a age where 10-year-olds all seem to have their own mobile phones, is there any reason why community staff have to share mobile phones between teams?

Mr. Denham: The hon. Gentleman raises an important issue. We shall produce further material as part of the campaign, either at the end of this month or at the beginning of August, which will provide guidance to staff, health authorities and employers in mental health and community health settings and the ambulance services because those staff are at particular risk. On mobile phones and other forms of communication, I agree that employers should make proper assessments locally. *[Interruption.]* The hon. Gentleman sighs, but the work done by individual members of staff varies, so it is important that the working position of each of them is considered. In circumstances where such measures would add to their safety, I certainly think that employers should put them in place.

Air Ambulance Services

7. **Mr. David Heath** (Somerton and Frome): What Government financial support is given to the provision of air ambulance services. [127515]

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): Air ambulance services in England are financed largely through public subscription. We support existing services by providing qualified paramedic crew through the national health service.

Mr. Heath: Given that there is evidence that air ambulance services can result in a significant reduction in deaths in transit and from head injuries and in the amount of time spent in intensive care, is not it extraordinary that they are entirely dependent on public subscription and charitable fund raising? Even more extraordinarily, I am told that some ambulance trusts charge air ambulance services for providing paramedics to go out and save people. Would it not be better if this country were to follow the example of Germany, where there is properly co-ordinated, comprehensive air ambulance cover, which is at least partly publicly funded?

Ms Stuart: I fear that I have to disagree with the hon. Gentleman because the evidence on the clinical outcome is by no means as persuasive as his question would suggest. Professor Jon Nicholls made it clear in his report, "The costs and effectiveness of helicopter emergency ambulance services", that the evidence is not convincing. All the local studies on the outcomes, including those in London, have not made the case for air ambulances. However, it is important that we support them. In some areas they are most appropriate, not least in the hon. Gentleman's area, where the NHS provides 14 trained paramedics to support the service. According to all our evidence, the optimal solution for the 11 air ambulances in the current structure would be to work with the ambulance services, the police and the military when necessary.

Helen Jones (Warrington, North): When my hon. Friend considers the financing of air ambulance services, will she also consider the position of those independent air ambulance services that are sometimes used by the national health service? Will she also consider the need to introduce guidelines for both the staffing and the equipping of air ambulances? Although many air ambulances do an exceptionally good job, there is no guarantee to patients being transferred that standards will be the same as in a road ambulance.

Ms Stuart: That is an important consideration and my hon. Friend may be aware that in the north-west consultation is taking place in the working group on developing proper proposals and protocols for transfer. We agree with her basic sentiment and will certainly take that forward.

Mr. Ian Bruce (South Dorset): Will the Minister consider carefully the evidence that has come forward, particularly in rural areas, on air ambulances and the way in which they are funded? I understand that the lottery is not willing to provide funds to help the NHS with air ambulances, although a lot of money has been taken from the lottery to replace old NHS equipment. There is not the additionality that people are looking for, but surely additionality is important. I should be grateful if she considered that carefully.

Ms Stuart: It is easy to assume that air ambulances would always provide solutions, certainly in rural areas, and Cornwall was one of the first to have an air ambulance. However, it should be remembered that civilian staffed air ambulances operate only during daytime hours and that the task has its own hazards. For example, there have been a number of civilian deaths in the past few years during such operations so we need to look much more closely at how we get to patients more quickly, whether in rural or urban areas. Our work to improve the ambulance service and support the air ambulance service, rather than thinking that extending air ambulance services would solve the problems experienced in some rural areas, is the right way forward.

Infant Deaths

8. **Ms Hazel Blears** (Salford): What plans he has to reduce the numbers [illegible] infant deaths in inner-city areas. [127516]

The Secretary of State for Health (Mr. Alan Milburn): Infant mortality rates have fallen for very many years, but there remains a gap between those born into affluent families and those born into more deprived families. We are currently developing a national plan for the NHS, which will set out a programme of change and improvement to address some of those problems. It will confirm that the Government's ambition is not only to improve the health of the population overall, but to narrow the gap between the worst off and the better off.

Ms Blears: I thank my right hon. Friend for that reply. I have no doubt that he is aware of the research from Sussex university that shows that more babies die in Britain than anywhere else in northern Europe, that babies born into the poorest families are twice as likely to die as those born into professional families and that in inner-city areas such as mine—Salford—30 per cent. more babies are likely to die than the average for England and Wales.

Clearly poverty is a major cause of that situation—poverty that doubled under the policies of the Conservative party.

Good food and access to nutrition is one way in which we can begin to tackle that scandalous inequality. Will the Government support schemes launched by my education action zone and sure start to provide free school fruit and to ensure that we provide extra money for young mums and pregnant women to improve their diet? Access to fresh fruit, healthy food and good standards of nutrition are crucial to provide good health for future generations.

Mr. Milburn: This is a very serious issue that deserves to be considered seriously. From visits to my hon. Friend's constituency, I am aware of the good work that is being done by the local authority, the NHS and other players. On health outcomes, she is absolutely right that the gap between the richer and poorer parts of Britain remains stubbornly wide. On infant mortality rates, there was a three and a half to fourfold difference between different health authority areas in the last year for which we have figures. Although progress has been made over many decades to reduce infant mortality rates in England and across the United Kingdom, none the less it is also correct that our infant mortality rates remain above the European Union average. We must address that. To do so, we must not only achieve the proper focus on prevention and treatment, but take action across the Government to tackle some of the root causes of ill health. My hon. Friend is absolutely right that there is a clear correlation between poverty, ill health and, sometimes, infant mortality rates.

Mrs. Caroline Spelman (Meriden): Will the Secretary of State explain how his decision to cut the budgets of 11 health action zones in the poorest part of the country, including Salford, will help those plans to cut infant deaths?

Mr. Milburn: I was not aware that the hon. Lady was a signed-up member of the health action zone fan club; obviously I was wrong. I know from her views about the national health service that she likes to visit NHS hospitals to see what it is like for those who do not have private health insurance. I think that that is what she had to say on the record in *The Health Service Journal*.

There has not been a cut in the amount of money going to health action zone areas. This year, the average increase per zone area budget is 37.5 per cent. Individual HAZs are seeing increases of between 10 per cent. and more than 70 per cent. That is not a cut, but an increase.

Fiona Mactaggart (Slough): Is my right hon. Friend aware that inequalities within some health authorities are even greater than those between health authorities? My constituency comes within the Berkshire health authority. For 20 years, the health authority's view of ending health inequality has been to ensure that it does not spend a penny more in Slough than is spent in the rest of the county. Indeed, over the years it has spent much less in Slough, with the result that infant mortality and deaths from heart attacks and strokes are comparable with those in the inner-city area represented by my hon. Friend the Member for Salford (Ms Blears).

Will my right hon. Friend ensure that health authorities are given instructions to tackle the sort of inequalities to which I have referred so that the people of Slough can enjoy the same excellent standard of health that is enjoyed by the people of Wokingham down the road?

Mr. Milburn: My hon. Friend is right to say that there are inequalities between areas and within health authority areas. We have made it clear that over time we expect health authority areas will be able to move their allocations to primary care groups and trusts so that they begin to address inner health authority problems and inequalities so that there is a fairer distribution of cash between health authority areas and within them.

Mental Health

9. **Mr. Michael Fallon** (Sevenoaks): What the proposed timetable is for taking forward the proposals in the Green Paper "Reform of the Mental Health Act 1983". [127518]

The Minister of State, Department of Health (Mr. John Hutton): Consultation on our Green Paper "Reform of the Mental Health Act 1983" ended on 31 March. We have received more than 1,000 responses to this Green Paper, and we are considering all of them carefully. We will be making an announcement on the next stage of this reform process in the near future.

Mr. Fallon: Does the Minister's reply mean that he is ruling out legislation in the next Session? If compulsory powers are to be more widely used, does he agree that they should be balanced with better rights to assessment and effective early treatment?

Mr. Hutton: On the second part of the hon. Gentleman's question, we have always made it clear that we believe the answer is yes. That is precisely why the proposals on which we consulted set out the establishment of a new independent tribunal. In future that body would take decisions about whether compulsory treatment should be authorised. That would be a significant change from the present procedure whereby such decisions are essentially made by the clinical teams. That would be a substantial contribution to improving patients' civil liberties.

We would expect exactly the same approach to be taken in terms of the treatment of people with mental health problems as for any other group within the NHS, where possible. That should be by agreement and consensus. In some instances where people have very serious mental health problems, that is sadly not the case. Legislation has always recognised the need for a compulsory framework. We think that the present framework can be reconstituted on a fairer and more equitable basis, and that is the basis on which we intend to proceed. As the hon. Gentleman knows, decisions about the introduction of Government legislation will be taken not by me, but by others.

Dr. Lynne Jones (Birmingham, Selly Oak): My hon. Friend will be aware that many of the people who responded to the Green Paper expressed concern that the Government had not wholeheartedly accepted recommendations made by the expert scoping group on the use of compulsion. Does he agree that compulsion should not be used as a substitute for good quality care? When legislation is introduced, will he consider using the capacity-based approach to safeguard against the inappropriate use of compulsory treatment?

Mr. Hutton: I must correct my hon. Friend: we did not reject the Richardson committee proposals in that regard. We simply posed an alternative procedure as a different gateway into compulsion. The consultation response revealed a marked divergence of opinion about the benefits or otherwise of a capacity-based system, and we must take that seriously. Of course, compulsion is not a short cut into second-quality treatment. We want patients who have mental health problems to have access to exactly the same high-quality standards of treatment and care as any other group of patients in the NHS.

Mr. Simon Burns (West Chelmsford): Does the Minister accept that notwithstanding any legislation that may be needed to reform the Mental Health Act 1983, it is equally important that the Government do not lose sight of the massive amount of work that must be done—led by the Government, one hopes—to seek to reduce the ignorance, the discrimination and the stigma attached to mental health problems in this country? If the Government can lead on that and help to educate people and to minimise the fears and the stigma, they would be doing a great favour to the whole of society.

Mr. Hutton: I strongly agree with what the hon. Gentleman says. He has held the same position as I in the Department of Health and he will know the situation. We accept our responsibilities to make sure that people who suffer from mental health problems are not routinely discriminated against in our society, because they certainly are; we know that. There is new legislation about disability discrimination rights on the statute book.

I can reassure the hon. Gentleman and the whole House—I am sure the whole House is with him on this—that the reform of the mental health legislation is only one part of the modernisation programme and the reforms that we have set in train for mental health services. We are putting substantial new resources into improving and changing the front-line services available for people with mental health problems, making them more proactive and able to reach, in particular, patients with severe mental health problems, who do not make contact with traditional mental health services. An important element of the wider work is certainly combating discrimination. We fund a number of initiatives in that area and will continue to do so.

Cataract Operations

10. **Mrs. Ann Cryer** (Keighley): If he will make a statement on the number of cataract operations carried out on the NHS in the last year. [127519]

The Secretary of State for Health (Mr. Alan Milburn): In the last year for which figures are available, there were just over 200,000 finished consultant episodes relating to cataract treatments. The £20 million that we are investing in our action on cataracts programme will ensure more efficient services and will increase the number of operations performed to 250,000 over the next few years. The programme will also ensure that we get waiting times down for cataract treatment.

Mrs. Cryer: I thank my right hon. Friend for his helpful announcement. What impact will those plans have on the situation of my Ilkley constituent, who will have her first out-patient appointment on 25 October, by which time she will have been waiting 16 months; and then, of course, she will have to go on the waiting list for her operation for cataracts? In the early 1990s, I had four elderly relatives suffering from cataracts. All of them had to withdraw their savings in order to pay for an initial appointment. Will my right hon. Friend comment on that?

Mr. Milburn: My hon. Friend is right—waiting times are too long at present. That is why we want to get them down. With regard to action in her area, I understand that Bradford health authority is to introduce a new programme of work over the next few months precisely in order to get the waiting times down for cataract operations. It is partly a matter of investing more cash, and that is what we are doing, and hopefully also employing more staff. It is also a matter of redesigning the way in which the system works.

In my hon. Friend's health authority area, for example, I understand that a new system will shortly be introduced whereby patients can be referred direct from the optometrist to a hospital waiting list, rather than having to go through the push me-pull me system, backwards and forwards between the optician, the GP, the out-patients department, back to the GP and so on. The delay is almost designed into the system, and we must change that. By streamlining the system and getting more staff and more money in, we can get the waiting times down for treatment. The idea is that through the 60 schemes that we have introduced to take action on cataract waiting times, at the end of the next few years the waiting time for treatment will be down to six months.

Mr. Edward Leigh (Gainsborough): I congratulate the Secretary of State on his announcement on 30 June that an extra £20 million is being made available for cataract services. The only slight problem was that that announcement was first made in February; it was a re-announcement. Is the fact that the Government are prepared to acknowledge that it was a re-announcement proof that at last they are waking up to what was said in the leaked report yesterday by the Minister's colleagues that enormous damage is being done to confidence in the health service by the constant announcement and then re-announcement of money available to the service?

Mr. Milburn: As a matter of fact, the hon. Gentleman, who is nearly right, is actually wrong on this issue, as so often. What I announced on 30 June were the areas where the £20 million would be invested. They included the area represented by my hon. Friend the Member for Keighley (Mrs. Cryer). There will be 60 local schemes. Many parts of the country will benefit. People will draw the clearest of contrasts between the policy of the current Government, designed to get waiting times down for all conditions, and the Conservatives' policy, which is to force people to take out private health insurance for treatment such as cataract operations, hip and knee replacements and so on.

I remind the hon. Gentleman, should he need reminding, of what the hon. Member for Woodspring (Dr. Fox) told *The Sunday Times* on 16 January. *[Interruption.]* These are the hon. Gentleman's words, not mine. I shall gladly circulate a copy to all hon. Members on the Opposition Back Benches if they would like to see what the hon. Gentleman said, because he obviously fancies himself as the next leader of the Conservative party and this is to be part of his manifesto. What he said on 16 January was:

> Philosophically we have moved on. Insurance companies could cover conditions that are not hi-tech or expensive, like hip and knee replacements and hernia and cataract operations.

There is a very simple choice between this party, determined to get waiting times down and to keep NHS treatment free, and the party opposite, determined to lengthen waiting times and force people to pay for their care.

Prostate Cancer

11. **Mr. Vernon Coaker** (Gedling): What recent research he has commissioned into the *(a)* causes of and *(b)* treatment for prostate cancer. [127520]

The Parliamentary Under-Secretary of State for Health (Yvette Cooper): The Government recently announced an extra £1 million for prostate cancer research this year. Research has now been commissioned on the identification, diagnosis and treatment of prostate cancer. Further work will be considered in the light of the report from an expert review group.

Mr. Coaker: I thank my hon. Friend for that reply. Many people will be very pleased that an extra £1 million has been announced for prostate cancer research and treatment. Will she make sure that as many resources as possible go into research and treatment, because it is of growing concern that we seem to have an ever-increasing number of men suffering from prostate cancer? There has been very little research into prostate cancer so far, and there is very little clarity about the treatment that should be available. We have a long way to go. It is one of the greatest public health issues confronting this country now, and it will continue to confront us over the next few years.

Yvette Cooper: I agree with my hon. Friend. Historically, the level of funding for research into prostate cancer has been too low, given how little we know about the disease and how many men die from it each year. That is exactly why we have put the extra £1 million into new research this year. It is also why we are working with other funders, with the major charities, the Medical Research Council and the Cancer Research Funders Forum, and have asked them as their first project to look into prostate cancer research.

Mr. Andrew Rowe (Faversham and Mid-Kent): The announcement is extremely welcome. Prostate cancer is a very large killer of men in our society. Will the Minister also bear in mind the fact that in the treatment of prostate cancer, about which so little is known, a large number of different specialists are frequently required to treat one patient? At present the level of understanding among general practitioners is not very high. Will she carefully examine the idea of having one named specialist in charge of each patient when he is diagnosed as having prostate cancer?

Yvette Cooper: We are commissioning guidance on improving outcomes for prostate cancer as part of the work commissioned by the National Institute for Clinical Excellence. It is the first of the extra four cancer sites being worked on now. That is exactly the issue that we need to look at, building on the work of Calman Hine.

Whittington Hospital

12. **Mr. Jeremy Corbyn** (Islington, North): What estimate he has made of the long-term cost of private finance initiative funding of the Whittington hospital. [127521]

The Minister of State, Department of Health (Mr. John Denham): The current project at the Whittington should have a full-life net present cost of around £100 million. This is for the new building, its maintenance and operation over 30 years at today's prices, regardless of how the project is funded. Before the go-ahead is given to a PFI option, it will need to demonstrate that it delivers better value for money than a publicly funded alternative.

Mr. Corbyn: Will the Minister look very carefully at that and any other case of PFI funding of new buildings and consider, first, the long-term cost to local health services incurred by using private finance rather than public finance for new buildings; secondly, the likely increase in the number of private patients in the hospital to increase the income stream to pay the debts resulting from the PFI; and, thirdly, the implications for outlying health facilities in the district, given that experience of previous PFI initiatives tells us that outlying facilities are often closed and fewer beds are available in PFI-constructed hospitals than in publicly funded hospitals? There is great demand for new buildings in the NHS, but does the Minister accept that we must ensure that they are publicly owned and publicly funded?

Mr. Denham: There is certainly a great demand for new hospitals and hospital buildings, which is why I am pleased that the past three years have seen the biggest hospital building programme in the history of the NHS get under way. However, with respect, my hon. Friend is wrong on all counts. There is no evidence that the PFI funding route leads to reduced bed numbers; the whole point of the procedure is that the number of beds required in the local health economy is determined before the decision is made on whether a hospital will be publicly or privately financed. We shall ensure that hospitals planned in future, whether PFI or public sector financed, take full account of the conclusions of the national beds inquiry, which showed that, under the previous Administration, the number of hospital beds was cut far too far.

Miss Julie Kirkbride (Bromsgrove): Can the Minister tell us what will be the annual rate of return to private investors who put money into the Whittington hospital?

Mr. Denham: That is a matter for the private investors. What matters to the NHS is to make sure that good value for money is obtained. Under a PFI scheme, the cost of the PFI route is compared with the cost of the public sector route. Experience so far tells us not only that every single PFI scheme that has gone ahead offers better value for money than the public sector alternative, but that PFI schemes are delivered ahead of schedule, instead of overrunning. On hearing Conservative Members, one might gain the impression that they are opposed to PFI. In reality, the Conservative Government spent tens of millions of pounds on consultants but did not get a single PFI hospital built, whereas the Labour Government have used PFI to start the biggest hospital-building programme in the history of the NHS—hospitals like the one in Carlisle are already open and accepting patients.

Hygiene (NHS Hospitals)

13. **Dr. Vincent Cable** (Twickenham): If he will set minimum cleanliness and hygiene standards in NHS trust hospitals and ensure that these are policed. [127522]

The Minister of State, Department of Health (Mr. John Hutton): Chief executives are responsible for high standards of cleanliness and hygiene in hospitals. Standards for hospital cleanliness and infection control will be subject to independent inspections by the Commission for Health Improvement and the Audit Commission. NHS Estates has recently distributed guidance on cleanliness to all NHS trusts. The national plan will detail how we can take that forward.

Dr. Cable: Does the Minister accept that, even in hospitals with a high degree of clinical competence, narrowly defined, there are potential problems of poor hygiene leading to cross-infection? Does he also accept that that can be caused by a combination of private contractors cutting corners, trust managers trying to save money, and the lack of a proper supervisory system involving nurses, as there used to be under the matron system of old? Would not the principles he describes be strengthened by a system of spot checks, carried out by a national inspectorate and backed up by sanctions against offending contractors and hospitals?

Mr. Hutton: The hon. Gentleman is obviously right to say that the causes of those problems can be numerous and that a variety of individuals and agencies may be responsible. We regard it as a priority that hygiene standards should be maintained and hospitals should be clean and free from the ever-present risk of infection. It is interesting to note that, whereas the Government are prepared to act on these matters, the hon. Member for Woodspring (Dr. Fox), at a recent conference in Glasgow, criticised Ministers for taking action to improve hospital cleanliness—and, as usual, got himself into something of a mess. I have no doubt that the public want us to ensure that their hospitals are clean and hygienic.

Miss Anne McIntosh (Vale of York): Does the Minister agree that the Government should be as responsible for high standards of cleanliness and hygiene as they are for other services that the national health service must provide? For that reason alone, does he agree that the Commission for Health Improvement should be responsible for delivering cleanliness and hygiene in the private and the public sectors to ensure that the same standards apply in both?

Mr. Hutton: I am not entirely sure that that is the position the Conservative party adopted during the passage of the Care Standards Bill. Perhaps the hon. Lady needs to have a conversation with her Front-Bench colleagues about that. It is important to take effective action to improve standards of cleanliness and hygiene. We are taking that action.

Mr. Dale Campbell-Savours (Workington): I believe that there is a real problem. My hon. Friend knows that I have spent time in many hospitals over the past 15 years. It has often struck me that the standard of cleanliness in the toilets of many hospitals worries patients and their visitors. Should there not be a major effort to ensure that the necessary standards are achieved?

Mr. Hutton: I strongly agree with my hon. Friend. He has much experience of such issues, and I am glad that he looks as well as he does today. We are going to take action to make sure that the issues that he raised are properly addressed. As I said earlier, the national plan, which we shall publish later this summer, will explain the way in which we can take that work forward.

NICE

14. **Mr. John Bercow** (Buckingham): What action he is taking to ensure that patients are represented during the deliberations of the National Institute for Clinical Excellence. [127523]

The Minister of State, Department of Health (Mr. John Denham): The National Institute for Clinical Excellence is responsible for determining its own processes. However, NICE invites submissions from relevant patient groups and offers them the opportunity to comment on draft conclusions of its guidance. There is also patient or lay representation on all of NICE's key committees, including the appraisal committee, the guidelines committee and the appeals panel.

Mr. Bercow: I am grateful to the Minister for that reply. However, given that, on his own admission, patients are not directly represented on NICE, will he confirm that NICE's assessment of the cost-effectiveness of beta interferon has taken full account of the costs of home care, domestic adaptations, welfare payments and tax revenues forgone when individuals who are clinically suitable for the drug are denied it? Will the Minister also confirm that the institute will publish in full its findings on those important considerations?

Mr. Denham: I think the House and the hon. Gentleman will understand that the Government will not comment on a leak of a draft appraisal—there is some way to go before the full appraisal is published. Publication will occur possibly in August, depending on whether there is an appeal. In general terms, I can say that NICE will receive whatever evidence manufacturers, patient groups or others wish to give about the wider social costs that should be taken into account, and the way in which that should be done.

NICE is certainly required to consider the costs and impact on the NHS and personal social services expenditure. On publication, it is for NICE to determine the way in which it publishes its guidance. On past performance, NICE normally sets out clearly the assessment it has made of the evidence and the way in which it has reached its conclusions. I therefore have no reason at this stage to believe that this case will be any different.

Dr. Phyllis Starkey (Milton Keynes, South-West): Will my hon. Friend confirm that when NICE makes its assessment of drugs and treatments, it takes into account patients' views on the way in which those treatments or drugs have improved their quality of life as well as abated their symptoms, but that that evidence must be subject to the same rigorous scientific assessment? That would avoid the clouding that the placebo effect provides.

Mr. Denham: My hon. Friend makes an important point. It is obviously essential that NICE's decisions and conclusions command confidence, not only among clinicians but among patients. That is why NICE invites patients' organisations to give evidence. I am sure that those organisations put forward the views of individual patients as well as their assessment of the scientific evidence. However, it is for NICE to determine the methodology that it wants to use, and to reach a conclusion about the evidence, its form and the weight it wishes to give it. I am sure that it gives great weight to properly validated scientific evidence.

Civil List

3.30 pm

The Prime Minister (Mr. Tony Blair): With permission, Madam Speaker, I should like to make a statement on the civil list, which supports Her Majesty the Queen in carrying out her official duties as head of state.

The Civil List Act 1972 requires the royal trustees—my right hon. Friend the Chancellor of the Exchequer, the Queen's Treasurer and me—to report at least once every 10 years on the royal finances, and to make recommendations to the Government on future civil list arrangements. The current 10-year period ends later this year. We have therefore reviewed the current arrangements, and are today laying a report before the House. It proposes that the amount of the civil list should remain exactly the same over the next decade as it has over the preceding one. It also proposes that the civil list should take on some costs of the monarchy currently met from other sources.

The report sets out not only expenditure on the civil list, but expenditure on the monarchy more widely. That includes the grants in aid for the royal palaces and travel, and spending undertaken by Departments. The report records the very substantial saving of 55 per cent. in real terms over the last 10 years on spending on the monarchy generally.

The annual figure for the civil list was set by the last Government at £7.9 million in 1990. With Her Majesty the Queen's agreement, and following consultation with the Leader of the Opposition, the Government propose that the annual payment should remain at £7.9 million for the next 10-year period. By the year 2010, therefore, the cost of the Queen's civil list will have remained at exactly the same level for 20 years. In addition, there will be costs transferred from public spending in Departments which will now be met by the Queen's civil list. All in all, this represents a substantial saving as a result of lower inflation, and the efficiency of the way in which the Queen's expenses have been managed.

The principal additions to civil list expenditure will be pension contributions to be paid to the Consolidated Fund, and some of the running costs of the royal palaces which are currently funded within the property services grant-in-aid. In total, around £25 million of extra spending over the next 10 years will be transferred to civil list expenditure from other sources. By expanding the costs for which the royal household is directly responsible, we will contribute to the continuing drive for efficiency to which I know it is committed.

We are able to make this proposal for two reasons. First, as I said, the royal household has achieved substantial efficiencies in the civil list over the last decade, amounting in total to some 10 per cent. in real terms. Indeed, the actual increase in expenditure over the decade has been held below inflation. In addition, when the figure of £7.9 million was set 10 years ago, it allowed for an inflation rate of 7.5 per cent. per annum, in line with the average annual inflation of the 1980s. Inflation has turned out much lower than was allowed for. As a result of those factors, a surplus of £35 million on the civil list has accumulated, including interest of around £12 million.

Under the Civil List Act 1972, civil list provision may be increased by order, but it may not be reduced. However, the Act also provides that any surplus at the end of one civil list period be carried forward to meet official expenditure in later years. This is what will now happen. We expect, nevertheless, that there will be a prudent balance at the end of the period, amounting to around one year's spending at that time. That will enable unforeseen eventualities to be met, should any arise. If they do not, the surplus will be available to fund civil list spending during the current reign from 2011 onwards.

The Queen, supported by other members of the royal family, carries out a wide range of duties on behalf of the nation as head of state. The arrangements that I have announced will provide proper support for Her Majesty in that role. They also reflect the principles that Parliament has embodied in legislation, and which I am happy to reaffirm. They support continuing improvements in efficiency by ensuring that financial and management responsibility go hand in hand; and they are in keeping with the honour and dignity of the Crown, the importance of the role carried out for the nation, and the high regard and affection in which the Queen and the royal family are held.

Mr. William Hague (Richmond, Yorks): May I thank the Prime Minister for his statement and for giving me advance notice of it, and express the Opposition's support for what he has announced? We shall, of course, study the trustees' report carefully, but we remain of the view that the Civil List Act 1972 set out the best framework for the determination of civil list expenditure. We therefore support the future arrangements that he has announced. They are in line with the principles set out in the previous statement on the matter by the then Prime Minister, Baroness Thatcher.

Does the Prime Minister agree—I am sure that he does, given his statement—that the record of the past 10 years provides clear evidence that the civil list is spent wisely and that the royal household has been managed well? Is it not the case that the royal household has made the most of its resources, has been willing to adapt and has supplemented the revenue from the civil list with the prudent use of other sources of income? Does he further agree that the opening of Buckingham palace to the public, the royal family's commitment to pay income tax and the publication of an annual report on royal expenditure have demonstrated a commitment to openness and a willingness to change?

The new arrangement reflects the climate of low inflation, which the Government inherited from their predecessors. However, we—and more particularly Her Majesty the Queen and the royal family—are being asked to take on trust that it will continue. As Members on both sides of the House know, economic forecasts should always be treated with some scepticism. Does the Prime Minister therefore agree that the trustees should lay a further report if it became clear during the coming decade that inflation was significantly outpacing the Chancellor's forecast?

We on the Conservative Benches believe that the value of the service given by the Queen and her family to our country far exceeds any sum granted in the civil list. We are in no doubt of the importance of the monarchy to our national life. As Members of Parliament, we swear

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allegiance to the Queen with pride. We hope and pray that she and her family will continue to give service to our country for many years to come.

The Prime Minister: I am in the happy position of being able to agree with virtually everything that the right hon. Gentleman has said. He is right. If inflation were to outpace the Chancellor's forecast, we would lay further matters before the House, but I am happy to say that we do not anticipate that eventuality.

I point out, in addition to the points that the right hon. Gentleman has made, that the Queen receives about 80,000 guests a year, that there are 2 million visitors to the royal homes and palaces, and that the royal family undertakes about 3,000 engagements. That is a pretty impressive work record by any stretch of the imagination.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): On behalf of my right hon. and hon. Friends, I also welcome the fact that an amicable agreement has been reached between the royal household and the Treasury, which will put things on a stable footing for a further decade and enable the royal family to fulfil their duties over that period. I congratulate the Prime Minister on the fact that, despite rather mixed headlines at the moment, he clearly has not lost his sense of humour by choosing 4 July to make the announcement.

Given that one Sunday paper has been speculating on which members of the Cabinet fall into the category of roundheads and which fall into the category of cavaliers, may I unusually declare myself, asking some specific questions on behalf of the third way, as a Jacobite?

Given that the royal household has accepted the need for on-going transparency in these matters, can the Prime Minister confirm that the civil list over the next 10 years will be fully accountable? Can he indicate what efficiency expectations, in common with every other public Department and office, the Government have factored into the equation for the settlement that has been reached? Equally, what level of inflation have the Government relied on as a projection for reaching the conclusions that they have with the royal household? Finally, what level of income does the royal purse derive from the opening of Buckingham palace to the public for a fee? It would be helpful if the Prime Minister clarified those matters and added to the bonhomie of this royal occasion.

The Prime Minister: I cannot clarify the very last point now for the right hon. Gentleman, but I shall certainly ensure that he receives that information. As for his other points, the inflation assumption is the Government's inflation target. As for the savings that will be made, the £7.9 million is itself a saving, as it represents a static cash sum and is, therefore, over the years, reducing in real value. Additionally, we expect about £25 million to be taken from other categories of public spending and transferred to the civil list as a result of the savings and surplus that have been made.

Tony Wright (Cannock Chase): Does my right hon. Friend agree that we do no service to the monarchy by not asking sensible questions about how it operates? Is it not really quite extraordinary that, under the 1972 Act, even when the civil list generates a huge surplus, as it clearly has now, we are not able to amend the amount downwards, but can only push it upwards? Is it not true that that applies to no other category of public expenditure? Is it really a very sensible way of proceeding?

The Prime Minister: It is correct that there is no power in the legislation to reduce the payment. On the other hand, the same thing can effectively be done both by keeping the sum static for 20 years—as it will have been by 2011—and by being able to transfer to civil list expenditure items of other public expenditure. There is a significant saving there. I think that a 55 per cent. real-terms reduction over 10 years is quite significant. I also offer my hon. Friend the suggestion that, in terms of legislation, I can think of bigger priorities.

Mr. David Davis (Haltemprice and Howden): May I commend the Prime Minister on the partial increase in financial transparency that will be achieved because of the report that he is publishing today, and congratulate the royal household on the savings that it has achieved in the past decade? However, the Prime Minister's figures for the next 10-year projection do not assume any efficiencies. One of the side effects of not changing the sum is that no relevant statutory instrument will be put before the House, and that the House will therefore not have a chance to debate or review the figures once they are in the public domain. That raises a rather important constitutional consideration.

The monarchy's ultimate constitutional function is to be the final check on the Executive. It seems a little odd, at least, that these figures are arrived at by agreement between No. 10 Downing street—or the Treasury—and the palace. Does the Prime Minister think that he could improve that process if the civil list itself, like grants in aid, were open to parliamentary scrutiny and to audit by the Comptroller and Auditor General?

The Prime Minister: I understand why the right hon. Gentleman, as Chairman of the Public Accounts Committee, raises a pretty hardy perennial in this debate. I should like, however, to explain my understanding of the history of the matter. A decision was made, I think in 1972, that the civil list, which is the expenditure most closely associated with Her Majesty, should be treated differently. I think that that was decided after a contemporary Select Committee report had indicated that that was the best way of dealing with the matter.

The right hon. Gentleman is right to say that other grant in aid expenditure and other expenditure, amounting to about £30 million, is subject to the normal rules. However, it was thought to be right and in keeping with everyone's interests that the expenditure most closely associated with the Queen should be treated differently. I think that he will agree—he perhaps acknowledged it, at least by implication, in his initial comments—that this year there is more detail about how the money is spent.

As for debating the sum in the House, it is £7.9 million. I do not know what fraction that is of overall public spending, but I think that it is 0.002 per cent. or thereabouts. Again, I think that there are probably bigger items of public spending to get our teeth into.

Mr. Dennis Skinner (Bolsover): This is a pretty big winter heating allowance. What is so special about this family that they qualify for £7.9 million instead of 75p? If the Prime Minister really wants to save money, the answer is to kill two birds with one stone by shipping them off to the millennium dome, where they can have a zone apiece.

The Prime Minister: Well, let me answer that in two ways. First, I know that my hon. Friend would not want to let the opportunity to talk about the 75p go without also mentioning the winter allowance, the free TV licences and the £6.5 billion of extra expenditure that the Government have made available. However, in respect of the civil list, it is also worth pointing out that the figures that I gave earlier are quite impressive—3,000 engagements undertaken on behalf of the royal family, 80,000 guests and 2 million people coming to visit. The Queen is our head of state. Whatever their views about the monarchy, most people believe that she does a very good job. She is held in great affection by the people.

Mr. William Ross (East Londonderry): I suppose that I am one of the few people in the House who are always suspicious when the leaders of the two main parties agree, even when the issue is one such as this. Will the Prime Minister tell us whether the present arrangements will last for only as long as the current monarch is on the throne? Will new arrangements be made every time a new sovereign ascends the throne? Will he also confirm that the Crown estate and the hereditary revenues of the Crown contribute upwards of £130 million to the revenues of the nation every year? Are the sums involved in that to be frozen in the future? Will any surplus that arises over the next 10 years go directly to the royal household?

The Prime Minister: In respect of the hon. Gentleman's first point, the settlement is for 10 years. I am pleased to say that the answers to potential queries that I have are based on the happy assumption of Her Majesty's continuing good health.

The hon. Gentleman asked about the surplus. Any surplus at the end of the next 10 years will be the subject of the next statement, which will be made in the year 2010. However, any such surplus can be used in a variety of ways. In particular, it can be used for special situations with regard to the royal household. It can also be used in the way that it is being used this time—to cover some other expenses from other areas of public spending. At present, I do not think that it is wise to speculate about how large that surplus might be, or what it could be used for.

Mr. Alan Williams (Swansea, West): My right hon. Friend has indicated that this money, like the money that we provide for the palaces and for royal travel, is used to support the monarchy. There can be no objection to that, but the way in which the money is monitored does raise an objection. Uniquely, the money is not audited by the Comptroller and Auditor General. It is not monitored by the Public Accounts Committee, nor by Parliament.

It is all well and good to hark back to 1972, but that was some years ago—I had been in the House only a few years at that time. We now live in days of greater transparency, and transparency about the palace money and travel money has done no harm. Would not it therefore be appropriate to bring this money into line and make it accountable to the National Audit Office and to the Public Accounts Committee?

The Prime Minister: Of course, the money is carefully overseen by the royal trustees, whose report this year gives a lot of detail about how the £7.9 million is broken down and about the various items of expense that it covers. The report also includes the numbers of employees within particular salary bands—a matter that has been raised on previous occasions. The report this year, therefore, contains a great deal more information than it normally does. Given the sum of money involved and what has been a very substantial reduction in real terms, I think that we can have every confidence that the money is being managed well and properly.

Sir Peter Tapsell (Louth and Horncastle): As new Labour tends to cheapen and vulgarise almost anything that it touches, will the Prime Minister do his very best to try to protect the institution of monarchy in this country from the influences of his spin doctors?

The Prime Minister: I think that that institution probably suffers more from prejudiced and rather unpleasant statements such as that. Given that I delivered the statement in perfectly good faith, and that I paid tribute to Her Majesty the Queen and the work that the monarchy does, I should have expected a slightly more gracious intervention from the hon. Gentleman.

Mr. Gerry Steinberg (City of Durham): Following from the question of my right hon. Friend the Member for Swansea, West (Mr. Williams), as the civil list is public expenditure, has the Prime Minister thought about allowing the National Audit Office to audit the accounts and letting the Public Accounts Committee investigate the result? That would be in line with practice on other public expenditure and would make the whole matter more accountable and, indeed, acceptable to Parliament, because people could then see that there was nothing to hide.

The Prime Minister: There really is nothing to hide, as one can see from the detail that is published today. A decision was taken about this at a very early stage. There has always been this question, because other expenditure is subject to scrutiny by the National Audit Office and the PAC. However, it was considered that the expenditure most closely associated with Her Majesty should be treated differently. I do not think that that is unreasonable, particularly in light of the fact that more detail has been given here today than has been provided before, and it breaks down literally every item of expenditure.

Because the vast bulk of the expenditure is on salaries, there is not a great deal to investigate other than seeing the salary levels. We have put the salary bands in the report so that people can see exactly how many people are employed, and how many are employed in each band. I am second to none in my enthusiasm for the work of the PAC, but I think that it will find that there are bigger issues to look into.

Mr. David Rendel (Newbury): If, as the Prime Minister says, the civil list expenditure is that most

[Mr. David Rendel]

closely associated with the monarch, why are car transport costs included in the civil list, whereas air and rail transport costs are not? Why is one set of costs more closely associated with the monarch than the other?

The Prime Minister: It was decided at the time, back in the 1970s, to treat some of those expenses differently. Air travel and train travel costs, in particular, are incurred when heads of state go abroad and visit different countries. We can argue about the allocation of these costs and the way in which the expenditure is separated, but the actual amount set out for car costs is of a completely different order from those in relation to air and train costs. Again, because those tend to be more closely associated not with personal expenses, but with those incurred as head of state on visits, it was decided to make the allocation in that way.

Mr. Jeremy Corbyn (Islington, North): Does the Prime Minister agree that his statement is rather an understatement of the amount of money that is actually spent on supporting the royal family, and that he should include all the other expenditure within that amount? Since the royal family will end this 10-year period with an even larger surplus than they have at present, is it not outrageous that they are still charging the public to visit Buckingham palace throughout the summer? At the very least, access to the royal palaces should be free. In addition, as I understand that the Cabinet has had a frank and free discussion about royal accommodation, would my right hon. Friend care to comment on the possibility of relocating the royal family to some smaller and more modest accommodation in the future?

The Prime Minister: No, I cannot agree with that. As for the other expenses, such as grant in aid for the upkeep of palaces, those figures are all set up and subject to National Audit Office and PAC scrutiny in the normal way. The additional costs that are now to be borne by the Queen's civil list will amount to about £2.5 million a year over that period of 10 years—that is £25 million, which is a significant amount. If we look at this overall, to have kept the Queen's civil list static, in cash terms, for 20 years is a pretty good recommendation.

Mr. Crispin Blunt (Reigate): Nothing that the Prime Minister said in his statement came as a surprise. Why, even on this issue, when there is no controversy between the parties, could the Prime Minister and his advisers not resist spinning it to the newspapers and the "Today" programme first before coming to the House?

The Prime Minister: That is simply not the case. [HON. MEMBERS: "It is."] It is not. The timing of the statement is precisely the same as it was back in 1990.

Mr. Gordon Prentice (Pendle): There are 58 royal bedrooms in Buckingham palace and no fewer than 78 royal bathrooms. Nine occupied royal palaces receive grant aid, leaving aside Sandringham and Balmoral. Given that the civil list helps to run occupied royal palaces, is there not a very real question about how many palaces the royal family needs to discharge its functions to the state?

The Prime Minister: Buckingham palace is, of course, a palace and there is likely to be more than one bathroom. I think that I am right in saying that the palaces receive more than 2 million visitors a year, which is a significant number. I would simply point out to my hon. Friend that since 1993, all the annuities paid to members of the royal family, apart from the Queen Mother and the Duke of Edinburgh, are reimbursed by the Queen.

Mr. Michael Fabricant (Lichfield): The Prime Minister rightly paid tribute to the work of the royal family. Will he join me in paying tribute to the people who work at the palace and to the considerable dedication that they show? He knows that more than 70 per cent. of the civil list is spent on salaries. Will he confirm that nothing in this settlement will result in any redundancies?

The Prime Minister: As far as I am aware, it will not, but obviously I do not know what plans the royal household may have. The hon. Gentleman is right to say that the vast bulk of the money is for salaries, which have to keep pace with inflation and, what is more important, with earnings in the public and private sectors as well. If he considers the figures overall, he will see that the royal family and the royal household have done a pretty extraordinary job of keeping the cost down.

Mr. Paul Flynn (Newport, West): Does the Prime Minister recall our debate about the loyal oath, in which 150 Members, I believe, expressed the desire to have the choice of an alternative form of oath—to the country rather than the monarch? He will be aware that many hon. Members qualify the oath that they take. As at least a third of the population believes that we should be considering an alternative form of head of state, and a growing group of young people feel that way, why can we only discuss these matters once every decade? The debate on the monarchy and the way in which it should be modernised is happening outside this place. Should we not also debate it here?

The Prime Minister: The House is entitled to debate whatever it wants and the oath is, of course, a matter for the House, but I do not believe that it should be changed. On the civil list, I also believe that the fact that I, as the Prime Minister, am making a statement on £7.9 million-worth of expenditure is opening up the matter for debate considerably.

Mr. Norman Baker (Lewes): I welcome the statement as far as it goes, which is probably the best that can be achieved against the background of the Civil List Act 1972. Was it not a serious misjudgment 10 years ago when the House agreed a settlement for a 10-year period with inflation built in at 7.5 per cent., which has resulted in the building up of a huge surplus? If it were allowed under that Act, should we not be recommending a cut this afternoon?

Furthermore, will the Prime Minister undertake a review of royal taxation to ensure that all members of the royal family are subject to the same tax rules as everyone in the House and in the country? Why is the Queen allowed to pay tax voluntarily rather than it being mandatory? How can the right hon. Gentleman explain to my constituents who are on income support why there are all these tax loopholes which, for example, allow the monarch to avoid inheritance tax when possessions are passed from one monarch to the next? Is it not time for a review of royal taxation as well?

The Prime Minister: I must correct the hon. Gentleman on two points. First, the Queen pays tax voluntarily and has done so for several years, and I think that that shows the way in which the monarchy has adapted and modernised. Secondly, on inheritance tax, we are talking of sovereign-to-sovereign assets, which are inalienable assets belonging to the monarchy. It would be wrong to treat those differently from the way in which they are treated today. I think that most of the hon. Gentleman's constituents would agree that that is the case.

Mr. Desmond Swayne (New Forest, West): How does the reduction in costs that the Prime Minister has announced today compare with the performance of non-executive presidencies in the rest of Europe? Will the right hon. Gentleman re-examine the question of having a royal yacht to boost our exports and inward investment, in the face of the damaging uncertainty of the Government's policy on the euro?

The Prime Minister: We might have known that the Tory party would find some way of getting an attack on Europe into a statement about the Queen's civil list. I do not have the faintest idea about the costs of presidencies abroad. As for a replacement for the royal yacht, I shall take that as yet another public expenditure commitment on behalf of the Conservative party.

Mr. Ian Bruce (South Dorset): I am sure that the Prime Minister would agree that, without the 1972 Act, he would, in effect, be announcing a third decrease in the civil list because of the transfer of £2.5 million in a year. As the monarchy has become increasingly popular over recent years and will, no doubt, become even more popular with the reduction in cost to the Treasury, is there any lesson that the right hon. Gentleman can learn for the funding of his own office?

The Prime Minister: I am delighted that, as a result of the efficiencies that have been made and, of course, as a result of lower inflation, there is a 55 per cent. real-terms drop over 10 years. That is an indication not just of the efficiency itself, but of the fact that we are now going to use the surplus to incorporate another £25 million of expenditure. It is a great tribute to the way in which the monarch's civil list has been managed. That is probably the right and the most sensible thing to say.

Football Hooliganism

4.1 pm

The Secretary of State for the Home Department (Mr. Jack Straw): With permission Madam Speaker, I should like to make a statement about football hooliganism.

In my statement to the House on 19 June about the disorder perpetrated by England supporters in Charleroi and Brussels, I said that we would urgently consider whether further measures should be introduced so as to improve the effectiveness of court orders against those convicted of football-related offences, and whether to introduce powers in respect of unconvicted football hooligans against whom there was other good evidence. I should now like to tell the House about the conclusions of the review that we undertook following events in Belgium and about the legislative and other proposals that I will be commending to the House.

The House and the country know all too well of the events in Charleroi and Brussels that shamed England's national game and national reputation, and resulted in the arrest of 965 British nationals and the deportation of 464 of them. A very small number of those originally arrested now face trial.

For some years, the widely accepted view has been that football hooliganism abroad is perpetrated by a relatively small minority of known football troublemakers. Measures discussed and approved by the House over a 15-year period have largely been predicated on that assumption. The blunt truth, however, which has become very clear from events last month, is this: football hooliganism abroad is no longer confined to a small minority of known troublemakers. There is now strong evidence of a larger number of England supporters getting involved in violence, drunkenness and disorder; few of them are known in advance to the police nationally as football-related offenders.

As I told the House on 19 June, the policing operation for Euro 2000, against known football hooligans, was largely successful. Of the 1,000 such known offenders on the lists provided by the National Criminal Intelligence Service to both the Belgian and the Dutch authorities, our information is that most either did not travel or were denied entry to the host countries. Thirty were arrested, detained in or deported from either country. However, of the 965 who were arrested in Belgium and Holland, we know that 409 had previous convictions, including convictions for violence.

Against that background, the House will, I believe, appreciate the need for measures to be drawn more widely than has been proposed even in the recent past. I have specific legislative proposals, but the issue runs wider than legislation alone and requires the active co-operation of all involved in football at every level in England.

The legislation that I propose to the House has four key elements. First, we propose to combine the domestic and international football banning orders that are made by a court following a conviction for a football-related offence. We currently have about 400 domestic bans of both kinds in force, but only 106 international bans; only 106 individuals can currently be prevented from leaving the country to attend matches abroad. In future, everyone who receives a banning order will be subject to both domestic and international bans.

[Mr. Jack Straw]

Secondly, we propose that, save in exceptional circumstances, everyone who receives such a ban will have to surrender their passport while major overseas games are on. Courts currently have a discretion to impose such a condition when they impose an international football banning order. In future, that will be the norm for the new combined orders.

Thirdly, there is the proposal for civil process, similar to that for the anti-social behaviour order, for a football banning order. This was included in our consultation paper published in the autumn of 1998, and has been actively supported by right hon. and hon. Members on both sides of the House. Under this, the police could propose a football banning order to the courts where they believed that it would help to prevent violence or disorder in connection with football matches. However, I now believe that this order should be more widely available than hitherto proposed. Under the new scheme, therefore, it will not be necessary that the person in question should have been convicted of a football-related offence, or indeed of any offence, though plainly any convictions for violence of whatever kind would be very relevant evidence. The police would of course have to have sufficient evidence in every case on the balance of probabilities that the test set in the legislation was met. That evidence could come from abroad, and it might date from before the proposed new law comes into force.

Fourthly, I propose that the police should have a new power effectively to prevent a person from leaving the country where they believe there may be grounds for making a banning order. There would be a power of arrest in that respect, and a breach of the direction would be a criminal offence. When the police made such a direction, the person concerned would be summonsed to a magistrates court to decide whether a banning order should be made. The value of this power will be that when people arrive at a port or airport and they give grounds for suspicion that they are out to cause trouble or are likely to do so, the police will be able to make quick inquiries. They will then, in appropriate circumstances, be able to prevent embarkation at short notice, where it would not be possible to go through the procedure of applying to a court for a banning order before the person left the country.

Those, then, are the main legislative measures that we are seeking, although the legislation will include other minor measures. I am satisfied that they are compliant with the European convention on human rights and the Human Rights Act 1998.

Let me now deal with the time scale for this legislation. I have already had constructive discussions with the official Opposition and the Liberal Democrats, and I am grateful to both for their co-operation. The official Opposition are already on record as saying that they will support any moves in Parliament to restrict English football hooliganism. The next international game for England will be the one against France in Paris on 2 September. It would plainly be preferable if the legislation could be put in good order for it to be on the statute book by the time the House rises at the end of this month.

However, I well recognise that all Members of this House and of the other place, quite rightly, take their responsibilities for scrutinising legislation very seriously. Three of the key measures proposed have been well aired in principle in the past. The fourth has not. In any event, the effectiveness of any legislation comes down to its detail. To combine speed with careful scrutiny, I therefore propose to proceed as follows.

A draft Bill will be made available in the Vote Office for all hon. Members and Members of the other place by the end of this week. I shall discuss its detail with the Opposition parties and hold an all-party meeting early next week for any right hon. and hon. Members of this House and of the other place who have a view on the Bill. We shall also consult outside interests and take account of the conclusions of that process in the version of the Bill that is presented to the House. All the process will be subject to discussion through the usual channels as soon as possible to see whether there is scope for the Bill to have a very speedy passage through both Houses, even possibly before the recess.

Legislation is only part of the answer to the wider problem. I strongly welcome the Football Association's commitment to seek life bans from the home grounds for any England fan convicted of hooligan behaviour, or against whom there is hard evidence of such behaviour, at Euro 2000 or in future. I hope very much that all clubs affiliated to the FA will support their national association in its initiative.

There is however much more that can and must be done to confront the culture from which hooliganism grows. Last week, I met representatives of the Football Association. They themselves recognise the need to take a hard look at ticketing, at travel, at stewarding arrangements, at more effective action against displays of racism and xenophobia at matches and outside, and at closer co-operation with supporters' groups—all with the aim of making support for the England team abroad more attractive to families and to decent supporters, who are currently kept away by the threat of hooliganism. I have asked Lord Bassam to chair a working group, which will involve a wide range of partners from the football world who are committed to make changes for the better in these important areas.

I hope that what I have said will demonstrate to the House our determination to use all the means at our disposal to get rid once and for all of all the dreadful consequences and the obnoxious taint of football hooliganism. The Government have given and will give a lead, but we can succeed as a nation in changing the culture that gives rise to football violence only if we in England are able to claim that the problem has truly been solved. I commend these proposals to the House.

Miss Ann Widdecombe (Maidstone and The Weald): Will the Home Secretary acknowledge that the necessity to rush through this legislation in such haste is entirely the result of his own and Lord Bassam's vacillation and delay? Will he please tell us why, when we invited the Home Secretary, before Euro 2000 even took place, to consider legislation, and said that we would support emergency legislation, he did not then take up our offer, and has indeed spent the last few weeks not taking up that offer? Why did he not adopt the proposals of my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), made as long ago as 1998? Why did he—or, for that matter, Lord Bassam—not follow through the very clear statement of the Member for Sport, the hon. Member for Vauxhall (Kate Hoey), when she said that, although she could not adopt measures in the private Member's Bill promoted by my hon. Friend the Member for West Chelmsford (Mr. Burns), she would nevertheless consider introducing a Government measure? That was in May 1999.

Why does not the Home Secretary admit that the only reason why we now have to hurry this legislation through Parliament is that he did not take action in due time? Is he aware that the England 2006 campaign director has said that the events in Belgium—which might perhaps have been prevented, at least in some measure, had our suggestions been adopted originally—have damaged our chance to secure the world cup? And will the right hon. Gentleman admit that his own dilatoriness has contributed to that?

Rushed legislation can be very bad legislation, and the Bill contains some very sensitive and very significant proposed measures that will indeed need thorough scrutiny—not least the new police power to prevent people leaving the country. We cannot pass such a measure in one day. If the Government wish to give this measure a high priority, the Opposition will support giving it a high priority, but it will mean that the Government will have to reorder their overloaded programme to ensure that this high-priority Bill gets the scrutiny that it deserves, so that it may proceed. After all, the Home Secretary has neglected this issue and the Government have overloaded their legislative timetable. If they now wish us to give priority to this Bill, they must find a way to do so that guarantees proper scrutiny. That means due time to examine the Bill and to make amendments.

The House is well familiar with Government Bills arriving with 500 Government amendments added at a late stage because they have not been drafted properly. We cannot proceed on a rushed basis with a Bill that has serious implications for civil liberties in this country. We will support the right hon. Gentleman in getting the Bill through and we will support speeding up the timetable, but we will not—*[Interruption.]* The attitude of Labour Members is a disgrace to the duties of the House. We will not let the Bill go through without due scrutiny both in this House and in the other place.

Mr. Straw: As I told the House a moment ago, I am grateful to the right hon. Lady for the co-operation that I have received. However, she always adopts a rather different tone in the House.

Miss Widdecombe: Yes.

Mr. Straw: The right hon. Lady agrees. She asked me why we did not pick up her suggestion of co-operation on emergency legislation, which she made at the beginning of the second week of June, just before the Euro 2000 competition began. First, I remind the House that, a week before that, the official position of the Conservative party was that no change in legislation was necessary. On 30 May, a spokesman for the Conservative party said:

> What the Government must now do is to show that they are prepared to invest the necessary resources . . . to track down and convict those who commit football violence. Only once these measures are fully used—

that is, the existing measures—

> can we start to assess whether there is a need for further legislation.

It was only a week later and a few days before the competition began that there was any promise, even on paper, from the Conservative party to support us in taking legislation through. *[Interruption.]* The right hon. Lady did not ask for it two years ago; we are talking about the pledge that she made two days before the competition began.

The right hon. Lady has said that we should be very careful about rushing through legislation. I agree with that. The simple fact of the matter was that, when she made the offer, it would have been impossible to get any decent legislation on the statute book in time for it to have any effect on whether people who were intent on violence and disruption could travel to Euro 2000. The truth is that if she is not now prepared to deliver in a four or five-week time scale, she certainly would never have delivered in the time scale that she had in mind then.

The second point I make to the right hon. Lady is that the main reason for introducing these measures—including the fourth measure, which has never been before the House, and a considerable strengthening of the third measure—is directly to do with the nature of the football hooliganism that we all saw in Brussels and, in particular, in Charleroi. As I told the House and as the whole House understands, in the past the basic assumption behind all football-related legislation was that there was a hard core of football hooligans who were known in advance to NCIS. They could be identified in advance and, by a variety of direct and indirect legal means, they could be kept away from international games. That was true.

However, we face a new problem. As I told the House in the statement on 19 June and in the debate on 20 June, we of course review things in the light of changing circumstances, and that is exactly what we have done. The reason for introducing the legislation now is that we face a new and more serious problem, which became perfectly apparent in Charleroi and Brussels. We intend to deal with it, while the Opposition, as far as I can judge from the right hon. Lady's confused statements, are simply trying to make mischief out of it.

Mr. Joe Ashton (Bassetlaw): Is my right hon. Friend aware that responsible Members of the House will congratulate him immensely on the legislation that he has announced, and which is long overdue? Is he aware that England have to play Germany this winter which, without that legislation, was going to be a recipe for another combat zone?

Is it possible for my right hon. Friend to go further, as these incidents happen abroad, not at home, and a lot of them involve the unlimited alcohol and duty-free that people drink while travelling to the games? Will he consult the European Community countries on their different methods of policing—from the hard-line water cannons in Belgium, to the laid-back people in Copenhagen and to the police in Marseille who put video screens on the beach—to arrive at an attitude common to all countries on the banning of alcohol and the regulation of travel?

Mr. Straw: I entirely accept what my hon. Friend says and am grateful for his support for these measures.

We do our best to share experience. At the beginning of 1998, during the United Kingdom's presidency of the European Union, I hosted a major conference of all

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European Union Interior Ministries and football associations on how better to control football hooliganism. That is a big problem for England, but it is also an international problem. It must be pointed out that, although 250 people of English origin were arrested in Charleroi, about 130 of German origin on whom the German passport bans plainly did not operate were also arrested.

There is a strong relationship between this violence and people who get drunk. In particular, we must learn lessons from the way in which the authorities in the Netherlands sought to contain those who wished to drink too much by the provision of low-strength alcohol in very small glasses. Although that caused laughter beforehand, all the reports suggest that it turned out to be an effective way of reducing alcohol consumption.

Mr. Simon Hughes (Southwark, North and Bermondsey): I am grateful to the Home Secretary for his early warning of the statement. I agree that one clearly cannot legislate away football hooliganism or hooliganism related to football. Given that the Home Secretary told us last week that 30 per cent. of young people between 18 and 39 now have convictions against them, does he accept that proposing sweeping measures to prevent people travelling to football matches is not easily justified, as so many of them already have a previous conviction?

The Home Secretary's first two proposals, as I understand them, would have the support of my colleagues in both Houses, subject to the possibility of regaining one's passport if one needs it for urgent family or business reasons. The remaining two proposals go far beyond conventional impositions on the rights of the citizen, so we cannot offer support for them at the moment, either in this House or the other place, and will seek to persuade the Home Secretary that there is a better way of proceeding.

Has the Home Secretary considered that, instead of those two proposals, the proper way to proceed is a proposal that would prevent people from travelling if they had convictions for violence and, if necessary, if there was reasonable cause to believe that they might commit violent offences? Exceptionally, will he place in the Libraries of both Houses advice to Ministers from Law Officers suggesting that that proposal is compliant with the European convention on human rights?

Big issues are raised which suggest that restricting freedom to travel may not be ECHR-compliant. What opportunity does somebody who, under the Home Secretary's proposals, could be stopped by a police officer, have to test their case in the courts in time for such a challenge to be relevant? Why would somebody not be entitled to have a warrant issued before they were stopped, as the Home Secretary or I would have if someone were searching our houses? Before going into property, police normally go to a magistrates court to seek a warrant for such action.

The record of hasty legislation in this place over the past 20 years shows that it normally ends up as bad legislation. Unless both Houses can have the necessary time to scrutinise the proposals and to secure the rights of the many, as well as the few, it is possible that not all the Home Secretary's proposals will get through the House this side of the summer, even if they get through later.

Mr. Straw: I thank the hon. Gentleman for his co-operation. It is true that about 30 per cent. of people under 30 have convictions. In the debate on 20 June, the right hon. Member for Sutton Coldfield (Sir N. Fowler) asked for an analysis of the nature of the convictions of the 464 people out of the 965 who were arrested, and who had previous convictions. We are still doing that analysis, but it looks as though there is a greater preponderance of people with convictions for violence in that group than there is in a similar cohort of the general population.

I entirely accept that the House has to act proportionately in legislating. Not only are we required to do so by the Human Rights Act and our obligations under the European convention on human rights, which we have had for 50 years, but it is right and proper that we should do so. In the past, it has not been judged proportionate to take action, or to give the police powers in any circumstances, to turn people away at ports, because the mischief identified has not been sufficient to justify the action. In the light of what happened in Belgium, I now believe that the mischief is great enough to justify that action. However, the hon. Gentleman, like any other Member of the House, is entirely correct to say that he wants to read the Bill's small print before he makes a judgment. I, too, have been in that position. It would be wrong for the House to buy a pig in a poke, and I am not suggesting that it should do so.

The football banning order will be similar to the anti-social behaviour order. Whether or not people like such orders, they are consistent with this country's traditions. We are working carefully to ensure that there is proper, traditional oversight of banning orders and the operation of the fourth proposal, which is new. It is not a peremptory power, of the kind that I believe was operated in Germany, for the police simply to turn people back on an officer's say-so. A police officer will need to have reasonable and sufficient grounds for believing that a person should be subject to a banning order, first to stop him, and then to seek a banning order, for which there will be a reasonably quick court process.

The hon. Gentleman asked why a warrant could not be issued in advance. The police will not be able finally to identify the person concerned until they have stopped him. We are introducing the equivalent of a warrant by ensuring that there is supervision by a judicial bench as quickly as possible.

The hon. Gentleman made a point about hasty legislation. All Members who have been in the House for any length of time know that legislation can be introduced sensibly and speedily, but if speed turns into haste, a Bill may not be properly or adequately worded. I hope, and it is only a hope, that our discussions and the drafting of the measure will ensure that the proposal becomes law before the end of July, but I recognise that Members on both sides of the House want to examine it carefully. If there is a choice to be made between content and haste, the content must take priority, even if we face delay in getting the legislation through. I am sure that the whole House will agree that it must be passed by the end of this Session and, if possible, by the end of July. I will make myself available at all times.

Mr. David Winnick (Walsall, North): Would my right hon. Friend like to comment on reports that extreme right-wing organisations have been involved in organising some of the trouble abroad? Does he accept that there are serious implications for civil liberties which it would be foolish to deny? Bearing in mind the scenes that we have seen on television and that he has mentioned today, it is difficult to see what alternatives there are to the proposals that he has outlined. Those scenes have undoubtedly disgraced our country, and people abroad understandably ask why we cannot keep our thugs in order.

Mr. Straw: I am grateful for my hon. Friend's support. I am afraid that, in my judgment, there is now a yawning chasm between the average football fan who attends club games and England games at Wembley, and the so-called fan who goes abroad in alleged support of this nation. As someone who has been a long-term football supporter with his family, I have seen a change very much for the better over the past 15 years. Clubs now cater for families, many more women attend club games and there is a great effort—not entirely successful, but considerable—to stamp out racism and xenophobia in grounds and away from them. However, I am afraid that a big proportion of so-called England supporters abroad express strongly racist and xenophobic views. They are not remotely representative of the majority of England fans at home. We have a big problem tackling them, and I believe that a Bill may help.

Mr. Simon Burns (West Chelmsford): Better late than never. I warmly welcome the four legislative proposals that the Home Secretary has announced today, especially as one of them is along the lines that I have long advocated. On the point that he was making to the hon. Member for Walsall, North (Mr. Winnick), I urge him to consider that it is crucial to overcome and minimise the culture of violence and obscenity by enforcing the existing legislation, such as the public order measures and the Football (Offences and Disorder) Act 1999, to crack down on those mindless morons and the extreme right who use racist chanting and other obscenities at football matches to inflame people, thereby doing so much damage to this country. Such chanting is both disgraceful and distasteful.

Mr. Straw: I express my thanks to the hon. Gentleman for all his efforts during the past two years to have such legislation put on the statute book, and also for the constructive proposals that he made in his speech on 20 June. He will know that we have taken careful note of the suggestions that he made in the House and outside. He raises an important point—which, ironically, was raised by his party spokesman on 20 May—about the need properly to enforce the existing legislation. It is not acceptable that only 33 of the 100-odd international banning orders imposed so far include passport conditions, which could have been imposed in every case. That is wrong. I understand that the police and the Crown Prosecution Service are applying for such orders, but magistrates are not granting them. That is why we have had to change the nature of the legislation to ensure that passport orders are granted almost automatically and that other proposals are taken forward as well.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): My right hon. Friend will be aware that many of those involved in the violence had no previous convictions of any kind, so he will understand why those of us who have spent a lifetime opposing racism have considerable reservations about his suggestions, which will give peremptory powers to police officers apparently on the basis of very little evidence. I hope that he will tell the House the rank of police officer who will be enabled to take such decisions and what time scale he is proposing.

Above all, may I tell my right hon. Friend that the history of legislation agreed by both Front Benches and put through the House at considerable speed is extremely sad and unhelpful? I hope that he will reconsider his timetable, because this is a difficult and intractable matter. Before we allow very serious liberties to be put at risk, it is absolutely vital that the House have time to consider every aspect of the proposal, not just some of them, and that we do not respond to knee-jerk bigotry.

Mr. Straw: Of course I understand that the House should be very careful about taking forward into legislation proposals that use the force of the law through civil processes before conviction, but that is by no means unheard of in our system.

The civil courts themselves have many powers of enforcement. The anti-social behaviour order, which has been widely welcomed by Members on both sides of the House and by local authorities and the police outside, is increasingly being used. It makes use of civil process. Good evidence has to be obtained for the order—unfortunately, in many cases, that evidence cannot be only criminal convictions.

There was support for the football banning order from both sides of the House, although it was by no means unanimous. The police may have evidence that may not have been sufficient to obtain a conviction, but that is plain evidence of football hooliganism. For example, there may be available video tapes of people committing straightforward acts of hooliganism in Charleroi and Brussels. If those individuals could be identified, I see no reason why they should not be required to go to court or why the police should not be able to apply for a banning order. They would be given a proper opportunity to answer. Such tapes would not represent evidence that could lead to a conviction, mainly because an extraterritorial offence had been committed, but would certainly be evidence that should lead to an order of the kind that I make.

My hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) asked about the level of police officer who could make what would effectively be a direction to prevent someone from travelling so that a banning order could be obtained. I make this very clear: as far as I understand, these are not the exact powers that the German police have used nor a power of what they call administrative arrest, which leads to no court process at all. We propose that such a direction should be made at inspector level or above.

My other point to my hon. Friend is that it is not true that all legislation that is put through the House at some speed suffers from the defects that she mentioned,

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although it is true that some does and some has and that speed creates a greater danger of those defects occurring. I seek to provide a process that involves not only necessarily private discussions with the opposition parties, but a perfectly open system in which all hon. Members are able to take part. There will not be unanimity, but we must see whether there is sufficient consensus to get the measure through before the summer. I hope that that is the case and that I can reassure Members on both sides of the House about its contents, but we shall see.

Sir Norman Fowler (Sutton Coldfield): Does the Secretary of State agree that his proposals are similar to those that I made from the Opposition Front Bench in June 1998? Therefore, I obviously support what he has said—given also that the decision would rest with the courts, not the police—but has there not been unnecessary delay in handling the issue? Had those measures been in place, some of the recent troubles might well have been avoided. Will he answer a further point? Does not this issue go beyond football hooliganism and are not those who riot overseas also those who cause problems on Friday and Saturday nights in this country? Frankly, nothing will be done about that until we have more police on the streets and more police detecting those hooligans.

Mr. Straw: I thanked the right hon. Gentleman for his suggestion when he made it late in 1998. This is no criticism, but, as he said at the time, it was a proposal for discussion that was not in a form that could have been put into the Crime and Disorder Act 1998. We have gone over the history of what subsequently happened but, if he wants to go down that track, I remind him that a whole host of right hon. and hon. Members on his side—

Miss Widdecombe: And on yours.

Mr. Straw: Some, but fewer Labour Members opposed the proposals.

The hon. Member for Lichfield (Mr. Fabricant) described the confiscation of passports as "wholly unconstitutional"; the hon. Member for Gainsborough (Mr. Leigh) said that the proposals, which were less strong than these, were

> the mark of a repressive or totalitarian society;

and the hon. Member for North Thanet (Mr. Gale) said:

> I am deeply concerned by the suggestion that banning orders should be imposed against people who have not been convicted of an offence.

A whole litany of Conservative Members were not interested in taking the route that the right hon. Member for Sutton Coldfield (Sir N. Fowler) suggested. Indeed, the right hon. Member for Bromley and Chislehurst (Mr. Forth) told the then Opposition Front-Bench spokesman, the hon. Member for Ryedale (Mr. Greenway), in respect of the Bill of the hon. Member for West Chelmsford, that

> he will get no support from his own Back Benchers today other than from the Bill's promoter.—[*Official Report*, 16 April 1999; Vol. 329, c. 495-502.]

That was hardly approbation.

The right hon. Member for Sutton Coldfield says that we are dealing with a wider issue. Yes, it is. After seven years during which police numbers have declined, as the right hon. Gentleman knows, we are investing considerable sums to ensure that numbers increase. Of course resources are important. If the right hon. Gentleman happened to see BBC television news last night and learned what the Sussex police are doing at Crawley, he would be aware that effective measures are taking place in targeting policing to deal with the drunken behaviour that we see in too many of our towns and cities on Friday and Saturday nights.

Ms Claire Ward (Watford): I welcome my right hon. Friend's statement and the measures that he proposes. I urge him to continue with the timetable that he has set out. Will he take into account the fact that some hon. Members, especially the maverick tendency on the Opposition Benches, will seek to ensure that the proposed legislation is delayed? They will be the very people who will attack the Government and others if the proposed legislation has not been enacted by September and we see repeated scenes of football hooliganism of the sort that we saw the other week.

Does my right hon. Friend agree that those Members who oppose a sensible, speedy but not hasty debate on the proposed legislation will try to ensure that we are not in a position to stop hooligans from disgracing our country and our national game?

Mr. Straw: I am grateful to my hon. Friend for her remarks and for her strong support for the proposed Bill and other measures. I hope that we can achieve the timetable that I have set out. My hon. Friend is right to highlight the inconsistency of the Opposition Front Bench. The right hon. Member for Maidstone and The Weald (Miss Widdecombe) was suggesting that we should have introduced legislation within two days of the beginning of Euro 2000. Two days was too long for that. She now suggests that four weeks is too short a time. I hope that, in more thoughtful moments, she will recognise the problem with which we are dealing and the need to get legislation through Parliament by the end of July. Plainly, it would be far better to have the proposed legislation on the statute book, if it is in good order, before the football season starts again in September.

Mr. Douglas Hogg (Sleaford and North Hykeham): What the right hon. Gentleman has outlined to the House sounds to me to be a serious curtailment of ordinary civil rights. I doubt whether some of these proposals, particularly the third and fourth elements, as he has described them, are compatible with some of the articles of the European convention on human rights.

The House should not depart from the ordinary rules of scrutiny and inquiry into what is proposed. I do not think that the right hon. Gentleman can properly get the proposed legislation through both Houses by the end of the month unless he is prepared to suspend much other parliamentary business. Is he aware that this is a serious matter involving civil rights? It is our business to champion such rights, and what I have heard from Labour Members suggests that they are suspending their duties in that respect.

Mr. Straw: I do not accept that what is being put forward is a serious curtailment of human rights. I have said that I am satisfied that our proposals are consistent with the European convention on human rights and with the Human Rights Act. It is my intention to sign a section 19 certificate to that effect.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) asked me—I am sorry that I did not answer this particular question—if I would exceptionally make the advice of the Law Officers available. Anyone who has been a Minister will know that it is never the practice to make such legal advice available, any more than legal advice to any other individual or corporation is ever made available. Moreover, the legislation does not require that the Attorney-General certifies the compatibility of any draft Bill before the House, but requires that the Minister responsible for that Bill should make that certificate. That is the proper way to proceed.

The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) spoils his case by suggesting that the normal processes of legislation should never be abrogated in any way. Like many of those on the Opposition Benches, his memory started on 2 May 1997. He has sat in the House long enough, as has the right hon. Member for Maidstone and The Weald, to remember many occasions under the previous Administration when those processes were compressed, sometimes into a far shorter time, with far less open consultation, than I am proposing.

Mr. George Mudie (Leeds, East): May I associate myself with the remarks and question from my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody)? I quietly ask my right hon. Friend to reconsider the case that he has made. As we are discussing a tournament that ended less than 48 hours ago, the review seems rather rushed. Although I support proposals 1 and 2, we have heard the point that has been made about proposals 3 and 4. I wonder how my right hon. Friend will justify those proposals to Labour Back Benchers. In his statement, he gave the impression that he had had discussions with the Opposition parties and that they were compliant with moves to push the legislation through urgently. In view of the mood of those on the Opposition Benches, I urge my right hon. Friend to re-appraise those discussions and reconsider rushing the legislation through Parliament.

Mr. Straw: I understand the concerns expressed by my hon. Friend. As I have made clear, I am not intending to rush the legislation through in the terms that he suggested. I have already said that, if a choice ultimately has to be made between haste and content, content must be the determining factor. I hope that he accepts that, if we can achieve proper speed—I do not know whether we can—if we can achieve the legislation by the end of July and it is in good order, that would be to the benefit of the country as a whole.

I note what my hon. Friend says about proposals 3 and 4, which I announced today. The third proposal has, albeit on a narrower basis, achieved wide support on the Labour Benches. As to the fourth proposal, of course I will consider what my hon. Friend says, and I hope that, in turn, he will look at the small print of the proposal. He is likely to be reassured by that. On co-operation, we look forward to the usual co-operation with the usual channels.

Mr. David Davis (Haltemprice and Howden): I agree with the Home Secretary on one issue: the reputation of this country abroad is extraordinarily important. Even more important, however, is the foundation stone of the British justice system, which, as I understand it, is the presumption of innocence until proven guilty—proven guilty on criminal standards under criminal process. What the Home Secretary is suggesting is a civil process leading to criminal sanctions, and rather fundamental criminal sanctions. Most free societies give their citizens the right to leave that society. That is pretty fundamental, and that is what the Home Secretary is striking down. I will oppose the legislation during its progress through the House—not delay it, but oppose it by argument.

On the question of undue haste in passing legislation that affects individual liberty, will the Home Secretary give thought not just to the process of the House, but to the interests of organisations outside which will want to comment closely on his proposals in the coming months?

Mr. Straw: On the last point, I said in my statement that we would take account of views expressed outside the House, as well as inside the House. It will come as no surprise to the right hon. Gentleman or the House to learn that we have already informally consulted the police organisations and NCIS about the proposals, as well as the Football Association, but there are others that have an interest in the matter.

There are some people—I respect their views, but I do not happen to agree with them—who take the right hon. Gentleman's view that civil process should never be used to deal with bad behaviour of the kind that we are talking about. That opinion was voiced during the passage of the Crime and Disorder Act in respect of anti-social behaviour orders. Our point was that the existing law provided, for example, for evictions and for all kinds of orders to be made by civil courts on the basis of a process that uses the civil burden and standard of proof, but, having been made, if they are then broken they are subject to effective criminal sanctions, including custody for breaching injunctions. This is no different in principle. Moreover, as with the anti-social behaviour orders, where one of the banning orders is broken, that is a criminal offence and the breach of the order would be subject to the criminal standard of proof.

Mr. Derek Twigg (Halton): I warmly welcome my right hon. Friend's statement. It is interesting that the Opposition had four or five attempts at legislation during their 18 years in power, but still failed to stop violence and disorder. It is a subject that Opposition Members seem to want to shy away from.

Let us get down to what has been proposed today. I welcome everything in my right hon. Friend's statement, but, as has already been mentioned, the Bill of the hon. Member for West Chelmsford (Mr. Burns) made it clear that magistrates had various powers that they never used. Does my right hon. Friend know why the magistrates did not carry out the actions that they should have?

Secondly, why do we again see a mass deportation, albeit of many innocent people, but obviously of some people who are not innocent, without their being taken to court in the countries where the offences were committed? Clearly, unless such countries take firm action, people will go there and think that they will get away with it again.

Finally, will my right hon. Friend say a little more about the withholding of passports on the occasion of big games, an important part of his proposals today? I think that it will be very effective.

Mr. Straw: My hon. Friend is right to call attention to the Opposition's confusion. As I have already indicated, they develop an extraordinary total amnesia—only when it suits them, however—about all events and responsibilities for actions taken before 1 May 1997. On other occasions, they want to nitpick at the record of the previous Conservative Government and bring that into comparison but, whenever it is convenient, they deny that they were involved in any way in what happened between 1979 and 1997.

My hon. Friend talked about the problems of so-called mass deportation. Many people who are used to the British system of justice will not really know administrative arrest, which is used in some European countries but not others. It is a concept by which police arrest people, detain them without charge for a period of around 12 hours and then either release them or, as in this case, deport them. In terms of the existing orders, it certainly would have been easier if the majority of those people had been subject to proper process in the criminal courts, but we have to take things as they are. One of the advantages of the new orders is that, where there is good evidence abroad of football violence by an individual, it can be used to obtain an order in this country.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Order. We shall no doubt return to this matter before too long. The House has a great deal of business to get through today and must now move on.

Point of Order

4.53 pm

Mr. Crispin Blunt (Reigate): On a point of order, Mr. Deputy Speaker.

In his answer to me after his statement on the civil list, when I asked the Prime Minister why the statement was not news to the House, because the details had already appeared on the "Today" programme and in this morning's newspapers, the right hon. Gentleman said that it was no departure, because it what was what had happened 10 years ago, when such a statement was made before. I do not believe, from the answer I received, that the Prime Minister understood the issue that I was raising. Will you take this opportunity, Mr. Deputy Speaker, to remind those on the Treasury Bench that it is their obligation to bring statements to the House before they are broadcast elsewhere?

Mr. Deputy Speaker (Mr. Michael Lord): I did not hear the exchanges which the hon. Gentleman has mentioned, and I would not want to refer specifically to them. Madam Speaker has made it extremely clear that any important Government announcements should be made in the first instance to this House.

Planning (Provision of Affordable Housing)

4.54 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): I beg to move,

> That leave be given to bring in a Bill to allow local authorities to stipulate that 50 per cent. of all new housing development should be set aside for affordable housing.

I hope that this is a subject that has broad appeal in many quarters of the House.

In January, the National Housing Federation carried out a survey that revealed the sorry state of affairs that more than half of Britain's population believe that they or their children will not be in a position financially to buy their home in 20 years' time. If we are to change that perception of the future and provide the housing that our country needs, we need massively to increase the amount of affordable housing in the UK, especially in property hot spots such as London. My Bill would not mandate local authorities to do things, but allow councils effectively to set a quota that half of the housing developments in their area should consist of affordable housing and ensure that that rule guides councils when they give planning permission to developers seeking permission to build.

Many people's lives are blighted by the lack of affordable housing, and we should not presume that the problem is confined to urban areas, such as my constituency. At the weekend, I visited the constituency of my hon. Friend the Member for Taunton (Jackie Ballard) and discovered that the issue is significant in rural communities and small towns in her area. Urban, suburban and rural communities throughout much of England face a lack of affordable housing: the same challenge confronts the smallest villages and the biggest towns and cities. I was brought up in Herefordshire: my hon. Friend the Member for Hereford (Mr. Keetch) has discovered that almost no affordable housing is being built in large parts of that county, and I know that affordable housing is now entirely absent from the market in the village in which I used to live.

My surgery, like that of many other Members of Parliament, is packed every week with people who are trying to buy a new home or to move to a decent home, but are having difficulty finding an affordable property. My constituency has the largest proportion of electors living in local authority property of any constituency in England. Today, I checked the figures with my local council and discovered that there are more than 13,000 people on the waiting list, of whom 5,000 have no tenancy.

High and rising land values combined with increasing property prices mean that we are pricing many people out of the market. Of course, little local battles can yield results: on the south bank, we had a successful battle over Coin street in the late 1970s and early 1980s, and another over the Cherry garden pier site in the 1980s and 1990s; and battles are being fought to ensure that there are affordable homes around Tower bridge and on the Heygate and Dickens estates in Bermondsey. However, the problem is not merely one of numbers and statistics, but of keeping communities together, making it possible for people to remain where their family has lived for generations, and ensuring that all communities have the key workers that they need to carry out the basic jobs on which every community depends for its support.

We could have a long debate about the definition of "affordable housing", and perhaps one day we shall. For now, I offer two definitions, the first of which appears in Department of the Environment, Transport and the Regions circular 6/98. It states that, for the purpose of planning policy, affordable housing is

> Low cost market and subsidised housing . . . available to people who cannot afford to rent or buy houses generally available on the open market.

The National Housing Federation states that

> rents are affordable if the majority of working households taking up new tenancies are not caught in the poverty trap or paying more than 25 per cent. of their net income in rent.

My arguments do not apply solely to council or local authority housing; they apply equally to properties that people take out mortgages to buy, properties in shared ownership and properties that are rented from housing associations, trusts or private landlords. I commend Tower Hamlets council and Wychavon council—authorities in different parts of the country—for taking developers to court under planning law and succeeding in defending the interests of their communities by ensuring that the developers did not pull a fast one and reduce the amount of affordable housing provided.

In London, more and more people exceed the 25 per cent. of net income threshold. The National Housing Federation says that registered social landlord rents in 1998 were unaffordable for more than 70 per cent. of households with one or more persons in work. Between 1979 and 1998, the average rent for council dwellings in London rose by 600 per cent.—three times inflation, which rose 200 per cent. in the same period. The hon. Member for Regent's Park and Kensington, North (Ms Buck) made that point well in a recent debate.

The general rate of inflation throughout the country has been 43 per cent. in the past decade, but it has exceeded 100 per cent. for housing in assured tenancies. In the past year in London, property prices have risen by approximately a quarter. The average cost of a home in this city is £163,000. The statistics speak for themselves. I do not need to tell any other London colleague, from whatever party, about the crisis that we face.

The position is a boon for property developers; it is heaven on earth for them. However, it is a nightmare from hell for people who cannot afford to remain in the community to which they belong or in which they need to work. In recent years, new housing has often been provided where it is least needed. Homelessness is increasing. Approximately six households per 1,000 throughout the country and nine per 1,000 in London are homeless.

The amount of social housing is decreasing. In 1993, approximately 31,200 social housing properties were completed. In 1999, the figure was 17,500. This year, only 13,500 affordable homes have been completed in England. Yet, according to the best projections, we need approximately 107,000 units every year for the next 10 years. Nearly 85,000 newly forming households, as well the 750,000 people who live in unfit housing, will need affordable homes.

The position is nonsensical. I am not talking about ensuring the provision of affordable, new-build housing. Approximately 750,000 houses in the United Kingdom

[Mr. Simon Hughes]

are empty. Many of them are in the wrong places to fulfil the need. That should be tackled. There are 150,000 homeless people. VAT penalises someone who brings old properties back into use; but VAT does not have to be paid on new-build housing.

I want to make an important point about key workers. I shall cite one example of a young woman called Rhian Williams, who is a special needs teacher. She teaches in Walthamstow and lives in Southwark. She earns less than £20,000 a year, and she has said publicly that she will have to move out of her flat at the end of July. It costs £287 a month. She cannot find anywhere else for less than £600 a month. She approached the Church Commissioners, who said that they would love to house her but that there would be a three-year wait. The result is that a special needs teacher, whom we need, will leave London and seek a job abroad. She is typical of many public sector workers who say that rising prices are beyond their control and that it is therefore increasingly difficult for them to carry on.

Unless there are opportunities for the teacher, the nurse at hospitals such as Guy's, the bus driver, the postal worker and the social worker to live here, we shall not have a community with the support that it needs. We are losing 10,000 key workers every year. We have an opportunity to remedy that.

The Green Paper has been issued for consultation. I welcome the Deputy Prime Minister's statement that we shall enable local authorities to secure a proportion of affordable housing in larger housing developments in urban and rural areas. I welcome the statement from the Greater London Authority that it is about to hold an inquiry on housing, and the new Mayor's indication of support for a 50 per cent. proposal.

I hope that we can have a quota for affordable housing in all developments, not only new developments; a quota for small developments, not only big developments; an obligation on councils to consider the options and, if they wish, to go up to 50 per cent. I also hope that democratically elected local representatives, not developers, will determine what constitutes housing need. We need housing that is determined by need.

Question put and agreed to.

Bill ordered to be brought in by Mr. Simon Hughes, Mr. Tom Brake, Mr. Jeremy Corbyn, Mr. Paul Keetch, Mr. Andy Love.

PLANNING (PROVISION OF AFFORDABLE HOUSING)

Mr. Simon Hughes accordingly presented a Bill to permit local authorities to increase to 50 per cent. the proportion of housing in any development which is affordable to people in low paid employment or with equivalent incomes: And the same was read the First time; and ordered to be read a Second time on Friday 21 July, and to be printed [Bill 150].

Orders of the Day

Local Government Bill *[Lords]* (Programme)

5.5 pm

The Minister for Local Government and the Regions (Ms Hilary Armstrong): I beg to move,

That the following provisions shall apply to the remaining proceedings on the Local Government Bill [*Lords*]:—

[illegible]ort and Third Reading

1. Proceedings on [illegible]nsideration and Third Reading shall be completed in two allotted days and shall, if not previously concluded, be brought to a conclusion three hours after the commencement of proceedings on the Bill on the second of those days.

Proceedings on Consideration

2. (1) Subject to the Speaker's powers to select the amendments, new Clauses and new Schedules to be proposed, the proceedings to be taken on consideration on each of the two allotted days shall be as shown in the second column of the Table in sub-paragraph (2) below and shall be taken in the order so shown.

(2) Each part of the proceedings on those days shall, if not previously brought to a conclusion, be brought to a conclusion at the time specified in relation to that part of the proceedings in the third column of the Table.

TABLE

Allotted day	*Proceedings*	*Time for conclusion of proceedings*
First day	New Clauses relating to Part I. New Schedules so relating. Amendments to Clauses 1 to 8.	One and one-half hours after the commencement of proceedings on this Order.
	New Clauses relating to Part II, other than Clauses relating to access to information. New Schedules relating to Part II, other than Schedules relating to access of information. Amendments to Clauses 9 to 20	Three hours after the commencement of proceedings on this Order.
	New Clauses relating to access to information. New Schedules so relating. Amendments to Clauses 21 and 22. Amendments to Schedule 1. Amendments to Clauses 23 to 40. Amendments to Schedule 2. Amendments to Clauses 41 to 45	Four and one-half hours after the commencement of proceedings on this Order.
	New Clauses relating to Part III. New Schedules so relating. Amendments to Clauses 46 to 54. Amendments to Schedule 3. Amendments to Clauses 55 to 80	Five and one-quarter hours after the commencement of proceedings on this Order.

	New Clauses relating to proportional representation. New Schedules so relating. New Clauses relating to Part IV. New Schedules so relating. Amendments to Clauses 81 to 86. New Clauses relating to Part V, other than Clauses relating to pensions and allowances or to the repeal of section 2A of the Local Government Act 1986. New Schedules relating to Part V, other than Schedules relating to pensions and allowances or to the repeal of section 2A of the Local Government Act 1986. Amendments Clauses 87 to 93.	Six hours after the commencement of proceedings on this Order
	New Clauses relating to pensions and allowances. New Schedules so relating. Remaining new Clauses other than Clauses relating to the repeal of section 2A of the Local Government Act 1986. Remaining new Schedules other than Schedules relating to the repeal of section 2A of the Local Government Act 1986. Amendments to Clauses 94 to 97	Six and three-quarter hours after the commencement of proceedings on this Order.
Second day	New Clauses relating to the repeal of section 2A of the Local Government Act 1986. New Schedules so relating. Amendments to Clauses 98 to 101. Amendments to Schedules 4 and 5. Amendments to Clauses 102 and 103.	Two and one-quarter hours after the commencement of proceedings on the Bill on the second day.

Conclusion of proceedings

3.—(1) For the purpose of concluding any proceedings which are brought to a conclusion at the time appointed by this Order, the Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded;

(2) Proceedings under sub-paragraph (1) above shall not be interrupted under any Standing Order relating to sittings of the House and may be decided, though opposed, at any hour.

(3) On a Motion made for a new Clause or a new Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(4) If two or more Questions would fall to be put under sub-paragraph (1)(c) on amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those amendments or Motions.

Miscellaneous

4. Paragraph (1) of Standing Order No. 15 (Exempted business) shall apply to proceedings on the Bill at today's sitting.

5. Standing Order No. 82 (Business Committee) shall not apply to proceedings on the Bill.

6. If on an allotted day a Motion for the adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) stands over from an earlier day or to Seven o'clock—

(a) the bringing to a conclusion of any proceedings on the Bill which under this Order are to be brought to a conclusion on that day after that time shall be postponed for a period equal to the duration of the proceedings on the Motion, and

(b) paragraph (1) of Standing Order No. 15 (Exempted business) shall apply to proceedings on the Bill for the period after Ten o'clock on that day for which sub-paragraph (a) permits them to continue.

7.—(1) Any private business which has been set down for consideration at Seven o'clock on an allotted day shall, instead of being considered as provided by Standing Orders, be considered at the conclusion of the proceedings on the Bill on that day.

(2) Paragraph (1) of Standing Order No. 15 (Exempted business) shall apply to the private business for a period of three hours from the conclusion of the proceedings on the Bill or, if those proceedings are concluded before Ten o'clock, for a period equal to the time elapsing between Seven o'clock and the conclusion of those proceedings.

Supplementary provisions

8. In this Order "allotted day" means today or any other day on which the Bill is put down on the main business as first Government Order of the Day.

9. If any Motion is made by a Minister of the Crown to amend this Order so as to provide a greater amount of time for proceedings on the Bill under paragraph 1 or 2 of this Order, the Question thereon shall be put forthwith and may be decided, though opposed, at any hour.

The Bill was in Committee in the House of Commons for more than 40 hours and 16 sittings, following consideration in the other place involving four days for the Committee stage, two for Report and one for Third Reading.

Debate in Committee was conducted in good spirit. It was extremely constructive, and there was a general intention of improving the Bill, which I think was achieved. An informal timetable was agreed, and was used effectively, with no curtailment of debate on any point raised by the Opposition parties. There was no complaint from either side about insufficient time being allocated for debate. Indeed, we had the opportunity to sit more frequently if we needed to.

The time allocated for Report has been discussed through the usual channels. We tabled this motion with a view to ensuring that there was sufficient opportunity, within the overall time provided, to discuss all aspects of the Bill, to which amendments have been tabled by both sides. That approach has also been discussed through the usual channels. I therefore do not intend to take up any more of the time available in discussing how we should organise the business of considering the Bill, and propose that we proceed to do so as soon as possible.

I look forward to another constructive debate today.

5.6 pm

Mr. Nigel Waterson (Eastbourne): I shall speak briefly.

It is true that the motion has been agreed by all the major parties, but I do not want the Minister to run away with the notion that we accept for a moment that six hours

[Mr. Nigel Waterson]

and 45 minutes is enough for us to discuss every clause in this not exactly short Bill—with the exception of that dealing with the section 28 issue, which will be dealt with tomorrow. It was in the spirit of trying to be helpful to the House, as always, that we agreed the motion.

As the Minister was good enough to concede, the Committee stage was conducted in good spirit. There were a few good jokes here and there, at least from our side. The Government, of course, lost almost every argument in Committee, but, sadly, none of the votes. The Minister was also good enough to confirm that we took a wholly constructive attitude. We supported the good things in the Bill and tried to make them better, and we opposed the bad. Above all, we tried to improve the Bill as a whole.

The Minister mentioned amendments, which, from her point of view, was bad salesmanship. A total of 438 Government-inspired amendments were tabled in the Lords, and, subsequently, nearly 400 more were tabled in the Commons Committee. At this late stage, the Government have tabled well over 100 new amendments—115, according to my arithmetic—again, to their own Bill. No wonder the Minister said on Second Reading that the Bill was not yet finished.

Things are going from bad to worse, as we shall see as the debates develop. Labour Back Benchers are queueing up to rubbish the Bill. The Government have been universally criticised over Cabinet secrecy. They face renewed defeats in the Lords on council structures and on section 28. Frankly, the Bill has turned into an embarrassing shambles. It is hardly surprising that the Minister was slow handclapped at the Local Government Association conference last week.

5.9 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): One advantage of having three children and 10 grandchildren is that I am used to people not listening to what I say. Indeed, some would claim that I have made an entire career of talking when no one listens to what I say, which is why I have been so long in the House of Commons. However, I want to make a serious protest about the growing practice—on the part of not just the Government, but Opposition Front Benchers—of reaching an agreement on timetabling.

The Select Committee on the Modernisation of the House of Commons has made a proposal, which has not, as far as I am aware, been debated in any real detail by ordinary Members of Parliament, to move towards the routine timetabling of all legislation. It is important that we put on record what that entails. If both Front-Bench teams agree a timetable—I am talking not about any particular type of legislation, but about all legislation—the right of Back Benchers to move amendments and the right of constituents to ask their individual Members to move an amendment that may not be agreed by their particular party will be, if not grossly circumscribed, then, even worse, lost.

As a democrat, I happen to think that the reason why the House of Commons works—indeed, the reason why our extraordinary system of government in the United Kingdom works—is because it is sufficiently flexible to allow any person who wants to write, to telephone or to visit an individual Member of Parliament to raise a matter that could form the basis of an amendment to legislation. If that is lost because of an agreement by both Front-Bench teams to get legislation through, irrespective of how many individual Members of Parliament have the right to take part in the debate, we are moving towards a juggernaut system that will destroy many of the rights of individuals in this place and in the UK generally. I am almost coming to dread the words "programme motion" or "the usual channels" because I have been here long enough to know that power always resides in the Whips Offices and with those who agree on the general programming of the material.

In my lifetime, legislation has not necessarily got better. This is not a party point. I think that all Governments are faced with the difficulty that, before Third Reading or, even worse, in another place, large drifts of amendments to Government legislation are tabled by Government managers. That cannot be acceptable.

When I was a junior Minister, the following was drummed into me: give parliamentary draftsmen enough time to frame good legislation, tell them the basis of it, argue with them on the way in which it is framed, bear in mind the general implications of the whole of the legislation and then—and only then—bring it to the House of Commons for debate. That is getting lost. To substitute for that the suggestion, "Well, it doesn't matter because Members have only so long to debate the legislation anyway. If it is not in the form that it will be in law after it is passed by both Houses, that doesn't matter. At some point or another, it can be amended in future." We must stop and think where we are getting to. As a House, we must seriously consider whether we are looking at what we are doing and are confident of the quality of the scrutiny that we are giving legislation. I do not think that that is the case.

The fact that Ministers and the Opposition Front-Bench team do not even feel nowadays that they must get up and defend at any great length the imposition of a timetable motion is in itself revealing. This is a massive Bill. It concerns local authorities across the UK. It has enormous implications. Simply to say that that is a very good reason for curtailing the debate on the various provisions does not seem to follow; it is a non sequitur. The longer and more important the Bill and the more serious the content, the more it should be looked at by all Members of the House of Commons—not just one group and not just from one particular political point of view.

The House of Commons needs very careful scrutiny. It is full of people who have high hopes and high standards, but that does not make them infallible. Civil servants are excellent and take brilliant direction, and we have parliamentary draftsmen who know superbly how to create legislation, but that does not make them infallible.

What we as individual Members of Parliament have to say—I accept that I have said this before; God help me, I may even say it again—is that it is important that the House does not routinely accept timetable motions as though they are the answer. Timetabling is not modernisation, but a retrograde movement. It takes away from the rights of the people of the United Kingdom to have on their statute book laws that work, laws that have been thought about and properly framed, and laws that the citizens themselves accept and want to uphold. When we forget that, we forget why this Parliament exists.

5.16 pm

Mr. Richard Shepherd (Aldridge-Brownhills): I say hurrah and—to quote a famous 18th-century speech in its entirety—"ditto" to the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). However, I shall not follow that 18th-century speech in like measure because, as the hon. Lady said, this is the 35th Bill in this Parliament on which debate has been truncated. The purpose of all guillotine motions, whether agreed between those on the Front Benches or not, is to prevent continuation of debate, and, therefore, in many instances, as the hon. Lady said, to deny hon. Members the opportunity to speak perhaps to their own amendments and to vote on amendments.

With today's motion, the Government hold out the prospect of certainty in the finishing of business and the rising of the House. The motion certainly would enable the House to conclude the debate, if not the votes, at 10 minutes to midnight.

The timetable motion is Government business. It is not being driven by the Opposition, although they have agreed to it. There is clearly a very firm intent by many hon. Members to go down the route of programming legislation. All I want to know about that route is, who ever consults Back Benchers?

I was not told by my Front Benchers that there was to be a guillotine on this legislation. Undoubtedly—I defer to the Minister for Local Government and the Regions on this—Labour Members were fully consulted on it. Undoubtedly, Labour Members who had signed non-Government amendments were sought out, and a calculation was made on whether there would be adequate time for them to speak as the voice of their constituency or of our country. I have no doubt that Liberal Democrat Members fastidiously went through that process. Perhaps I am making a slight criticism of my own Front Benchers for their failure to determine whether this agreed timetable motion meets the criterion required of every motion that binds the House.

The problem, of course, was demonstrated again today. Another piece of legislation has been announced on the hoof; apparently, it is to be completed by July. I should simply like to know what has happened to the Disqualifications Bill.

In truth, we have simply to examine the pattern of legislation in this Parliament to understand why there is a crisis, and the mood seems to be to accept the Government's continual guillotining of Bills. In the very first and long Session of this Parliament, there were 1,901 pages of legislation. In the second Session of this Parliament, there were 1,590 pages of legislation. In this Session, so far—not even counting what the Home Secretary has in store for us—there have been 2,537 pages of legislation. That is putting not a quart but a gallon into a pint pot. Motions such as this truncate the Government's mandate when it comes to consideration of important Bills, and hon. Members must reflect on what the Government are doing to them.

The Minister said that the 40 hours spent in a jolly little Committee upstairs covered all the dimensions of the Bill. As my hon. Friend the Member for Eastbourne (Mr. Waterson) said, that does not tally with the number of Government amendments tabled in Committee, in the Lords and now on the Floor of this House. Those amendments amount to a huge number of additional pages of legislation on top of the two and a half thousand already brought before the House this Session. They reveal that the Government have not even prepared the legislation.

The system is breaking down. The Government write legislation as it goes through the House, as the hon. Member for Crewe and Nantwich made admirably clear. The practice is improper, but yet again the House is being marched to a guillotine.

The motion contains an element that strikes against the function of Back-Bench Members. Paragraph 3 is entitled "Conclusion of Proceedings". All hon. Members want to table amendments on matters about which they feel strongly, and hope to get an opportunity to speak to them in the ordinary course of business. However, I draw the House's attention to the terms of this agreed timetable, of which paragraph 3(1) states:

> For the purpose of concluding any proceedings which are brought to a conclusion at the time appointed by this Order, the Speaker shall forthwith put the following Questions (but no others).

Paragraph 3(1)(c) makes a special category of

> the Question on any amendment moved or Motion made by a Minister of the Crown.

Paragraph 3(4) states:

> If two or more Questions would fall to be put under sub-paragraph (1)(c) on amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those amendments or Motions.

That means that one vote will cover almost all Government amendments to the Bill. No other amendments will be taken, regardless of how much they represent the opinion of Back-Bench Members from the Labour, Conservative or Liberal Democrat parties. The motion gives the Government power to abolish all the subsidiary amendments that Back-Bench Members may want to raise. The tightness of the guillotine, which allows just six and three quarter hours for debate, will not even give us an opportunity to speak.

Many hon. Members have commented that being jumped with legislation means that we cannot anticipate how we fulfil our role or function in the House. There were 52 Bills in the first Session of this Parliament—one Bill a week. Invariably, people interested in matters such as civil liberties, over which the Home Secretary rode so gaily a few minutes ago, bring their concerns to the detailed examination of legislative proposals.

I apologise to the House for the fact that I tabled amendment No. 221, to clause 60, only yesterday. It appears as a starred amendment, because it was tabled too late to be selected for debate. In a reasoned, measured debate, there would have been every possibility that I would get to speak to the amendment, which deals with matters of freedom of information and the Bill's creation of a criminal offence without any test of harm.

I am speaking up today, along with the hon. Member for Crewe and Nantwich, in order to stand up for Back Benchers. We should not give the Government the right to mandate all the amendments necessitated by the fact that they did not draw up the Bill correctly in the first place. That amounts to writing legislation on the hoof. The Government will get their amendments, but what about the voice of every diligent Back Bencher in the House who feels that he or she has a contribution to make or argument to put that may command a majority of the House?

Mr. Nicholas Winterton (Macclesfield): My hon. Friend speaks with immense knowledge of the way the

[Mr. Nicholas Winterton]

House operates, and with a fervour that can be picked up in all parts of the House. Is he not saying, in essence, that this guillotine motion—and it is typical of what might happen in the future—is making the role of Back Benchers in the House totally irrelevant and handing over control to the usual channels? Am I not right in saying that the House is a place in which Members of Parliament, whatever their role, should be heard, and that they are being denied?

Mr. Shepherd: I agree with my hon. Friend. He has only to refer to paragraphs 3(1)(c) and (4) to see that the motion gives enormous power to the Government. In addition, there is another device, to which my Front-Bench colleagues agree. What is so startling is that debate on guillotining Bills should be included in the time allotted to the first group of amendments. The objective is quite clear, and we have had enough of it—it is to stop people discussing the fact that they are being denied the right to speak to their own amendments, and even to vote on them. It has happened time after time.

One can see Ministers' eyes glazing over—they think that government is far too important a job to be troubled with the mere consideration of Bills. This is Henry VIII at his very best:

> Everything I say shall be law.

Indeed, we will not even vote on this because of paragraphs 3(1)(c) and (4) of the motion.

It is pretty futile to ask the Government what they are doing in the shape and form of these motions, but I do so nevertheless. Ultimately, they are striking not just at me but at their own Back Benchers. We have seen it time and again—for example, with the debate on air traffic control. That indicates the prospect for people who may feel strongly on issues in this Bill.

The House does not even discuss whole parts of Bills. The Disqualifications Bill that emerged from here has not re-emerged anywhere else, but we have had debates on Lords amendments in which only three and a half out of 12 groupings have been reached—what a discourtesy to the House of Lords. What does it imply when measures such as this go back to the House of Lords and it sees that we have not discussed important amendments?

Those were the remarks that I wished to make, Mr. Deputy Speaker.

5.28 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): It is always a pleasure to follow my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) and, if I may say so, the hon. Member for Crewe and Nantwich (Mrs. Dunwoody).

I oppose the timetable motion, notwithstanding the fact that I understand that it has been agreed with those on the Front Benches. That does not, from my perspective, give it any greater validity. We need first to understand how frequently this process takes place. I believe that this is the 34th timetable motion in this Parliament. That contrasts markedly with the practice in previous Parliaments.

Mr. Shepherd: I would suggest to my right hon. and learned Friend that 35 Bills have been guillotined, with well over 50 motions to secure the objective.

Mr. Hogg: I am very grateful to my hon. Friend for that clarification. The number is even greater than I anticipated. The contrast, therefore, with previous practice is even more marked. I understand that under the Government headed by my right hon. Friend the Member for Huntingdon (Mr. Major), there were some 17 timetable motions, while under the Government led by Lady Thatcher there were some 34 timetabled Bills in the 11 years that she was Prime Minister. We are seeing an extraordinary increase in the practice and it is wrong.

First, I want to emphasise and endorse what the hon. Member for Crewe and Nantwich said. She clearly articulated the anxiety that ought to be felt when these timetable motions are proposed. Her first point was on the redress of grievances. All of us, as Back Benchers, have an obligation to find suitable opportunities to express the anxieties, uncertainties and grievances of our constituents. That is one of the foremost duties of a Member of Parliament, although in this legislative sausage machine it is becoming less easy to perform. One way in which one does so is by tabling amendments to Bills, which give one the opportunity to focus on individual cases. The consequence of timetable motions, which provide a tight framework for debate, is that we cannot debate the amendments that we have tabled to provide the focus for our constituents' grievances. The hon. Lady is right about that.

The second reason why I deprecate this use of timetabling is that it is the inevitable product of too heavy a legislative programme. The reason why we have such motions—apart from the unwillingness of the Labour party to sit late—is because of the enormous legislative programmes. No one supposes for a moment, however, that this country is better governed because we have this large corpus of law; indeed, we are much worse governed. If we have to have timetable motions to get the vast body of legislation through, the solution is not to have these motions but to have less legislation.

My third point—it was also the hon. Lady's—deals with the willingness of the Government to legislate on the hoof. The hon. Lady has much experience in government and she will forgive my saying that so do I. Both of us would agree that when we started in this place, Governments were much more disciplined about preparing their Bills in advance. That is not to say that we did not sometimes legislate on the hoof, but we tried not to.

It is an absurdity that 115 Government amendments are tabled for discussion—I think that about 400 were tabled in Committee, which is also an absurdity. Also, the Bill has already been discussed in the Lords. What sort of government is this? It is thoroughly incompetent and bad government and we should not acquiesce in it by approving timetable motions.

My hon. Friend the Member for Aldridge-Brownhills referred to paragraph 3 of the motion, which enables Government business to be thrust through regardless but also prevents our ensuring that we discuss and vote on other matters.

My hon. Friend also pointed out that the time that we are taking to debate the motion will be taken out of the time for the substantive discussion. If the House does its duty by protesting against the motion, the first part of the Bill will barely be discussed. The timetable motion will prevent it from being discussed. The Government's answer is simply to say, "Well, don't talk about the timetable motion." That is a scandal, but it does not surprise me because hon. Members who were in the House last night heard the Minister with responsibility for prisons say in terms in his reply, "We, the Government party, are not interested in hearing what the Opposition have to say. Why should we be?"

The Government do not want the House to debate the matter. Indeed, the Minister for Local Government and the Regions, who is in charge of the Bill, has just left. She may have fled—[HON. MEMBERS: "No."] No, I see that she is below the Gangway with her back to me. I suppose that is courteous enough—at least she is here.

However, the point is that we are so constructing the timetable motions that we cannot debate the substance of the Bill. We have 50 pages of amendments. There are 16 groups for discussion. There are about 242 amendments, of which 115 are Government amendments. Any time for voting comes out of the overall time. We can be entirely certain that whole wedges of proposed legislation will not have been discussed in this place.

Let us remember that this is the only occasion when the House as a whole has the opportunity to discuss the detail of the Bill. Second Reading is not a substitute for that. The Report stage is when the House as a whole can discuss the legislation that will bind our constituents and our fellow citizens.

This is a scandal. I know that the Government propose to introduce more and more such motions, but it is our business, as the Opposition, to say that this is tyranny; we should play no part in it.

5.36 pm

Ms Oona King (Bethnal Green and Bow): I welcome this debate on timetabling, believe it or not; although I do not welcome its direction or logic. I shall speak only briefly, particularly as I do not want to do the House a discourtesy, because I cannot remain for the whole debate.

I cannot help but pick up on the main thrust of the arguments put forward by various Members that, if we have timetabling and programming of Bills, we undermine parliamentary scrutiny. If one wants to undermine parliamentary scrutiny, the best way to do so is to scrutinise matters in the middle of the night. That is what we do all the time.

Many hon. Members are sick to death of that ludicrous and antediluvian procedure; we certainly welcome moves to change it. I understand some of the concerns that are being expressed; they are genuine points, but my fundamental point is that they stem from the fact that, historically, opposition in this place—whether from the official Opposition or from the ranks of the Government—has only one weapon: time. Often, that results in time wasting.

Mrs. Dunwoody: In my time, I have been known to oppose my own Government—impossible though that may seem. Does my hon. Friend accept that there is a difference between carefully reading what is written in legislation and automatically opposing it? She assumes that only those who oppose the content will want to read what is in the legislation. I assure her that that is not the case.

Ms King: I assure my hon. Friend that that was not my assumption at all. I should like another assumption to be undermined—that there can be parliamentary scrutiny only if debates are allowed to proceed in an untimetabled fashion.

A further assumption is that Back Benchers, too, would not benefit from more timetabling. I would be astonished if I knew what was coming up and when. My goodness, how revolutionary that would be. I could plan what I wanted to speak on and when—the parts of the debate on which I wanted to make points that were important to my constituents.

I said that I should speak only briefly, so I shall conclude by reminding hon. Members that, earlier, it took 30 minutes to make two points. All MPs—including Back Benchers—will have to realise that we need to show a little more self-control and an ability to make our points more succinctly.

5.39 pm

Mr. Eric Forth (Bromley and Chislehurst): The House is now in distinct danger of demeaning itself and denying its essential role in the legislative process. My right hon. and hon. Friends on the Front Bench who have apparently signed up to the timetable motion have not explained to me why they have done so. They may or may not do so subsequently, but it is beyond me to understand why they have connived in this grubby little parliamentary manoeuvre. That is a matter for them, but they cannot expect me to support it, and nor do I.

The Minister boasted that the Bill had spent 40 hours in Committee. Forty whole hours—I am supposed to be impressed. Frankly, I am not. I remind the few Labour Members who have been here more than three minutes that in the good old days when they were in Opposition and they took their job seriously, in the early 1980s, it was the convention that a large Bill was in Committee for approaching 200 and certainly 150 hours before a guillotine motion was even contemplated. That expectation has come down over the years, and that may or may not be correct, but the fact that the Committee spent 40 consensual and jolly hours apparently not doing a very good job of scrutinising the Bill should not impress those of us who were not members of the Committee when we reach Report stage. So we can dismiss that as an unsatisfactory and specious argument.

If we look in detail at this ghastly guillotine motion agreed by those on the so-called Opposition Front Bench, we see that the large number of measures contained in each group of amendments in the first set of groups gives rise to the extraordinary phenomenon that, were we to debate the first group—the structure of the guillotine will effectively diminish the time available—we would have six minutes for each of the items within that group. The group contains some important provisions about Wales, local authority powers, consultation and many matters which in normal circumstance would require proper debate and consideration.

When I say six minutes for each item, that is six minutes for the entire House and for all Members present to make the contribution that they want to make. That is

[Mr. Eric Forth]

not including the time that will be taken if the House decides to express its view in a Division. I know that Divisions are unfashionable on the Government side, but some of us still cling to the idea that casting a vote in this place as well as saying something is of some importance. The consensus between the two Front Bench teams may have eliminated that possibility, but some of us still hold it rather dear. We may want to divide the House as often as possible just to cling on to the power as long as we still have it, but I shall leave that idea to colleagues to contemplate.

The second set of groups of amendments is even more extraordinary. By my calculation, one minute is allowed per item selected by the Speaker for debate and consideration by the House. That is one minute in total for all Members of the House present who wish to participate. Even if we accept the strictures of the hon. Member for Bethnal Green and Bow (Ms King) to be brief, she surely agrees that a minute to debate an entire item is just a little restrictive.

We shall be discussing executive arrangements, overview and scrutiny arrangements, matters such as the resignation of a deputy mayor and the definition of the role of a mayor and of assembly members. I have picked just a few matters at random. Those are matters that surely justify more than a minute's debate, but apparently not. It has been agreed that a minute per item is all that is required in this ever more modern House of Commons. Those who have put their names to this measure apparently agree with that.

For the next two groups of amendments, three minutes per item has been allowed. For the one after that, one minute has been allowed. For the one after that five minutes, and for the one after that, three minutes. Then, bizarrely, we are apparently to spend two and a quarter hours on homosexuality. I leave the world outside to make a judgment about that priority. It strikes me as odd to say the least that we should dwell on homosexuals for two and a quarter hours while skipping lightly over tribunals, membership of the standards committee, investigative procedures, proportional representation, and procedures and timing for elections. All of those will be swept aside in a matter of minutes, while we dwell on homosexuals at length in a leisurely manner.

This cannot be serious, as one of the people I have been watching over the weekend, Mr. McEnroe, would no doubt say if he was here. I find it saddening and demeaning for the House that we are being asked to support a measure as grubby and disgraceful as this. I do not give it my support. If the House were to divide, I would want to vote against it. If the House does not divide, I want it to be very well known that I join my right hon. and hon. Friends in utterly opposing the motion and its like.

5.45 pm

Mr. Nicholas Winterton (Macclesfield): I will be very brief. I believe that in the very near future, if not during this debate, the House will have to decide whether there is any meaningful constitutional role and responsibility for the genuine Back Bencher in the House.

I believe that the position of Back Benchers is being increasingly eroded and made more and more difficult, and more and more irrelevant. As a Back Bencher of some standing in the House I deeply regret that, because it is not just a matter of Opposition and Government. As the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) has so often said in the House, with great commitment and great knowledge and great experience, there are divisions within the political parties in the House; and I believe that, if the House is to have any meaningful role in the eyes of the electorate at large, those views that differ within a party, let alone those on which there are differences across the House, should have a proper opportunity for expression in this place.

The hon. Member for Bethnal Green and Bow (Ms King) spoke about wanting to be able to plan ahead as to when she was going to speak and to plan the other duties that, rightly, she has in the House. I must tell her that, given the volume of legislation—which was so well conveyed by my right hon. and hon. Friends—she is most unlikely to be called; and she was not elected to the House merely to trot through the Lobby in support of her party. Similarly, I remind those on the Conservative Front Bench that I was not elected by the people of Macclesfield to trot through the Lobby in support of everything that my party says either in opposition or in government; that is not what the House is about.

Mr. David Davis (Haltemprice and Howden): I just want to present to my hon. Friend evidence in support of his argument that the problem is not the fact that the Opposition's main weapon is time, but the progressive tendency of all Governments over time to compress Report stages. In the 1970s, multi-day Report stages were the norm; today, they are the exception. That is why half of all the guillotines and timetable motions in the past 15 years have occurred in the past three years, under the present Government.

Mr. Winterton: My right hon. Friend is absolutely right, and he, too, has much experience of the way that the House operates. He has been a Minister. He currently chairs perhaps the most important Select Committee of the House and, I believe, is well regarded from all parts of the House for the contribution that he has made to the deliberations in the House. The point that he makes is absolutely right.

My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) was absolutely right to point out the amount of legislation that the House is being expected to deal with. In this Session of Parliament alone, we are dealing with more than 2,500 pages of legislation. That is outrageous; and for the only opportunity that the whole House has to discuss the nitty-gritty of a Bill to be constricted and to be prescribed as is proposed in the motion before us is, I believe, absolutely outrageous.

I say to Ministers, there is also a severe problem in this prescriptive motion, because the Government could seek to persuade their own Members to speak at length on amendments, thus preventing the real, crucial issues that are of concern to the Opposition ever being debated.

The Government are neutering the House of Commons.

Ms Oona King *rose—*

Mr. Winterton: They are raping the House of Commons. They are castrating the House of Commons.

They are doing so by denying the right of Back Benchers to contribute, virtually at any stage of the Bill's passage. I do not believe—

Ms King: The hon. Gentleman suggested that timetabling is not necessary and that I want it because I need time to prepare for a speech. But earlier, I spoke after 30-seconds notice. He said that the timetabling motion is outrageous and that the Government are castrating the House.

However, has he noticed that not a single woman is on the Opposition Back Benches? Unpredictability further discriminates against women. That is outrageous.

Mr. Winterton: I have to tell the hon. Lady that, of all the people in the House, I most value the fact that the House is accessible to women Members of Parliament. I should know; I am married to one. She came into the House on her own merit and she speaks for the Conservative party on an important matter.

As the hon. Lady is more than aware, many things take place in the House other than the debate that is currently taking place in the Chamber. I shall not comment on who is present and on what sex they are. All I can say is that Conservative Members believe fervently in genuine debate.

The motion will deprive us of the opportunity to debate the issues and of influencing those on the Government and the Opposition Front Benches. I think that the House will rue the day that this motion is passed, as it will be because of the Government's huge majority. However, representatives of the Opposition parties are putting down markers that the purpose of the House is being undermined and destroyed.

I regret the fact that my hon. Friends on the Opposition Front Bench have agreed to the motion. It is an abuse of the House and I support the views of my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), of my hon. Friend the Member for Aldridge-Brownhills and of the hon. Member for Crewe and Nantwich. It might embarrass the hon. Lady, but I must say that she is a fervent and stalwart believer in democracy and parliamentary democracy. It is a pity that more Labour Members are not prepared to take the same stance. I congratulate her, as she as been congratulated by my hon. Friends. I only wish that there were more like her in the House.

5.52 pm

Mr. Graham Brady (Altrincham and Sale, West): It is very difficult to follow my hon. Friend the Member for Macclesfield (Mr. Winterton) but, as ever, it is a great privilege. I endorse everything that he said.

I want to speak briefly to underline the important warning that was given at the outset of the debate by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), who raised the concern about the rights of Back Benchers. I am particularly moved to do so because of an experience that I had a few weeks ago in relation to the Transport Bill, which was also timetabled. A complete absurdity took place. I tabled an amendment which I was told had the support of Ministers, and I knew that it had the support of Members from both sides of the House and of all the major parties. However, that amendment could be neither debated nor voted on because of a timetable motion.

We are in precisely the same position this evening. My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) has tabled an important amendment that merits debate and consideration. However, that amendment cannot be debated or considered, and that is bad for the House of Commons. As the hon. Member for Crewe and Nantwich said, it is also bad for our country and our democracy. We are not far from considering the important deliberations of the Modernisation Committee on the timetabling of legislation, so it is vital that all Members, particularly Back Benchers, understand what we stand to lose if we proceed with the further timetabling of legislation.

The hon. Member for Bethnal Green and Bow (Ms King) committed an error that is often made when making the argument for timetabling all legislation. She confused that argument with the one about the hours that Parliament sits. We are not talking about what time of day or night we hold our debates, and it is always possible to have debates on more than one day if it is necessary to do so to avoid sitting late. However, if we timetable all legislation, it is certain that the rights of Back Benchers to influence legislation and the rights of ordinary citizens to have their views and concerns expressed in the House of Commons will be vastly diminished. That will be regrettable and it will greatly damage our proud parliamentary democracy.

I was heartened to hear the excellent contributions from those Members on both sides who warned of the consequences of what is being contemplated. I only hope that all Members start to hear those important warnings before it is too late.

5.55 pm

Mr. Nigel Evans (Ribble Valley): Although I accept that my hon. Friends on the Opposition Front Bench have come to an arrangement with the Government, I have enormous reservations about the guillotine motion that is being discussed. It is an admission by the Government of the enormous work load that they are trying to push through this place in a short time. People will wonder why the House of Commons will rise on 28 July and return on 23 October, which is one of the longest recesses that there has ever been. That means that the time that we have to discuss, scrutinise and improve legislation will be truncated. Yet, the number of amendments that the Government have tabled shows that they believe that this Bill can be improved.

The hon. Member for Bethnal Green and Bow (Ms King) seems to believe that the Report stage exists merely for the Opposition to delay the Government getting their way. That is not what it is about. We have been sent here by our constituents to consider and to improve legislation, so that the Acts that we put on to the statute book are as good as they possibly can be.

A full debate is not just an opportunity for Opposition Back Benchers. It also allows Government Back Benchers to scrutinise the Bill. The problem with a timetable motion is that my contribution even on this motion is being shortened. Because of the guillotine motion, I am a less effective Back Bencher than I otherwise could be. *[Interruption.]* No, we are all less effective. The role of

[Mr. Nigel Evans]

Parliament has been diminished by the motion. It is not about the Executive getting their legislation through; it is about the weakening of Parliament, and the weakening of Parliament weakens us all.

Question put and agreed to.

Resolved.

That the following provisions shall apply to the remaining proceedings on the Local Government Bill [*Lords*]:—

Report and Third Reading

1. Proceedings on Consideration and Third Reading shall be completed in two allotted days and shall, if not previously concluded, be brought to a conclusion three hours after the commencement of proceedings on the Bill on the second of those days.

Proceedings on Consideration

2. (1) Subject to the Speaker's powers to select the amendments, new Clauses and new Schedules to be proposed, the proceedings to be taken on consideration on each of the two allotted days shall be as shown in the second column of the Table in sub-paragraph (2) below and shall be taken in the order so shown.

(2) Each part of the proceedings on those days shall, if not previously brought to a conclusion, be brought to a conclusion at the time specified in relation to that part of the proceedings in the third column of the Table.

TABLE

Allotted day	*Proceedings*	*Time for conclusion of proceedings*
First day	New Clauses relating to Part I, New Schedules so relating, Amendments to Clauses 1 to 8.	One and one-half hours after the commencement of proceedings on this Order.
	New Clauses relating to Part II, other than Clauses relating to access to information. New Schedules relating to Part II, other than Schedules relating to access of information, Amendments to Clauses 9 to 20	Three hours after the commencement of proceedings on this Order.
	New Clauses relating to access to information, New Schedules so relating, Amendments to Clauses 21 and 22, Amendments to Schedule 1, Amendments to Clauses 23 to 40, Amendments to Schedule 2, Amendments to Clauses 41 to 45	Four and one-half hours after the commencement of proceedings on this Order.
	New Clauses relating to Part III. New Schedules so relating, Amendments to Clauses 46 to 54, Amendments to Schedule 3, Amendments to Clauses 55 to 80	Five and one-quarter hours after the commencement of proceedings on this Order.
	New Clauses relating to proportional representation, New Schedules so relating, New Clauses relating to Part IV, New Schedules so relating, Amendments to Clauses 81 to 86, New Clauses relating to Part V, other than Clauses relating to pensions and allowances or to the repeal of section 2A of the Local Government Act 1986, New Schedules relating to Part V, other than Schedules relating to pensions and allowances or to the repeal of section 2A of the Local Government Act 1986, Amendments Clauses 87 to 93.	Six hours after the commencement of proceedings on this Order.
	New Clauses relating to pensions and allowances, New Schedules so relating, Remaining new Clauses other than Clauses relating to the repeal of section 2A of the Local Government Act 1986, Remaining new Schedules other than Schedules relating to the repeal of section 2A of the Local Government Act 1986, Amendments to Clauses 94 to 97	Six and three-quarter hours after the commencement of proceedings on this Order.
Second day	New Clauses relating to the repeal of section 2A of the Local Government Act 1986, New Schedules so relating, Amendments to Clauses 98 to 101, Amendments to Schedules 4 and 5, Amendments to Clauses 102 and 103.	Two and one-quarter hours after the commencement of proceedings on the Bill on the second day.

Conclusion of proceedings

3.—(1) For the purpose of concluding any proceedings which are brought to a conclusion at the time appointed by this Order, the Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded;

(2) Proceedings under sub-paragraph (1) above shall not be interrupted under any Standing Order relating to sittings of the House and may be decided, though opposed, at any hour.

(3) On a Motion made for a new Clause or a new Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(4) If two or more Questions would fall to be put under sub-paragraph (1)(c) on amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those amendments or Motions.

Miscellaneous

4. Paragraph (1) of Standing Order No. 15 (Exempted business) shall apply to proceedings on the Bill at today's sitting.

5. Standing Order No. 82 (Business Committee) shall not apply to proceedings on the Bill.

6. If on an allotted day a Motion for the adjournment of the House under Standing Order No. 24 (Adjournment on specific and important matter that should have urgent consideration) stands over from an earlier day or to Seven o'clock—

(a) the bringing to a conclusion of any proceedings on the Bill which under this Order are to be brought to a conclusion on that day after that time shall be postponed for a period equal to the duration of the proceedings on the Motion, and

(b) paragraph (1) of Standing Order No. 15 (Exempted business) shall apply to proceedings on the Bill for the period after Ten o'clock on that day for which sub-paragraph (a) permits them to continue.

7.—(1) Any private business which has been set down for consideration at Seven o'clock on an allotted day shall, instead of being considered as provided by Standing Orders, be considered at the conclusion of the proceedings on the Bill on that day.

(2) Paragraph (1) of Standing Order No. 15 (Exempted business) shall apply to the private business for a period of three hours from the conclusion of the proceedings on the Bill or, if those proceedings are concluded before Ten o'clock, for a period equal to the time elapsing between Seven o'clock and the conclusion of those proceedings.

Supplementary provisions

8. In this Order "allotted day" means today or any other day on which the Bill is put down on the main business as first Government Order of the Day.

9. If any Motion is made by a Minister of the Crown to amend this Order so as to provide a greater amount of time for proceedings on the Bill under paragraph 1 or 2 of this Order, the Question thereon shall be put forthwith and may be decided, though opposed, at any hour.

Local Government Bill *[Lords]*

As amended in the Standing Committee, considered.

New Clause 8

POWER TO MODIFY ENACTMENTS CONCERNING PLANS ETC: WALES

'.—(1) Subject to subsections (4) and (6), the National Assembly for Wales may by order amend, repeal, revoke or disapply any enactment to which subsection (2) applies so far as that enactment has effect in relation to a local authority in Wales.

(2) This subsection applies to—

(a) section 49(1)(c) of the Environmental Protection Act 1990,

(b) section 2 of the Home Energy Conservation Act 1995,

(c) section 84(2)(b) of the Environment Act 1995,

(d) any other enactment (whenever passed or made) which—

(i) requires a local authority to prepare, produce or publish any plan or strategy relating to any particular matter, and

(ii) is specified in an order made by the Secretary of State under this subsection.

(3) The power under subsection (1) may be exercised in relation to—

(a) all local authorities in Wales,

(b) particular local authorities in Wales, or

(c) particular descriptions of local authority in Wales.

(4) The power under subsection (1) may be exercised in relation to a local authority only if the National Assembly for Wales considers—

(a) that it is not appropriate for any such enactment as is mentioned in that subsection to apply to the authority, or

(b) that any such enactment should be amended so that it operates more effectively in relation to the authority.

(5) The power under subsection (1) to amend or disapply an enactment includes a power to amend or disapply an enactment for a particular period.

(6) An order under subsection (2)(d)(ii) which specifies any enactment may provide that the power under subsection (1) may be exercised in relation to that enactment only if the National Assembly for Wales complies with any conditions specified in the order.

(7) In this section "enactment" includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978).'.—*[Mr. Hanson.]*

Brought up, and read the First time.

5.58 pm

The Parliamentary Under-Secretary of State for Wales (Mr. David Hanson): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Lord): With this it will be convenient to discuss the following: new clause 6—*Exercise of power under section 5*—

'.—(1) A local authority may submit a proposal to the Secretary of State that the power under section 5 should be exercised in relation to that authority in accordance with that proposal.

(2) The Secretary of State may be regulations make provision for or in connection with the submission of an application by a local authority under subsection (1) above.

(3) Regulations under this section may include provision—

(a) for the information required in any application;

(b) for a local authority to show it has the capacity to give effect to the proposals;

(c) for a timetable for consideration of a proposal;

(d) for consultation with representatives of local government upon the proposals;

(e) for independent assessment of a proposal;

(f) for reasons to be given when an application is unsuccessful.'.

Amendment No. 16, in clause 5, page 3, line 21, at beginning insert—

'( ) A local authority may apply to the Secretary of State to amend, repeal, revoke, or disapply an enactment (whenever passed or made) which it considers prevents or obstructs it from exercising its power under section 2(1)'.

Amendment No. 17, in page 3, line 21, after "thinks", insert—

', whether or not on the application of a local authority,'.

Amendment No. 18, in page 3, line 24, at end insert—

'( ) Before exercising the power under subsection (1) the Secretary of State shall consult representatives of local government and such persons as he feels appropriate.'.

Government amendment No. 100.

Mr. Hanson: Clause 6 confers a power on the Secretary of State by order to amend, repeal, revoke or disapply any enactment, whenever passed or made, that requires a local authority to prepare, produce or publish any plan or strategy relating to any particular matter. New clause 8 and amendment No. 100 make provision for the exercise of that power by the National Assembly for Wales. In doing so, they seek to balance the Assembly's legitimate desire to have a degree of control over legislation affecting Welsh authorities while reflecting that this House and Parliament retain primacy in relation to primary legislation.

New clause 8 states that the Assembly may exercise the powers in clause 6 in relation to the plans specified in subsection (2). That covers issues relating to air quality, energy conservation and waste disposal. The plans concern specific policy issues that have been devolved to the National Assembly, and the Government consider that the Assembly should be able to determine how local authorities in Wales should exercise their responsibilities in relation to those issues. The list in subsection (2) is not comprehensive, and subsection (2)(d) provides for the Secretary of State to specify further plans over which the Assembly can exercise powers under clause 6 in due course.

6 pm

Amendment No. 100 makes provision for the role of the Assembly in relation to the powers contained in new clause 6. It ensures that the Secretary of State will consult the Assembly before using his powers in clause 6 in a way that affects local authorities in Wales, and that no changes can be made to the Assembly's own legislation without its full consent. It also provides the Assembly with powers to submit proposals to the Secretary of State in order to make changes to planning requirements which are not contained in subsection (2) of the new clause. The amendments represent a sensible division of responsibility between the National Assembly and Parliament.

Grouped with these amendments are new clause 6, which was tabled by the hon. Member for Bath (Mr. Foster), and amendments Nos. 16, 17 and 18, which were tabled by the official Opposition. I will potentially listen to the Opposition's points but, briefly, all four amendments are, I hope, unnecessary. Local authorities can already make proposals to the Secretary of State. Indeed, my hon. Friends are actively encouraging them to do so through a range of initiatives. We have made it clear that we will look very closely at any proposals that come out of those initiatives, just as we will consider carefully and respond to proposals from any other local authority. I therefore hope that there is no question of any proposals being ignored.

In the interests of time and given that many of the scrutineers—having argued for a considerable period about scrutiny of the Bill—have now disappeared from the Chamber, I shall commend the Government amendments and hope that the House will agree to them.

Mr. Don Foster (Bath): We are more than happy to support the Government new clause, which gives important recognition to the work of the National Assembly for Wales. I wish to speak predominantly, but briefly, to new clause 6. I noted the Minister's rather strange use of the phrase, "I will potentially listen". I think that I am quoting him correctly.

Mr. Hanson: I said, "I will particularly listen".

Mr. Foster: If the Minister checks the record he will see that he said, "I will potentially listen." I hope that he will listen to the arguments and, while I suspect that I may not persuade him to accept the precise wording of new clause 6, I hope that he might be able to add some words of encouragement to the points that I shall raise.

The House will be aware that, under part I, all local councils will be given potentially important new powers on well-being. Liberal Democrat Members welcome those powers very much indeed and, with the Government, recognise that from time to time an existing piece of legislation may get in the way of local authorities exercising those powers in the way that they think appropriate. Clause 5 therefore gives the Secretary of State the power to

amend, repeal, revoke or disapply

enactments that may get in the way of an individual council, all councils or particular groups of councils. We welcome the fact that the Secretary of State is to have that power.

Our concern is simply this: it is right and appropriate for an individual council that believes that a particular enactment is getting in the way of it fulfilling its new powers under the well-being clause to be able to go to the Secretary of State and seek his support for changes or revocations of that enactment. On 11 May, the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Stretford and Urmston (Ms Hughes), said:

> The Government have established the central-local partnership, a regular and formal meeting of local government representatives and Ministers not only from my Department, but across Government. That is the proper vehicle through which the experiences of local authorities can be discussed and brought to the attention of the Secretary of State.—[*Official Report, Standing Committee A,* 11 May 2000, c. 114.]

We accept that that is one vehicle which enables councils to draw their concerns to the attention of the Secretary of State. However, we believe that there should be a bottom-up approach, in which an individual council should be able to go directly to the Secretary of State and not through the central-local partnership route. New clause 6 merely gives effect to the desire that an individual council should be able to go and discuss its concerns directly with the Secretary of State and seek his support for its wish to make changes to existing enactments.

If the Minister is not prepared to accept the particular formulation of new clause 6, I hope that he will be able to put clearly on the record that individual councils will have the opportunity sought by the new clause, regardless of whether that is included in the Bill or simply a matter of him giving that assurance.

Mr. Simon Thomas (Ceredigion): First, I acknowledge the fact that the Government are doing right by new clause 8, which is the correct way forward in the existing constitutional and devolutionary arrangements between the National Assembly and this House. However, there was scope for the Government to go a little further, as the Minister is well aware. He will also be aware that Members of the National Assembly shared disappointment across the Assembly Floor in response to the statement from the Local Government Secretary, Peter Law, this afternoon.

For future reference, it is important to note some areas in which the Assembly is closely involved in local government in Wales, such as European development plans—the process for which will shortly restart in Wales—best value plans, local education plans and so on. By virtue of the fact that local government in Wales is a devolved matter and by virtue of the developing role of the National Assembly for Wales, such matters could in time—and perhaps even now, under the Bill, have come under the aegis—*[Interruption.]* I am pleased to hear from a sedentary intervention that those things will happen, as it is in those areas that local government most interacts with local people, and through which local people see their values and aspirations put into print in local government documents and reflected in priorities that the National Assembly for Wales may well take forward.

Many people in Wales want and expect to see that sort of thing emerge in the fullness of time from the Bill and the new arrangements for local government in Wales. However, there is some disappointment that the new clause, as presently constituted, does not take a wider approach to some possibilities for devolution and local government in Wales. We were told that, together, the Labour Administration at the National Assembly and the Labour Government in London would always ensure the best possible co-operation at every stage of devolution. That does not always seem to be the way because, for whatever reason—and perhaps the problem is with Government Departments, rather than Government Ministers—there are entrenched ways and, occasionally, a rather slow approach to developing local government in Wales.

The new clause is rather disappointing for what it leaves out. However, it is to be welcomed for what it includes, which is probably the minimum necessary to ensure a balanced set of powers in the Bill. However, from the Welsh perspective it is a rather poor start to consideration of the Bill. I very much hope that the power that the Bill gives the Secretary of State—which is given to the Secretary of State for the Department of the Environment, Transport and the Regions, not a Secretary at the National Assembly—will include other plans which, when the time comes, will be used in an active and pro-active way.

Peter Law himself said that he is under the impression that devolution is

> outside the radar of the DETR.

On occasion, it is not so much outside the radar as that the radars, seemingly, are not pointing in the right direction. I hope that they will in future.

Mr. Nigel Waterson (Eastbourne): I have news for the hon. Member for Ceredigion (Mr. Thomas): DETR does not possess any radar—at least, not in my experience.

It will not have escaped the attention of right hon. and hon. Members that the time taken by the debate on the programme motion—which is of course taken out of the time for debating these important provisions—was 53 minutes, which is well over half the time allotted for substantive debate on the first two groups of amendments.

I shall deal first with Government new clause 8, although I shall speak primarily to the Opposition amendments. The new clause seems straightforward and is linked with Government amendment No. 100. These matters clearly arise from devolution, and I do not want to get into a debate about that. I am puzzled about why the need for the changes was not spotted before, because it seems fairly obvious.

One loses count, but I think that new clause 8 is one of 115 new clauses and amendments that the Government have tabled on Report. The only good news is that as the Bill bounces back and forth between here and the other place, the Government will have ample opportunity to rewrite it at least a couple more times. Although I do not query the sense of the new clause, I wonder why it has been unleashed on an unsuspecting House at this late stage.

I hope that Liberal Democrat Members will not mind if I do not speak to new clause 6, which has broadly the same thrust as our amendments—which deal with a point that we debated briefly in Committee. We have tabled amendments similar to those that we tabled in Committee simply because Ministers were not prepared to accept those amendments any more than they are prepared to accept these.

As hon. Members have pointed out, the Bill gives the Secretary of State significant powers to amend, repeal, revoke or disapply an Act in pursuance of the new well-being power. Given that the power is meant to be a benefit to local authorities, however, it strikes us as slightly eccentric that the Bill does not make it clear that local authorities should be consulted and that they can apply to the Secretary of State for him to exercise his powers. The thrust of our amendments, like our amendments in Committee, is to allow local authorities to initiate that process and ask the Secretary of State to disapply certain enactments that are getting in the way of exercising the new power.

That approach is supported by the Local Government Association, which said that it would

> support a procedure that would allow authorities, by declaration, to state that all or some of their statutory plans were covered by their community strategy.

[Mr. Nigel Waterson]

It was in that spirit that we tabled the amendments in Committee.

If that approach is not a problem, one wonders why Ministers were not prepared to accept the amendments. If they have every intention of consulting local authorities, as they say—we accept what they say, because we know that they are enthusiastic consulters—and of permitting local authorities to apply to the Secretary of State to initiate the process, why not say so in the Bill? I do not see what the problem is. As in Committee, we will not be pressing the amendments to a vote, but there are important questions that the Minister needs to answer.

Mr. Hanson: If, at the beginning of my earlier remarks, I said that I would "potentially" listen, I must point out that I meant to say "particularly", and I apologise.

I hope that I will be able to reassure the hon. Members for Eastbourne (Mr. Waterson) and for Bath (Mr. Foster). I said earlier that new clause 6 and amendments Nos. 16 to 18 are unnecessary, and I meant that in a positive way. Local authorities can already make proposals to the Secretary of State; indeed, as I have said, we actively encourage them to do so, and both hon. Gentlemen recognised that.

We shall discuss with the Local Government Association and, perhaps, the Welsh Local Government Association, formal arrangements for regular consideration of the use of the powers through the central-local partnership. It is important to highlight the availability of clauses 5 and 6 powers in the statutory guidance on the use of the well-being power and community strategies. That would provide a clear and permanent reminder to local authorities that they can apply to the Secretary of State at any time. I say to the hon. Member for Bath that there is nothing to stop an individual council making proposals to the Secretary of State at any time. I am sure that my hon. Friends will welcome that positive provision for England.

On amendment No. 18 in the name of the hon. Member for Eastbourne, clause 8 already requires the Secretary of State to consult local authorities and local government on proposals to use his clauses 5 and 6 powers. The amendment is therefore otiose. I hope that the hon. Gentleman accepts that explanation.

6.15 pm

The discussion has been interesting and I accept the point made by the hon. Member for Ceredigion (Mr. Thomas). I welcome his positive approach to the Government new clause and amendment. As part of my duties, I watched the statement being made in the National Assembly this afternoon, and I watched with interest the important debate that followed.

Understandably, the Assembly seeks the greatest possible scope to exercise secondary legislation powers. It is the Government's job to propose how the Assembly's wishes can be reconciled with the role of Parliament in introducing primary legislation, and that is what our amendments seek to do. I say to the hon. Gentleman that the door is not closed. The Assembly Secretary, Peter Law, confirmed in his statement that he is and will continue to be in dialogue with my right hon. Friend the Secretary of State for Wales, myself and colleagues in DETR and other Departments with potential involvement in the powers.

Mr. Llew Smith (Blaenau Gwent): My hon. Friend said that he understood why the Assembly wanted more powers. Does he think that before it pushes for more powers, it should consider those that it already has, such as the power to make a bonfire of quangos, as it promised to do? Will my hon. Friend confirm whether there has been a bonfire of quangos? If so, when and where did it happen? If not, why has the Assembly not used the powers at its disposal to democratise government in Wales and to increase the power of local government?

Mr. Hanson: My hon. Friend raises an interesting point. In passing the Government of Wales Act 1998, there was a desire, which I share, to ensure that we democratise quangos in Wales. He and I, and the House, will have to judge in due course the extent to which the National Assembly has achieved that objective. In response to the Assembly Secretary's statement this afternoon, my hon. Friend the Member for Wrexham (Dr. Marek), who is also an Assembly Member, made the same point as my hon. Friend the Member for Blaenau Gwent (Mr. Smith), and said that the Assembly should make good use of its existing powers before taking on new ones.

I hope that hon. Members can accept the new clause, and that I have been able to reassure the hon. Members for Bath and for Eastbourne that the Government are willing to listen to them. I thank the hon. Member for Ceredigion for his welcome for the Government's steps to date. Obviously, we may return to this matter in future.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

Clause 2

PROMOTION OF WELL-BEING

Mr. Don Foster: I beg to move amendment No. 95, in page 1, line 18, after "anything", insert—

'including, subject to section 3(2), the raising of money.'.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this it will be convenient to discuss the following amendments: No. 8, in page 2, line 6, leave out "or present".

No. 9, in page 2, line 8, at end insert—.

'( ) A charge may be imposed in respect of anything which is done in the course of exercising the power under section 2(1).'.

No. 55, in page 2, line 21, at end insert—

'( ) Action taken by a local authority outside its own boundaries shall only be undertaken with the consent of the authority within whose boundaries the action is proposed to be taken.'

No. 11, in page 2, line 23, at end insert—

'(7) Nothing in this part shall empower a local authority to engage in trade otherwise than is provided for by the Local Authority (Goods and Services) Act 1970'

No. 10, in clause 3, page 2, line 28, leave out subsection 2 and insert—

'( ) The expenditure of a local authority under this Part in any financial year shall not exceed the amount obtained by applying the relevant provisions of subsections (4), (4AA), (4AB), (4A), (4B) and (4C) of section 137 of the Local Government Act 1972.

> ( ) All expenditure under this Part shall be subject to the accounting and inspection requirements set out in subsection (7) of section 137 of the Local Government Act 1972.'.

No. 212, in page 2, line 28, leave out subsection (2).

No. 96, in page 2, line 29, leave out "or otherwise".

No. 15, in clause 4, page 3, line 17, at end insert—

> '(4) A local authority may require other public bodies, whether statutory or voluntary, in its area to comply with and to participate in its strategy for promoting or improving the economic social or environmental well-being of their area.'.

No. 97, in page 3, line 20, at end insert—

> '( ) No requirement imposed by this section restricts the exercise of the power under section 2.'.

Mr. Foster: I said earlier that Liberal Democrat Members, at least, welcome the new power to promote well-being which the Bill gives councils. There is, however, concern in many quarters about the financial arrangements for exercising that new power. The Government, rightly, are anxious to ensure that councils cannot, under the power, introduce new forms of taxation or other ways of raising money. That is covered explicitly in clause 3(2).

That subsection says, however:

> The power under section 2(1) does not enable a local authority to raise money (whether by precepts, borrowing or otherwise).

There is concern that the words "or otherwise" provide the Government with a catch-all arrangement whereby any possible means of raising funds to pay for activities introduced under the power of well-being may be proscribed.

The general view is that it would be far better if the Government stated explicitly in the Bill which fund-raising activities they wish to proscribe and allowed local councils to use any other approach that they may deem appropriate. The problem is compounded by the fact that the Government are undertaking a major review of local government finance. At present, there is still considerable uncertainty about the outcome of that review and widespread concern that, although local authorities may be given a new power of well-being, they may find it difficult to raise the funds needed to carry out some of the activities that they believe are important.

Local councils might engage in activities in partnership with other bodies in their areas. Indeed, the Government rightly wish to encourage such activities, but there is confusion about the financial implications if such a partnership were to raise money and produce a surplus. Perhaps the Minister will consider the specific example of a partnership involving a local authority and other bodies that chose to establish a shop in a rural community. Would that shop be permitted to generate a surplus under the phrase "or otherwise" in clause 3(2)?

The purpose of amendments Nos. 95 and 96 is allow the Minister to provide greater clarification of the arrangements. She drew the Committee's attention to the powers under section 150 of the Local Government and Housing Act 1989 and suggested that section could represent the vehicle by which councils could use such powers. It is important that she clarify precisely how she believes that section could be used to deal with the problem.

Amendment No. 97 raises a separate point. Under the Bill, councils will be required to develop community strategies and to have regard to them subsequently in any activity that they undertake. That makes perfect sense. However, the concern, which is best illustrated by the problems that occurred at the Rover plant in Birmingham, is that a council may wish to propose several activities that it believes are the right ones to undertake in response to a particularly difficult problem, but that they might not be covered in the strategy that the council has developed. Will the council have acted correctly if it develops activities that are not contained in the community strategy? Such activities may lead to legal challenges.

The purpose, therefore, of amendment No. 97 is to provide some comfort to councils that propose activities that are outside the community strategy, but which they believe are in the best interests of the people whom they serve. The Minister gave an assurance in Committee that

> it is perfectly legitimate for one to deal with an issue in a way not outlined in the community strategy.

She accepted that the Government had

> to create legislation that deals with the real world and the way in which people act . . .—[*Official Report, Standing Committee A*, 11 May 2000; c. 96.]

The problem is that councils may act in the best interests of the local community, but legal action may be taken against them for so doing. Amendment No. 97 would therefore provide some comfort for councils that attempt to act in the best interests of the people whom they serve.

Mr. Waterson: I shall of course speak to amendments Nos. 8, 9, 55, 11, 10, 212 and 15. My hon. Friends and I welcome the new power, as does local government in general. However, as we argued in Committee, we think that the Government's proposal is a smoke-and-mirrors exercise because no new money attaches to the new power. Ministers have made it abundantly clear that councils will be given no extra money to exercise the new powers and that, if any of them tries to use existing methods of raising money, it could get into difficulties with the capping regime. We have serious doubts about how effective or helpful local authorities will find the new power.

In the brief time left for this debate, I shall quickly speak to our amendments. Amendment No. 8 would remove the words "or present". As we argued in Committee, we think that councils are primarily elected to look after their local residents and council tax payers and that, under this extremely wide provision, councils would be allowed to use the power for the benefit of many different people and groups of people who happen to be in a council area at any given time.

In Committee, the Minister made the fair point that, every day, many thousands of people travel in and out of the constituency of my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke). However, in more typical council areas, there may be concerns about whether such powers will extend to asylum seekers, travellers and tourists and about how they tie in with the council's other responsibilities. Commuters are one thing, but travellers may bring a series of other concerns.

Amendments Nos. 9 and 10 deal with the vexed matter of charging. There is a strong feeling across local government that there should be greater freedom to charge for services, especially discretionary services that councils are not obliged to provide. The Minister was broadly

[Mr. Waterson]

constructive in Committee and talked about consulting widely and drawing the matter into the process surrounding the Green Paper on local government finance. Although we are happy with that up to a point, some issues should be addressed sooner rather than later, because councils face the problem now. Both sides of the Committee accepted that it would be some time before the Government could produce proposals, consult on them and put them into law.

A ray of sunshine is the possibility, which the Minister mentioned in Committee, of using powers under section 150 of the Local Government and Housing Act 1989, to which the hon. Member for Bath (Mr. Foster) referred. The Local Government Association's latest briefing on the Bill states:

> We would welcome assurance from the Minister that, if necessary, the Section 150 powers will be used to provide a temporary solution during the interim period while we await a Local Government Finance Bill.

It would be helpful if the Minister gave such an assurance today.

One of the councils that has been proactive on the issue is City of Westminster. In one of its briefings, it states that

> there is a compelling and powerful argument that if a local authority is not *obliged* to provide a service, then it should be entitled to charge for it if it does.

We take the view that that is a fair approach. Lest it be thought that it represents a sectional view held only by Conservative-controlled authorities, in its helpful briefing to the Committee the Local Government Information Unit said:

> The recovery of costs, or making a charge for services, will be important issues. We have concerns about the impact of this clause . . . We believe that councils need the assurance that they will be able to adopt suitable means of recovering their costs.

6.30 pm

Amendment No. 55 is self-explanatory:

> Action taken by a local authority outside its own boundaries shall only be undertaken with the consent of

the other authority. That strikes me as perfectly unexceptional, so I was surprised that the Under-Secretary of State for Wales, in an otherwise courteous and friendly reply, came up with no conclusive answer. He certainly did not say in Committee that the Government would do something about that matter, which is odd, because the Minister in the House of Lords said that he was happy to go away and look at it. Perhaps the Government's thinking has moved on.

Although time does not permit a detailed debate now, we also touched on whether councils will be allowed to trade under the new power. The Minister's answer seemed to be that they will, but will not be able to charge for doing so. She said that

> local authorities will be able to supply goods and services to other bodies, provided that they are satisfied that that comes within the terms of the promotion of well-being. However, they will not be able to charge for them.—[*Official Report, Standing Committee A,* 9 May 2000; c. 76.]

Amendment No. 212, which would leave out clause 3(2), is one of the most significant of our amendments. Again, it is important to recognise that the Minister in the Lords and Ministers in Committee made it clear that there is no question of extra money being provided for the new power or, indeed, of allowing councils to raise more money through the council tax. There is still a question mark over charging. I shall not quote what the Minister said in Committee at length; in a nutshell, the answer is that councils that want to take advantage of the new power will be required to strip the money out of other budgets for other purposes.

Amendment No. 15 makes it abundantly clear that councils will be the leaders in their communities in taking advantage of the new power and that other bodies will have to co-operate with them and comply with their plans. Councils across the country—of all political persuasions—want that important issue to be clarified in the Bill. I hope that the Minister can give us that assurance in the time available.

The Minister for Local Government and the Regions (Ms Hilary Armstrong): We remain firmly opposed to the idea that central Government should dictate what authorities can spend on community well-being. That is a judgment for authorities and their communities, to which they are accountable. For that reason, we recommend that the House oppose amendment No. 10, which would impose spending limits similar to those that currently apply under section 137 of the Local Government Act 1972.

The hon. Members for Bath (Mr. Foster) and for Eastbourne (Mr. Waterson) suggested that the power will be effectively limited because it will not of itself allow authorities to raise finance. I can assure the House that the prohibition on raising finance in clause 3(2) is not intended to limit what authorities can do for the well-being of their areas. Local authorities will be able to finance activity under the well-being power from council tax resources, redistributive non-domestic rates, borrowing charges and revenue support grant. In other words, any legitimate income can be spent on the power, but it will not be possible for the power to be used of itself to raise new taxes. That is what we are dealing with here.

We have already accepted that local authorities should have greater scope to charge for discretionary services, but that needs to be looked at carefully. At present, authorities cannot trade, except under the terms of the Local Authorities (Goods and Services) Act 1970.

It being one hour and thirty minutes after the commencement of proceedings on the programme motion, MR. DEPUTY SPEAKER, *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Amendment negatived.

MR. DEPUTY SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 6

POWER TO MODIFY ENACTMENTS CONCERNING PLANS ETC.

Amendment made: No. 100, in page 4, line 17, at end insert—

'(4A) In exercising the power under subsection (1), the Secretary of State—

(a) must not make any provision which has effect in relation to Wales unless he has consulted the National Assembly for Wales, and

(b) must not make any provision—

(i) in relation to legislation made by the National Assembly for Wales, or

(ii) which has effect both in relation to Wales and in relation to any enactment to which section *(Power to modify enactments concerning plans etc: Wales)*(2) applies,

without the consent of the Assembly.

(4B) The National Assembly for Wales may submit proposals to the Secretary of State that the power under subsection (1) should be exercised in relation to Wales in accordance with those proposals.'.—*[Mr. Robert Ainsworth.]*

New Clause 13

AMENDMENTS TO THE 1972 ACT

'. Schedule *(Amendments to the 1972 Act)* which contains amendments to the Local Government Act 1972 has effect.'.—*[Ms Beverley Hughes.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 1

LOCAL AUTHORITY TO DECIDE WHETHER TO INTRODUCE EXECUTIVE ARRANGEMENTS

'( ).—(1) A local authority may make executive arrangements for the discharge of certain of its functions.

(2) Nothing in this Part shall have effect in respect of a local authority not making executive arrangements.'.—*[Mr. Waterson.]*

Brought up, and read the First time.

Mr. Waterson: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: New clause 7—*Application for locally developed arrangements—*

'.—(1) The Secretary of State may by regulations make provision for a local authority to apply to propose to the Secretary of State arrangements not provided for by or under sections 10(2) to (5).

(2) In submitting a proposal to the Secretary of State under regulations issued under subsection (1) an authority must:

(a) demonstrate that the proposals have the support of the local government electors for, and other interested parties in, the authority's area,

(b) ensure that the arrangements include provision for the appointment by the authority of one or more overview and scrutiny committees,

(c) explain why the authority considers that the proposed arrangements would be more suitable to local circumstances than a local authority executive as specified in sections 10(2) to (5) and

(d) explain why the authority considers that the proposed arrangements would be likely to ensure that decisions of the authority are taken in an efficient, transparent and accountable way.

(3) In issuing a regulation under subsection (1) the Secretary of State may, in particular, include:

(a) details as to the number or class of authorities to which those regulations apply,

(b) the criteria to which the Secretary of State must have regard in considering any proposals submitted under those regulations. In particular these criteria may include:

(i) the population of the authority,

(ii) the number of members of the authority,

(iii) the nature of the communities in the authorities area, and

(iv) the history of the authority's political control.'.

Amendment No. 1, in clause 9, page 5, line 32, after "authority", insert—

'which determines to adopt executive arrangements'.

Amendment No. 2, in clause 10, page 5, line 40, leave out "The" and insert "An".

Amendment No. 3, in page 5, line 40, leave out "must" and insert "may".

Amendment No. 57, in page 6, line 43 leave out clause 11.

Amendment No. 58, in clause 13, page 9, line 44, after "executive", insert—

'( ) by a committee of the authority.'.

Amendment No. 59, in clause 14, page 10, line 29, after "executive", insert—

'( ) a committee of the authority.'.

Amendment No. 60, in clause 15, page 11, line 31, after "executive", insert—

'( ) by a committee of the authority.'.

Amendment No. 214, in page 17, line 34, leave out clause 23.

Amendment No. 21, in clause 28, page 20, line 38, leave out subsection (3).

Mr. Waterson: We now come to what Lord Whitty, the Minister in the Lords, called the central part of the Bill: the Government's intention to impose structures on local government. The avowed intention behind the new clause and amendments Nos. 1 to 3 is to return the Bill to the form that it took on this issue when it last left the Lords and to reflect strong feelings across local government throughout the country.

Amendments Nos. 57 to 60 would deal essentially with what we regard as the Government's bogus fourth option, which they are peddling to local government, although I gather that they had a signal lack of success at the Local Government Association conference last week. There are three central flaws in their so-called fourth option: it still requires the production of a council executive, it seems to apply to whole categories of councils rather than to individual ones—that flexibility is absent—and, inevitably, the say-so of the Secretary of State is required. Amendment No. 214 would remove clause 23—I shall return to that—and amendment No. 21 would remove clause 28(3).

On structures, despite having relatively pleasant debates in Committee—I hope that my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) is not in the Chamber—we were subject to an awful lot of sloganising by Ministers. One was the famous slogan of the Minister for Local Government and the Regions: no change is not an option. The problem is that the Government purported to give local government three options for structures—although they now claim to have added a fourth—but, depending on which survey we accept, perhaps 1 or 2 per cent. of councils are remotely interested in having a directly elected mayor. Perhaps that figure will have decreased following the experience of the London mayoral elections.

I have yet to meet any council that seems at all interested in the council manager model, but one may exist. The Minister may wish to quote it or them when she responds. However, the Minister's attitude reminds me of Henry Ford's attitude to car buyers—they could

[Mr. Waterson]

have any colour that they liked as long as it was black. For the vast majority of local authorities, the Government intend to impose the executive or cabinet model or structure.

A question is bound to be asked, and it has been by Conservative Members and an increasing number of right hon. and hon. Members on the Government Benches. If the Government's idea is such a good one and is so popular, why not ask people to choose? Give them a set of options. If an option really means an option, they can decide, or they can operate their status quo if that works for them. They can operate an updated version of that status quo or other models that they may be able to construct.

I shall refer to the latest briefing on the Bill by the Local Government Association. It states in its covering letter that its main remaining concern about the Bill is the lack of flexibility in the Government's approach. It states:

> Whilst it is understandable that the government would not want to make regulations for 410 models it is the sheer diversity of local government that has led to the call for greater flexibility. The Government has stated their commitment to the operation of executives under any form of new arrangement. This amendment confirms that commitment. It does not provide for arrangements that do not include such an executive.

The key passage reads:

> The Association remains of the belief that for some authorities, particularly smaller ones or those of a more rural nature, a separate executive is not necessarily the most appropriate way of achieving efficiency, accountability and transparency in decision taking. The LGA would support an amendment that provided for some authorities to apply to the Secretary of State to be able to introduce other models, which may not include a separate executive.

If the Government's idea was such a good one, we might expect that Labour-controlled authorities would embrace it with enthusiasm. It is true that some have done so, but we fear that they have adopted that approach because they are attracted by the possibility of secrecy and carrying out decision making behind closed doors.

The London borough of Camden, for example, might well have embraced these wonderful modernising ideas. However, when it came to it, Camden, which is an overwhelmingly Labour-controlled council, voted 43 to zero against the Government's proposals. It is—*[Interruption.]* The Minister always dissolves into paroxysms of laughter whenever I read out these figures. It is the way that I tell them. Surely it is vaguely depressing for her that Camden is so utterly unenthused by her proposals. Perhaps she finds the situation amusing because she fully intends to drive the Bill through the House and force Camden, 43 to zero or not, to put into effect the cabinet system. It is interesting that the then leader of Camden, Councillor Arthur, who I believe is now the ex-leader, was one of three abstentions.

Another good example is that of Brighton and Hove. We had quite a detailed discussion about it in Committee. It was one of the first councils to adopt the cabinet system. The now Lord Bassam, the then leader of the council, was enthusiastic about making Brighton and Hove one of the pioneer authorities in implementing a new Labour system. Only this May, despite the fact that Labour has a 12-seat overall majority, councillors voted by 34 to 31 against changes to the current set up. They ordered a plan to be drawn up for a three or four-party committee system.

Since then, things have moved on somewhat in that the cabinet system is still being operated on an interim basis. It seems that some of the Labour rebel members were got at. I believe that an all-party task group is considering the future structure of Brighton and Hove council.

6.45 pm

Councillor Geoffrey Theobald, the leader of the Conservatives, said:

> The Council was one of the first to go over to the cabinet system because the then leader, Lord Bassam, now a Junior Home Office Minister, wanted to pleased his close friends—

the Prime Minister and the Minister for Local Government and the Regions.

It is strange that two councils that might be expected to be at the cutting edge in modernising local government would vote against the Government's proposals. *[Interruption.]* The Minister is keeping up her usual running commentary on these matters. I am sure that she will have the chance to catch your eye, Mr. Deputy Speaker.

Labour local government has not exactly embraced the Government's proposals with great enthusiasm. I know that the right hon. Lady will groan, if only inwardly, at my reference to the Labour campaign for open local government. She and her right hon. and hon. Friends have succeeded in creating a sort of resistance movement within Labour local government. It is made up of about 1,000 supporters, of whom about 500 are councillors in about 90 local authorities. I understand that they include leaders, chief whips and other leading councillors.

We heard at great length about the views of the Labour campaign for open local government in Committee, and I do not intend to repeat them now. Its views are not limited to those councillors who are members of it. These views have spilled over and are now shared by a number of Labour Back Benchers.

When these issues were put to Ministers in Committee, their response was to rubbish the Camden operation. It was said that Camden's responses were in favour of

> white, well-heeled people from social classes 1 and 2

and that they were "grossly over-represented." However, Camden went to far greater lengths than any other council of which I am aware to consult local residents on whether they wanted the changes proposed by the Government. It sent out many questionnaires and held 30 public meetings throughout the borough. It had focus groups representing the disabled and ethnic minorities. It made many targeted attempts to get a real view of what local people thought.

Camden has shown the way. It has demonstrated that, with the right council taking the right approach, voters—residents—will take an interest in the structures of, and changes to, local government. It has shown also that in the real world there is no enthusiasm for the Government's proposals.

I was at the Local Government Association conference in Bournemouth last week, and heard of the less-than-warm reception that the Minister received from local government in its massed ranks when she announced the Government's proposals. Local government gave her the Women's Institute treatment. I challenge her, as I did in Committee, to tell the House who wants the changes. Who is driving them? Apart from a small coterie of Ministers and others in the new local government network and a few new Labour think tanks, who wants them? Going round the country as I do, talking to councillors of all political persuasions in all parts of the country, I have yet to find any real enthusiasm, except for one or two—

Sir Paul Beresford (Mole Valley): My hon. Friend understates the case. Most of the local authority members to whom I have spoken are actively opposed to the proposal. They opposed it because they do not like corruption, they want democracy and openness, and they see it as an opportunity for people who want to bring in corruption, to wipe out democracy, to stop the press seeing, and to bring in secrecy and control. Local government has had a small smattering of corruption, in percentage terms. The proposed system will allow more corruption and less detection.

Mr. Waterson: My hon. Friend speaks from great experience.

I shall summarise our main objections. The first is that no one seems to want the wonderful new structures, so why do Ministers not leave the matter up to local councillors? There is an element of compulsion. That is the thrust of our amendments. Secondly, why does the Minister insist on damning the entire committee system, which has served many councils well over a number of years? Why does she persist in speaking about an old-fashioned committee system, rather than the streamlined committee system that many councils operate?

Thirdly, has the Minister made any attempt to estimate the total cost of the changes across local government? We know, for example, that Durham city council has budgeted £300,000 towards the cost of establishing a cabinet structure. Not a penny of that will make life any better or easier for the residents and council taxpayers.

Fourthly, and most of all, we do not want a two-tier system for local councillors. All councillors should have equal worth. The concept of back-bench councillors should be anathema in local government. We believe that small groups of people making all the decisions is bad for local government, and that a massive split between executive and scrutiny is bad news for those who do not happen to be on the executive.

For all those reasons, it is essential that the House, or failing that, the other place, writes into the Bill the clear right of councillors to choose another option if that is what they wish—not the bogus fourth option that the Minister has been peddling unsuccessfully, but a real, red-blooded fourth option.

I shall touch briefly on amendment No. 214, which would delete clause 23. We do not know why the Government are so set against political balance applying to cabinets. It works very well in places such as Conservative-run Bedfordshire. However, it has been grabbed with alacrity by some old Labour councillors, and at least 60 per cent. of existing cabinets are one-party cabinets, many of which meet in secret.

Finally, amendment No. 21 would delete clause 28(3). We call this the "abandon all hope, you who enter" provision, because, once a council has moved to an executive system, there is no way of going back to the previous system. That is harmful and unnecessary. It chimes with the general air of compulsion that surrounds the Government's attitude to local government structures.

Mr. Ronnie Campbell (Blyth Valley): I shall speak briefly about the argument for opening up local government to the people and the press. We have a cabinet system in my constituency which I am told is working well, although some back-bench councillors do not have the power that they would like. I suppose that that will come with time, as the scrutiny committees get down to their work.

The cabinet minutes go out to all the councillors and the press, and anyone can attend cabinet meetings—the press, the public and local councillors who are not members of the cabinet. This week, copies of the agenda went out, and one of the items on the agenda was a matter on which the council must decide what it will do next year. I understand there are to be substantial cuts next year in Blyth Valley, due to shortage of money. Some of the suggested cuts for the cabinet to discuss involved leisure centres and other amenities.

The paper was supposed to be private and confidential and councillors were asked to keep it to themselves, because it had not yet been discussed with the work force. Unfortunately, as it went out to all the councillors, the local press—the Newcastle edition of *The Journal*—got a copy, and printed it this morning. The trade unions and the work force were at the door of the council, demanding to know what was going to happen. Of course, the matter has not yet been discussed. That is the role of the cabinet—to discuss such matters, then go to the work force and tell them.

That example shows that openness goes two ways. Openness is right and I believe in it. My council has done right by being open, but the press showed disregard for an item in a cabinet paper that should have remained confidential until it had been discussed. I do not know what we can do about the matter but, after today's furore, I believe that it should be raised on the Floor of the House.

Mr. Don Foster: During the 18 years of Conservative Governments, both as a local councillor and then with the opportunity provided to me as a Member of the House, I railed strongly against the centralising tendency of those Governments. I suspect that many Members of Parliament and many members of the public looked forward to a new dawn for local government, following the election in 1997. Unfortunately, in respect of centralisation, the sun has yet to rise.

From various measures, it is clear that the Government continue to be a centralising Government. That is best demonstrated by their insistence on imposing on all local councils a requirement to change their decision-making arrangements to one of three models selected by the Government.

In response to that challenge from the Government, different proposals have been made from the those on the Conservative Benches and our Benches. I shall speak predominantly to new clause 7, which is an entirely different response from that offered by those on the Conservative Front Bench, and I hope, therefore, that it will be possible to have a separate vote on new clause 7.

It was a great privilege to represent my party in the House on education and employment matters for quite some time. I vividly recall the challenge made by the current Secretary of State to all of us to deal with standards, not structures, in education. That phrase applies equally to local government. We are all concerned about

[Mr. Don Foster]

the lack of public interest in local government, and we all want to find ways of involving the public more. The solution lies not in structural changes, but in giving local councils greater opportunity to do the things that are most likely to benefit local communities, and to have a voting system that would enable people to feel that when they voted, they could truly make a difference.

That is not the Government's approach. They have decided that three options are to be foisted on local councils. I am the first to acknowledge that the Government have been prepared to make some concessions, following our deliberations in Committee. There is now greater flexibility in those three options, but all three of them and any of the flexibility that is offered still require the fundamental model of a single executive.

It is vital that a genuine alternative approach also be offered to local councils. However, I do not take the Conservative Front-Bench view that the fourth option should be merely the status quo—indeed, without even any possible checks with the local community as to whether it supports the continuation of the status quo. I tabled new clause 7 because I believe it is important that whatever option a local council brings forward in the current climate should be tested for local public support.

7 pm

The new clause would provide the opportunity for an individual council to make its own proposals, different from the three that the Government insist on, but with certain caveats. First, it must ensure that the proposed arrangements would make the council's decisions efficient, open and accountable. Secondly, the new clause would require that as part of the package there should be effective means of scrutinising council decisions. Thirdly, it would require that the proposal be demonstrated to have wide-scale popular support.

In the form of those three provisions, and also the provision that the proposal be presented to the Secretary of State for approval, the Government are given a genuinely acceptable fourth option meeting all their requirements—the inclusion of scrutiny, efficiency, effectiveness, openness and accountability, the Secretary of State's having the last word, and a requirement that the public demonstrate their support for the model. We have even gone further and made it a requirement that the council making such a proposition shall have to demonstrate why its proposals will be better than those made by the Government.

Mr. Richard Livsey (Brecon and Radnorshire): To reinforce what my hon. Friend says, in the part of Wales that I come from, the county of Powys, which has an excellent formula for the administration of local government, is 120 miles long. The cabinet system is not appropriate there. In terms of distance, it is the equivalent of Bristol controlling what goes on in London. We must have flexibility of the kind to which my hon. Friend refers.

Mr. Foster: My hon. Friend is absolutely right. He strengthens my argument by making the simple point that no two councils are the same. There are about 450 councils in the land. What will best suit one council may not best suit another. Even the requirement that there be an executive or cabinet may not suit all councils. Therefore, we suggest a way of moving forward that meets many of the Government's concerns. The new clause does not merely say that the status quo can continue willy-nilly. Even if a council like my hon. Friend's wishes to continue the status quo, as it may well do, it will be required to demonstrate that it has popular support.

Of course, Conservative Front Benchers are perfectly entitled to propose the status quo as their way forward, but it was rather rich of the hon. Member for Eastbourne (Mr. Waterson) to pray in aid the briefing document from the Local Government Association and to read out various sections, without giving a full reading. To put the record straight, I should also read out what the LGA says in its document sent to all of us. It said:

> The Association supports the removal of clause 9, which would have allowed authorities to "opt out" of Part II of the Bill without any consultation with local communities and their stakeholders.

It is wrong for the hon. Gentleman to pray in aid the LGA for his new clause, when it is absolutely clear that the LGA is not supporting it. Having read all the LGA document very carefully, I suspect that I could with integrity pray it in aid to support new clause 7.

Mr. Waterson: Before the hon. Gentleman gets too carried away with that line of argument, I would point out that I was not necessarily suggesting LGA support for the precise wording of our new clause; but it is clear that the Government have still failed to persuade the LGA or any significant local government body that their so-called fourth option is really anything of the sort.

Mr. Foster: I entirely agree. The hon. Gentleman and I are at one in believing that the Government are wrong to impose on all councils three options that, in the main, have very similar features anyway. Both he and I believe that local authorities should be given much greater freedom to decide how they are to operate. Nevertheless, we have a different approach to how that should be achieved.

I end by suggesting to the Minister that there are many rumours, as there always are, about the Government's proposals. There is undoubtedly one category or group of councils that the Government's proposals fit least easily—the shire district councils, those particularly small councils with relatively limited powers. The rumour is that the Government may at least allow them to opt out from having the three models imposed on them. I should welcome hearing from the Government whether the rumour is true. If it is not, it should be.

Mr. Llew Smith: I shall speak briefly in support of new clause 7. In doing so, I know that I have the support of not only my constituency Labour party but the Labour council. Unlike Camden, it had no abstainers, I am pleased to say. There was total opposition to the cabinet system and the mayoral system from the Labour group in Blaenau Gwent.

However, I disagree with the Conservative Front-Bench spokesperson's explanation of why so many local authorities have already brought the cabinet system into being. He said that it was because they welcomed secrecy. I do not think that that is so. Most have introduced it not because they support it, but because they see a degree of inevitability about the whole process.

When the Government came to power, they told us that they were committed to devolving power. We all welcomed that. The Government will argue that acts of devolution were the setting up of the Welsh Assembly and the Scottish Parliament. Some of us in the House did not think that that had anything to do with devolution, but a great deal to do with nationalism. However, if we take the Government at their word, and accept that the Welsh Assembly and the Scottish Parliament were created as acts of devolution, it is sad that they have not applied the same logic to local government.

With both the mayoral system and the cabinet system, the Government are not devolving power but centralising it in the hands of the mayor or the cabinet. My local authority, my constituency party and I find that politically unacceptable. We also find it sad, because we regard local government as probably the most democratic arm of government and, indeed, of the United Kingdom state.

Putting power in the hands of the mayor has nothing to do with devolving power; it is centralising power in the hands of one person. Unless his or her agreement can be obtained, the things that one wants for one's community will not happen, because that one person will not accept them. If in place of the mayoral system we have the cabinet system, instead of one person taking the decisions 10 people will take them. Once again, that is unacceptable, because those who are not in the cabinet are not part of the decision-making process and cannot reflect the aspirations of the community that they represent. They cannot have a say in making policy for that community.

The reason for going on a council is to involve oneself not only in the debates but in the votes, in a way that will affect one's little community in a positive way.

Mr. Simon Thomas: I understood the hon. Gentleman to say, looking at local government in Wales, that the cabinet system in local government was unacceptable per se. Will he confirm that that is what he was saying?

Mr. Smith: I am saying that I, my constituency party and the Labour group on the council unanimously oppose the cabinet system and the mayoral system because we are committed to devolution. We believe that the proposed system has nothing to do with devolution, but that it has a lot to do with centralisation, to which we are opposed.

I know that some will pray in aid scrutiny committees. We welcome those bodies, but we know that their creation has nothing to do with devolving power. Those who are not members of the cabinet will have no say in decisions, and the job of those who are members of the scrutiny committee will be merely to scrutinise. I see little role for councillors who are not members of the cabinet—many of them will be able to go home because they will have no say in the decisions that affect their communities. That is sad. We will have lost an opportunity to devolve power and to make councillors more accountable to the communities they represent, and we will have made it more difficult for the electorate to perceive the relevance of councillors and to exert some control over them.

For those and many other reasons, my position, that of my constituency Labour party and that of the Labour group on the council is one of opposition to both the cabinet system and the mayoral system, but of support for the committee system. Local government is probably the most democratic arm of the British state.

Mr. Thomas: I find myself in agreement with much of what the hon. Member for Blaenau Gwent (Mr. Smith) said in support of new clause 7, but in total disagreement with his approach to local government in Wales. I support the principle of separating out the executive functions of local government, because that is a progressive and modern approach to local government management functions. The system can succeed and has been seen to do so in several areas in England and Wales.

None the less, I fear over-centralisation in local government. I believe that local government is truly devolutionist in that decisions are made at local level. I have serious doubts about the Government's current approach to local government—the imposition of a rigid template, a one-size-fits-all executive structure that local authorities must adopt. On those grounds, both Opposition new clauses—especially the Liberal Democrats' new clause 7—have much to recommend them.

I should have liked to avail myself of the Back-Bench privileges that were much discussed during the hour-long debate on the guillotine motion, but I was taken ill with food poisoning and thus prevented from tabling my own amendment, which would have cast the National Assembly for Wales in a central role. New clause 7 offers a way forward: at least in Wales, the Assembly could be the body that considers different arrangements and, in consultation with local authorities and local people and with the support of local people, enables a committee system to continue in Blaenau Gwent, for example, while a cabinet system is adopted elsewhere.

Let me set out some of the difficulties peculiar to Wales and the reasons why the one-size-fits-all approach will not necessarily work. For a start, there are the unitary authority areas, especially the large rural areas such as Powys, which has already been mentioned. There is the somewhat anomalous position whereby two of our unitary authorities—Powys and Gwynedd—have area committees. Where does an area committee fit into a cabinet system? That has not been addressed.

Ms Armstrong *indicated dissent.*

Mr. Thomas: Well, I do not think that it has been fully addressed.

We in Wales have independent councillors—I should say that they are not crusty old Tory councillors. Independent councillors in Wales are curious beasts: many are members of Plaid Cymru or the Liberal Democrats, and one or two might even be members of the Labour party; however, the majority who stand as independents do so in rural areas because they are, in effect, the voice of the local community, often closely allied with farming interests. We have found that independent councillors fit ill into the cabinet system that has just been set up in my area.

We in Wales have limited options. Whatever happened in London, the mayoral option was ruled out for Wales when Russell Goodway adopted his course of action in Cardiff. The role of executive manager has never been tried in Wales and has no track record, so I doubt that any local authority will opt to have such a beast.

7.15 pm

Mr. Jon Owen Jones (Cardiff, Central): Why are elected mayors in Wales ruled out by the example the hon. Gentleman cites, given that it involves a non-elected mayor?

Mr. Thomas: The fact that it also involves a mayor taking too much executive power to himself will provide

[Mr. Thomas]

a warning to many areas. There are other reasons why mayors would not work in many rural areas, but, for brevity's sake, I shall not pursue that matter now.

If the Bill is passed in its current form, the cabinet system will become the de facto system of local government in Wales. That will lead to considerable local unhappiness and discontent.

Mr. Livsey: Does the hon. Gentleman agree that the cabinet system will wholly exclude people living in the vast rural areas of Wales that we represent, which will be wholly excluded from the decision-making process?

Ms Armstrong *indicated dissent.*

Mr. Thomas: The Minister evidently disagrees with the hon. Gentleman's observation, but that is what local people have told me. The Government must listen to the views of local people.

We in Ceredigion held a wide-ranging consultation on the cabinet system. Local community councils were dumbfounded and bemused by the way things were going; they did not understand how they would now relate to what they regarded as a local-member-led council. My council might be regarded as extremely old fashioned in that respect, but it achieves the best education results in Wales, so there must be something to be said for the traditional methods of carrying out council business in Wales.

We in Plaid Cymru favour the principle of establishing an executive, but we recognise the need to gain local people's support for any change, especially in rural Wales and other areas. However, so far the Government have singularly failed to persuade the majority of people in Wales and in England that their proposals offer the best local solution.

There is no doubt that people want to have a greater say in how their local government works—they might even want to shape their local government executive. However, the Bill imposes on that executive a shape that fails to give local people—and, in Wales, the National Assembly—a strong enough voice. In Wales, the way forward could legitimately involve the National Assembly to a greater extent. I hope that, in another place and at another time, close scrutiny will be given to this part of the Bill.

There should be an opt-out, perhaps along the lines of new clause 7, whereby, if local people working with the local authority come up with an alternative arrangement, they will be allowed to adopt it as their local government structure. Local government will not succeed without the encouragement and full support of its local community, but there are elements within the proposed structure that fly in the face of that principle.

Mr. John McDonnell (Hayes and Harlington): We are engaged in a century-old debate between centralisers and devolvers about centralisation and decentralisation. In the late 1970s, those working in local government were told by Anthony Crosland that the party was over. Then, we got dragged into the monetarist debate and we were told that part of our public expenditure was causing an economic crisis. The Tories tried to undermine both local government powers over public expenditure through rate capping and local government structures.

During that 20-year period, members of the Labour party worked to develop policies that would reinvigorate local government when a Labour Government were elected. That renewal was to be based on the return of powers and of resources. Then, within months of the general election, the debate was hijacked into discussion of structures: the argument was suddenly about the need for new structures, such as mayors, cabinets and so on. The thrust of our policy had held good for 15 years, and it is true that the current Government are releasing new resources and giving local government new powers; this Bill forms part of that. However, the Bill does not set councils free, but imposes on them a structure that none of them and no single major local government association wants.

Until months before the general election, most of our Front-Bench colleagues rejected the system. We criticised the previous Government's proposals with their mayoral options as ludicrous. However, the pressure from some groups in the Labour party with no experience of local government has led to the potential loss of democratic freedom that we are considering.

I support new clause 7 because it tries to re-establish some form of local freedom. We were told about the advantages of the mayor and cabinet option. We recently had a test of that system in London. It did not increase turnout, which remained roughly the same as for the Greater London council elections. It did not increase effectiveness. I have served in the new structure for the past six weeks and while I do not criticise the hon. Member for Brent, East (Mr. Livingstone), who has to work with the existing structure, it is not a model of effectiveness and efficiency. It was argued that the system would enhance the quality of the candidates and the elected mayor. It is ironic that, after 18 years, the same person is running London under the new system as under the old system.

The system's drawbacks are clear. It undermines local choice. New clause 7 seeks to re-establish at least the potential for retaining the option of a streamlined committee structure. The Government's proposals have the potential to establish a local oligarchy, which works in secret and is prone to corruption. From the Webbs onwards, the Labour party has argued that the committee structure enabled training in local democracy.

The Government's proposals establish two classes: the deciders and the spectators. We are wishing the parliamentary system on local government. What arrogance. It demonstrates on the part of the Labour party leadership contempt for local government and contempt for local councillors, in the same way as some have contempt for our party and our rank and file activists.

We are throwing away the opportunity of retaining all the options. The Government's proposals do not constitute modernisation, which allows organic growth of democratic systems at local level. They are a step back to a system that has failed elsewhere, and will fail in this country. At the local government conference, the Minister argued that there was a fourth option that would allow the flexibility that local government required and demanded. I ask the Minister to clarify in the brief time available whether the fourth option allows for the streamlined system of committee government for which Labour local government has argued. If not, I shall vote for new clause 7.

Mr. Alan Simpson (Nottingham, South): I follow on from the last point that my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) made. I welcome the proposals in new clause 7, especially the tough tests for which it would provide. I would opt for that, but I would also settle for local government having the right to make the choice if it could pass the tests. I am not sure whether that was the view that the Minister expressed when she addressed the local government conference. She said that a fourth option existed. However, the Bill does not make clear the nature of that option and whether it includes the possibility of a reformed committee system. If not, we are closing down local government rather than opening it up.

I congratulate the *Nottingham Evening Post* on its responsible campaign in my area against the secret society. It has campaigned to open up local government to proper accountability and for the ability of local people to hold local government to account. If we do that, we have many options for inclusion and local choice, some of which are set out in new clause 7. One area in the county has already begun to follow that path. Newark and Sherwood has set out proposals for broadcasting its council meetings. The public can phone in directly to pose questions during committee meetings.

There are many ways in which to open up local government. I hope that the Minister will clarify whether we will present local people with a revised committee system as one of the options that they can choose for themselves. If we do not, we shall tie ourselves to the presumption that local government cannot lead, but must be led down a path of openness. That is a tragedy. The three options for which the Bill provides will sadly guarantee less openness.

Ms Armstrong: I am sorry that some of my hon. Friends did not attend some of the earlier debates because some interesting ideas have been presented. Much misunderstanding continues to exist; I am sorry about that, and I take some responsibility for it.

In response to the comments of the hon. Member for Eastbourne (Mr. Waterson), I say that we have rehearsed the arguments often. I tell him and some of my hon. Friends that we have not suddenly discovered a problem with the committee system; it was identified by the Maud committee and, in 1993, by a joint Government and local government working party, which included all the local government associations. That joint working party stated:

> Most major policy decisions in practice are not taken by the full council, its committees or subcommittees but elsewhere within the ruling group—where there is a majority group—or in consultation with the leadership of other groups where there is a minority administration or coalition . . . Formal authority may rest with the full council, or with the committee, but the real authority rests with individuals.

The Local Government Management Board, which was established by local authority associations to deal with support, training and negotiations, stated:

> A concentration of decision making powers in small groups outside the formal arenas

characterised the committee system and that that had increased over the years. However, the pretence is maintained that the full council makes the decisions. As we all know, the reality is that it does not.

My hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) claims that he is not enjoying the experience of serving in the Greater London Authority cabinet. My hon. Friend is not in the cabinet as an elected Member, but as an adviser and supporter. However, the public have the right to know that he is an adviser and that he is not giving advice secretly or without it being made public. That is a better system than the previous one.

The hon. Member for Bath (Mr. Foster) and I share an ambition to find ways in which to reflect the integrity of the aims of accountability, scrutiny and better contact with the public in the broad framework that we are trying to establish in the Bill. We are working in the same way on many matters. However, we are divided on one substantive issue. The new clause proposes that each council should have a separate method of doing things. That would mean that the statute book would have to recognise that, and uphold the individual constitutions of every single authority. That would lead to too much parliamentary interference. The new clause would provide for too much central control rather than the much looser framework that we seek.

I believe that the hon. Member for Bath is not paying sufficient attention to scrutiny and that several executives mean that fewer people are left to scrutinise. That is a key point for local government: there has not been substantial scrutiny in the past. Much greater scrutiny is required. Not only decisions, but their effect on individuals need to be scrutinised. I hope that the House will reject new clause 1 because it will take local government back to the problems that the Maud committee and the local government associations considered: decisions by small, unaccountable cabals. Nobody knew what those cabals were talking about. We are trying to move away from that. I believe that our fourth option will take us in the same direction as the hon. Member for Bath. I hope that hon. Members will reject the amendments.

7.30 pm

Mr. Waterson: We are not happy with what the Minister has said. It is the same tired old stuff. I invite my right hon. and hon. Friends to press the motion to a Division.

Question put, That the clause be read a Second time:—

The House divided: Ayes 110, Noes 314.

Division No. 249] **[7.30 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chapman, Sir Sydney
(Chipping Barnet)
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Davies, Quentin *(Grantham)*
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Fabricant, Michael
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher

Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Pickles, Eric
Prior, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Waterson, Nigel
Whitney, Sir Raymond
Whittingdale, John
Wilshire, David
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John Randall and
Mr. Stephen Day.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Cable, Dr Vincent
Caborn, Rt Hon Richard
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, John
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kemp, Fraser
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lammy, David
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug

Oaten, Mark
O'Hara, Eddie
Olner, Bill
Öpik, Lembit
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quinn, Lawrie
Rendel, David
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mrs. Anne McGuire and
Mr. Clive Betts.

Question accordingly negatived.

New Clause 7

APPLICATION FOR LOCALLY DEVELOPED ARRANGEMENTS

'.—(1) The Secretary of State may by regulations make provision for a local authority to apply to propose to the Secretary of State arrangements not provided for by or under sections 10(2) to (5).

(2) In submitting a proposal to the Secretary of State under regulations issued under subsection (1) an authority must:

(a) demonstrate that the proposals have the support of the local government electors for, and other interested parties in, the authority's area,

(b) ensure that the arrangements include provision for the appointment by the authority of one or more overview and scrutiny committees,

(c) explain why the authority considers that the proposed arrangements would be more suitable to local circumstances than a local authority executive as specified in sections 10(2) to (5) and

(d) explain why the authority considers that the proposed arrangements would be likely to ensure that decisions of the authority are taken in an efficient, transparent and accountable way.

(3) In issuing a regulation under subsection (1) the Secretary of State may, in particular, include:

(a) details as to the number or class of authorities to which those regulations apply,

(b) the criteria to which the Secretary of State must have regard in considering any proposals submitted under those regulations. In particular these criteria may include:

(i) the population of the authority,

(ii) the number of members of the authority,

(iii) the nature of the communities in the authorities area, and

(iv) the history of the authority's political control.'.—*[Mr. Don Foster.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 43, Noes 273.

Division No. 250] **[7.44 pm**

AYES

Allan, Richard
Baker, Norman
Ballard, Jackie
Bell, Martin *(Tatton)*
Brand, Dr Peter
Breed, Colin
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Campbell, Rt Hon Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, Rt Hon Denzil *(Llanelli)*
Fearn, Ronnie
Foster, Don *(Bath)*
Gidley, Sandra
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Keetch, Paul
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Livsey, Richard
Llwyd, Elfyn
McDonnell, John
Maclennan, Rt Hon Robert
Moore, Michael
Oaten, Mark
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tyler, Paul
Webb, Steve
Willis, Phil
Wood, Mike

Tellers for the Ayes:
Mr. Andrew Stunell and
Mr. Tom Brake.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Caborn, Rt Hon Richard
Campbell, Ronnie *(Blyth V)*

Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Cook, Frank *(Stockton N)*
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, John
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hope, Phil
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
King, Ms Oona *(Bethnal Green)*
Ladyman, Dr Stephen
Lammy, David
Laxton, Bob
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
Macdonald, Calum
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Hara, Eddie
Olner, Bill
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quinn, Lawrie
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shipley, Ms Debra
Short, Rt Hon Clare
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mrs. Anne McGuire and
Mr. Clive Betts.

Question accordingly negatived.

New Clause 10

PRIOR DISCUSSION BY POLITICAL GROUPS

'.—(1) No later than the commencement of the meeting of any overview or scrutiny committee, the leader of each political group with at least one member on the committee shall inform the Head of the Paid Service in writing whether or not any matter on the agenda has been the subject of prior discussion at any meeting of the relevant group or of part of it and of whether or not the judgment of any relevant member is likely to be constrained by the rules of the relevant group or political party.

(2) The terms "political group" and "leader" shall have the same meaning as in sections 15 and 16 of the Local Government and Housing Act 1989 and in regulations made under Schedule 1 to that Act.

(3) In the discharge of his duties each member of an overview or scrutiny committee of a local authority shall act independently of any party political interest.'.—*[Mr. Waterson.]*

Brought up, and read the First time.

Mr. Waterson: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss the following amendments: No. 61, in clause 20, page 14, leave out lines 17 and 18 and insert—

'arrangements for the overview and scrutiny of the executive (such arrangements referred to in this Part as overview and scrutiny arrangements).'

No. 62, in page 14, line 18, at end insert—

'(1A) Overview and scrutiny arrangements may provide for the discharge of functions and the exercise of powers by—

(a) a committee,

(b) a sub-committee,

(c) a member, or

(d) an officer

of the authority (in this Part referred to as overview and scrutiny bodies).'.

No. 66, in page 14, leave out lines 20 and 21 and insert—

'arrangements make provision so that the powers of overview and scrutiny bodies include powers, between them'.

No. 63, in page 14, line 36, at end insert—

'(f) to require that the implementation of any such decision as is referred to in paragraph (a) or (b) of this subsection is deferred until a decision has been made whether or not to exercise the power conferred by subsection (3).'.

No. 67, in page 14, line 37, leave out "committee" and insert "body".

No. 64, in page 14, line 43, at end insert—

'( ) Unless the matter is certified by the authority's monitoring officer to be urgent, no decision by an executive, a member of an executive or a committee of an executive, under its executive arrangements, shall be implemented within less than five working days after the decision is published.'.

No. 68, in page 14, line 44, leave out subsection (4).

No. 69, in page 14, line 45, leave out "may not discharge any" and insert—

'may by resolution of the authority discharge'.

No. 70, in page 15, line 6, leave out—

'committee of a local authority'

and insert—

'body of a local authority which is a committee of the authority'.

No. 71, in page 15, line 9, at end insert—

'or by a single member or officer of the authority.'.

No. 72, in page 15, line 15, leave out "committee of the authority" and insert—

'body of the authority which is a committee of the authority'.

No. 65, in page 15, line 22, at end insert—

'( ) Where a member of a relevant overview and scrutiny committee finds that a decision by or on behalf of the executive ought to be subject to immediate review he may, with the agreement of two members of the relevant overview or scrutiny committee, cause the decision to be delayed until that overview and scrutiny committee has considered the matter.'.

No. 73, in page 15, line 23, leave out subsection (9) and insert—

'(9) Overview and scrutiny arrangements shall include provision ensuring that members of the local authority's executive do not discharge any functions or exercise any powers under those arrangements.'.

No. 74, in page 15, line 26, leave out—

'committee of a local authority'

and insert—

'body of a local authority which is a committee of the authority.'.

No. 75, in page 15, line 32, leave out "committee of the authority" and insert—

'body of a local authority which is a committee of the authority'.

No. 76, in page 15, line 44, leave out "committee" and insert "body".

No. 77, in page 15, line 47, after "before", insert "him, her or".

No. 78, in page 16, line 1, at beginning insert—

'(in the case of a committee)'.

No. 79, in page 16, line 3, at end insert—

'(15) The authority shall appoint officers to assist the overview and scrutiny committee in discharging their functions, and such officers may not also report to the executive.'.

Mr. Waterson: I shall not read out the amendments in this group. If I did, I would run out of time entirely—*[Interruption.]* I am glad that the Government Whip finds it all so funny—but, then, I suppose that it is quite funny when one is at the steering wheel of such a programme motion.

One of the curious, almost theological issues that the Committee examined was whether there is whipping in scrutiny committees. We had a fascinating debate on that subject, in which the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Stretford and Urmston (Ms Hughes), assured us that the Labour party national executive had issued a decree that whipping should not occur in scrutiny committees. So, that is all right then. However, sometimes, what the Labour party national executive decrees and what happens in the real world are as different as day and night.

The purpose of new clause 10 is to make it absolutely clear that, as subsection (3) provides, those who serve on scrutiny committees should behave in a wholly non-partisan fashion, and that, if there has been prior discussion in a group meeting or some type of whipping, it should be notified to the local authority's head of the paid service in advance of the relevant meeting.

If Ministers are so confident that Millbank's writ runs throughout Labour-controlled local government, there could be no harm at all in including that provision in the Bill. Of course, the only reason why Ministers might be reluctant to accept new clause 10 is that they have a sneaking suspicion that such practices are indeed going on in Labour-controlled local government.

The most debated example that has come to light so far—it is in the nature of these things that they rarely come into the public domain—is that of our old friends at the London borough of Hammersmith and Fulham, which, as I said in Committee, seems to have fallen into every elephant trap conceivable in this legislation. That borough is one of the great pioneers of the modernised local government system.

The Hammersmith and Fulham cabinet decided to introduce charges for home helps. However, three Labour councillors took the view that that was not a good idea and, in a scrutiny Committee, voted against it. By way of background, it is worth remembering—I think that my

[Mr. Waterson]

arithmetic is right, but the figure may have increased since I last checked—that, in its brief life, the Hammersmith and Fulham cabinet has made 607 decisions, only one of which has been overturned as part of the scrutiny process. The process is, therefore, not really biting in the London borough of Hammersmith and Fulham.

As the *Fulham & Hammersmith Chronicle* reported, the three hapless Labour councillors were

> banned from speaking to the press while they face disciplinary action after voting against the proposal to charge elderly and vulnerable people for home help services . . .
>
> A Labour spokesman said no decision had been made yet but disciplinary action could include the withdrawal of the whip.

That sounds suspiciously like whipping to me.

Coincidentally, on that same day, as reported in the local government press, the Minister for Local Government and the Regions, in a debate on this Bill, told the House:

> We, as a party, have already made it absolutely clear that no whip will be allowed on scrutiny committees.

However, Mayor Andrew Slaughter—who draws a substantial salary for being the so-called executive mayor in Hammersmith and Fulham, but who has managed to retain his day job—was reported as insisting that councillors could be whipped without the scrutiny process being undermined. He said:

> It's only reasonable that the party expects adherence to policies agreed at group meetings.

It would be fascinating to hear what the Minister has to say about Councillor Slaughter's interpretation of the Bill.

8 pm

Amendments No. 61 and 62 deal with scrutiny. We believe that there need not be a split between cabinet or executive committees and scrutiny committees. In Committee, we had a long and constructive debate on the experience of Wiltshire county council under Councillor Peter Chalke. There, the best of the committee system has been retained, even though there are completely independent scrutiny committees. So impressed was the Minister by what is happening in Wiltshire that she dispatched officials there the other day to find out how it works. I hope that she tells the House the results of that visit. It would be interesting to see whether the Wiltshire approach could be a fourth or even a fifth option in this regard.

Amendments Nos. 63, 64, 68 and 65 deal with deferring decisions, delays in implementation, attempts to restrict the function of the scrutiny committee and immediate review. They are designed to improve the scrutiny process, if that is the road down which we are going.

Amendment No. 79 touches on an important issue that deserves a whole debate in itself—the role of officers. The second consultative draft of the proposed guidance published by the Government stated:

> Where the same officers are supporting both the executive and overview and scrutiny committees, there is the potential for conflict—overview and scrutiny committees will be questioning the executive's decisions which should be based on officer advice.

It is clear that the guidance recognises that there is some need to protect officers whom the new system might place in an invidious position.

We believe that it is artificial to rely on the scrutiny system as the answer to everything. Nowhere is it more artificial than in Hammersmith and Fulham, where scrutiny committees are clearly being whipped on a regular basis. Elsewhere, Newham has 59 Labour members. The one other member is an independent Labour member. How on earth can there be independent scrutiny by other political councillors if there are no members from other parties?

Those are important questions, to which there were few answers in Committee. I hope that our luck is better this evening.

Mr. Adrian Sanders (Torbay): As the hon. Member for Eastbourne (Mr. Waterson) explained, new clause 10 would place a duty on the leader of each political group to disclose whether any matter on the agenda had been subject to prior discussion by that group. It is an admirable proposal, and a worthy attempt to prevent the whipping of members, but I suspect that it is unworkable. Whether or not the new clause is accepted, the system will probably encourage group members who want promotion to the executive not to rock the boat. That is the fundamental flaw in the split between executive and scrutiny committees, as it sets up two classes of councillor.

The other amendments in the group would water down the Government's explicit split between executive and scrutiny committees, and give councillors more flexibility over the arrangements. That would destroy what the Government are intending to do, but we have some sympathy for making the arrangements more flexible.

The really important amendment is No. 79, which the hon. Member for Eastbourne said deserved a debate in its own right. It would require separate officers to serve the executive and scrutiny committees. Clearly, if scrutiny is to work, that is a good idea, but there is a resource implication. The amendments do not cover the question of whether the paid head of service should line-manage the officers of both committees—

It being three hours after the commencement of proceedings on the programme motion, MR. DEPUTY SPEAKER, *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Question negatived.

MR. DEPUTY SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

New Schedule 1

AMENDMENTS TO THE 1972 ACT

1.—(1) Section 2 of the Local Government Act 1972 (constitution of principal councils in England) is amended as follows.

(2) After subsection (2) there is inserted—

"(2A) Where a council mentioned in subsection (1) or (2) above are operating executive arrangements which involve a mayor and cabinet executive or a mayor and council manager executive, the council shall consist of an elected mayor, a chairman and councillors."

2.—(1) Section 21 of that Act (constitution of principal councils in Wales) is amended as follows.

(2) After subsection (1) there is inserted—

"(1A) Where a council falling within subsection (1) are operating executive arrangements which involve a mayor and cabinet executive or a mayor and council manager executive, the council shall consist of an elected mayor, a chairman and councillors."

3.—(1) Section 25A of that Act (title of chairman or vice-chairman of county borough council) is amended as follows.

(2) After subsection (2) there is inserted—

"(3) This section does not apply where a county borough council are operating executive arrangements which involve a mayor and cabinet executive or a mayor and council manager executive."

4.—(1) Section 245 of that Act (status of certain districts, parishes and communities) is amended as follows.

(2) After subsection (1) there is inserted—

"(1A) Subsection (1)(b) does not apply where the council are operating executive arrangements which involve a mayor and cabinet executive or a mayor and council manager executive."

5.—(1) Schedule 2 to that Act (constitution and membership of London borough councils) is amended as follows.

(2) After paragraph 5 there is inserted—

"5A. Where a London borough council are operating executive arrangements which involve a mayor and cabinet executive or a mayor and council manager executive—

(a) the council shall consist of an elected mayor, a chairman and councillors,

(b) for any reference in paragraphs 2 to 5 above to 'mayor' (except in the expression 'deputy mayor') there is to be substituted 'chairman',

(c) for any reference in paragraph 5 above to "deputy mayor" there is to be substituted "vice-chairman".".'.—*[Mr. Robert Ainsworth.]*

Brought up, read the First and Second time, and added to the Bill.

Clause 12

FUNCTIONS WHICH ARE THE RESPONSIBILITY OF AN EXECUTIVE

Amendments made: No. 101, in page 9, line 1, leave out paragraph (b) and insert—

'( ) may be discharged only in accordance with any provisions made by or under this Part which apply to the discharge of any such function by that form of executive.'.

No. 102, in page 9, line 3, at beginning insert "Accordingly".—*[Mr. Robert Ainsworth.]*

Clause 14

DISCHARGE OF FUNCTIONS: LEADER AND CABINET EXECUTIVE

Amendments made: No. 103, in page 11, line 10, after "makes" insert "or has made".

No. 104, in page 11, line 11, leave out—

'at that or any subsequent time'.—*[Mr. Robert Ainsworth.]*

Clause 15

DISCHARGE OF FUNCTIONS: MAYOR AND COUNCIL MANAGER EXECUTIVE

Amendment made: No. 105, in page 11, line 34, leave out "exercise" and insert "discharge".—*[Mr. Robert Ainsworth.]*

Clause 17

DISCHARGE OF FUNCTIONS BY AREA COMMITTEES

Amendments made: No. 106, in page 12, line 23, leave out from "authority" to end of line 33 and insert—

'which satisfies the conditions in subsection (4).'.

No. 107, in page 12, line 34, at end insert—

'(4) A committee or sub-committee of a local authority satisfies the conditions in this subsection if—

(a) the committee or sub-committee is established to discharge functions in respect of part of the area of the authority,

(b) the members of the committee or sub-committee who are members of the authority are elected for electoral divisions or wards which fall wholly or partly within that part, and

(c) either or both of the conditions in subsection (5) are satisfied in relation to that part.

(5) Those conditions are—

(a) that the area of that part does not exceed two-fifths of the total area of the authority,

(b) that the population of that part, as estimated by the authority, does not exceed two-fifths of the total population of the area of the authority as so estimated.'—*[Mr. Robert Ainsworth.]*

Clause 18

DISCHARGE OF FUNCTIONS OF AND BY ANOTHER LOCAL AUTHORITY

Amendment made: No. 108, in page 13, line 22, leave out "(3) and (4)" and insert "(3) to (5)".—*[Mr. Robert Ainsworth.]*

Clause 20

OVERVIEW AND SCRUTINY COMMITTEES

Amendments made: No. 109, in page 14, line 34, leave out "and" and insert "or".

No. 110, in page 14, line 35, leave out "their inhabitants" and insert—

'the inhabitants of that area'.

No. 208, in page 16, line 3, at end insert—

'( ) A person is not obliged by subsection (14) to answer any question which he would be entitled to refuse to answer in or for the purposes of proceedings in a court in England and Wales.'.—*[Mr. Robert Ainsworth.]*

New Clause 9

ACCESS TO INFORMATION; BACKGROUND PAPERS

'.—(1) In section 100D of the Local Government Act 1972 (inspection of background papers) for subsection (1) there is substituted—

"(1) Subject, in the case of section 100C(1), to subsection (2) below, if and so long as copies of the whole or part of a report for a meeting of a principal council are required by section 100B(1) or 100C(1) above to be open to inspection by members of the public—

(a) those copies shall each include a copy of a list, compiled by the proper officer, of the background papers for the report or the part of the report, and

(b) at least one copy of each of the documents included in that list shall also be open to inspection at the offices of the council."

(2) In subsection (2) the words "of the list, or" are omitted.'.—*[Ms Beverley Hughes.]*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Ms Beverley Hughes): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Government new clause 11—*Meetings and documents: notice etc.*

New clause 5—*Decisions made by individuals—access to information*—

'.—(1) A prescribed decision shall not be taken by a decision taker unless public notice containing the details specified in subsection (2) has been given by him at least five clear days in advance of the date on which it is proposed to take the decision by posting it at the offices of the local authority.

(2) The details referred to in subsection (1) are

(i) the name of the individual taking the decision

(ii) details of how he may be contacted

(iii) a short description of the decision to be taken

(iv) the date on which the decision is to be taken

(v) a list of the reports and background papers relevant to the decision.

(3) The provisions of Part VA of the Local Government Act 1972 shall apply to any report relating to the proposed decision and to any background papers used in preparing that report, as if the report were to be considered at a meeting of a principal council.

(4) Nothing in subsection (1) shall prevent a decision being taken without giving such notice where by reason of special circumstances, which shall be specified in the written record of the decision, the decision taker is of the opinion that it should be taken as a matter of urgency.

(5) In this section—

"prescribed" has the meaning given by section 21(11).

"decision taker" means

(a) an individual member of a local authority executive or

(b) an officer of the authority discharging functions of the executive delegated to him.'.

Amendment No. 82, in clause 21, page 16, line 4, leave out subsection (1) and insert—

'—(1) Meetings of

(a) a local authority executive

(b) a committee of such an executive

(c) a sub-committee of such an executive

(d) a joint committee

(e) a sub-committee of such a joint committee

shall be open to the public subject to the provisions of Part VA of the Local Government Act 1972.'.

Amendment No. 19, in page 16, line 5, leave out "or held in private" and insert—

'unless necessary to exclude the public for individual items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 1 (all reports) of Part I of Schedule 12A to the Local Government Act 1972.'.

Amendment No. 83, in page 16, line 6, leave out subsection (2).

Amendment No. 20, in page 16, line 7, leave out from "decide" to end of line 9 and insert—

'which parts of its meetings, and which part of any committee of the executive are to be held in private.'.

Amendment No. 84, in page 16, line 11, leave out from beginning of line 11 to end of line 12 and insert—

'any meetings referred to in subsection (1).'.

Amendment No. 85, in page 16, line 20, at end insert—

', and where such reports, background papers or other documents relate to a decision which is to be taken they must be made available at least five clear days before the date on which the decision is to be taken'.

Amendment No. 86, in page 16, line 21, leave out subsection (7).

Amendment No. 87, in page 16, line 25, leave out subsection (8).

Government amendment No. 111.

Amendment No. 88, in page 16, line 42, leave out subsection (9)(a).

Government amendment No. 112.

Amendment No. 89, in page 17, line 20, leave out subsection (10).

Government amendment No. 220.

Amendment No. 90, in clause 99, page 74, line 25, after "10(5),", insert "21,".

Amendment No. 91, in schedule 4, page 87, line 34, at end insert—

'. In section 100A of that Act (Admission to meetings of principal councils), in subsection (6)(a), for "three" there is substituted "five".'.

Amendment No. 92, in page 87, line 34, at end insert—

'. In section 100B of that Act (Access to agenda and connected reports)—

(a) in subsection (3), for "three" there is substituted "five"

Amendment No. 93, in page 87, line 34, at end insert—

'. In section 100D of that Act (Inspection of Background Papers)—

(a) in subsection (1) leave out from "members of the public—" to the end and insert—

"(a) a list of the background papers for the report or the part of the report shall be attached to or included in the report, and

(b) at least one copy of each of the documents included in that list shall also be open to their inspection at the offices of the council.",

(b) in subsection (2) omit the words "of the list, or",

(c) in subsection (2) after "included in the list" omit ",".'.

(b) in subsection (4)(a), for "three" there is substituted "five"'.

Amendment No. 94, in page 87, line 34, at end insert—

'. In section 100I of that Act (Exempt information and power to vary Schedule 12A), after subsection (2) insert—

"(2A) The Secretary of State may by order substitute for the reference to 'three clear days' in sections 100A and 100B such greater number of days as may be specified in the order.".'.

Government amendment No. 205.

Ms Hughes: Throughout this Bill's passage through the House, the issues relevant to these amendments have been the basis of an informed and constructive debate on access to information. I am sure that that will be the case this evening, too.

I hope that both sides of the House will agree that we all start with one aim in mind—to ensure that the new structures are as accountable and transparent as possible. However, we must not lose sight of the fact that the third aim of the executive arrangements, as identified by the Joint Committee, was to improve efficiency and establish a more modern approach to decision making. The debate has been concerned with how we strike that balance.

During debates in Committee, we identified that the central issue to ensure access and transparent decision making is public access to information. First and foremost, local people need to know what decisions are going to be taken, and also when and how they are to be taken. They need to know what information, analysis and ideas will be available to decision makers, and what will influence them. Above all, local people need and deserve to know how they can make their input into the decision-making process. Decisions that affect people should not come as a surprise to those affected. Equally, once a decision has been taken, the public need to know what that decision was and the reasons for it.

It is through this public access that, to a considerable extent, the accountability that we all seek will be delivered. It is unfortunate that the Opposition should diminish the role of overview and scrutiny, as it is vital to this matter and to the proposed structures. All the new structures, with their separate, identifiable executive and powerful overview and scrutiny committees, will contribute significantly to ensuring that future decisions by the council are made in an open and inclusive process that involves local people in deciding local issues.

Central to building the framework to deliver that ready access will be a requirement for executives to maintain a public forward plan of decision making, as set out in our guidance. People will see what decisions are going to be taken over coming weeks and longer. They will also see how the executive is planning to consult and involve them, and how they can participate. Amendment No. 112 empowers the Secretary of State to make regulations requiring such a forward plan. For the information of the House, draft regulations were yesterday made available showing how we intend to use the powers, should clause 21 be amended as we propose.

I recognise that there remain genuine concerns about whether the access regime really will bring about a culture of openness and transparency. I accept that these concerns have been fuelled by recent experiences, referred to earlier by right hon. and hon. Members, of the experimental new working arrangements being tried by some councils. Councils are already making significant progress in trying new and innovative ways of working that will involve local people far more readily and significantly in their decision making, but not every experiment has achieved the kind of openness that we want to see and will be required under this measure. Indeed, some have fallen well short of the spirit of our proposals.

I remind right hon. and hon. Members that these shortcomings, where they exist, have arisen before councils can adopt fully the new structures that the legislation will put in place. They are, therefore, not yet compelled to adopt the regime of public access that we are introducing; they are instead using existing legislation not to promote openness but, on occasion, to increase secrecy.

To achieve our aims, there must be change. Not only must there be a tough regime for access, there needs to be a culture of openness, and public confidence that such a culture exists. It is important that all right hon. and hon. Members accept that we are talking not just about structures but about mechanisms and levers to try and drive a new culture into local government. That is what we are putting in place, and the proposals need to be seen in that light.

We are therefore taking one further measure which I believe will dispel some of the proper concerns that have been raised and build that public confidence. Amendment No. 111 will allow the Secretary of State to specify in regulations the circumstances in which a council's executive must meet in public. If the House accepts that amendment, we intend to make regulations requiring that when a decision is being taken collectively by an executive, and is one of the key decisions that will be of the kind contained in the forward plan, the executive will have to meet in public to make that decision. The draft regulations placed in the House yesterday make that clear.

Mr. Waterson: What is the logic of having meetings in public to discuss key decisions and still having the possibility of meeting in private, or in secret, to discuss decisions that are not key and are, by definition, probably rather unimportant?

Ms Hughes: That is no different from what happens currently. I do not think that anyone would argue that every decision, such as those currently delegated to an officer, for example, should have to be taken in the formal arena of a public meeting. That is not in the spirit of the point that I made at the outset of my speech about the balance that needs to be struck between openness and transparency on the one hand and efficient decision making—which is also in the interests of local people—on the other.

As I was saying, the draft regulations will make it clear that such decisions will have to be made in public. In addition, to ensure that openness and accountability are a reality, we shall make it clear in our guidance accompanying the Bill that it is not just when a formal decision is being taken that the meeting should be in public. People should not be able to get around our clear intentions for access by, for example, questioning officers in private about their advice one week and, the following week, formally taking the decisions without a debate in that public arena. One could argue that that has been one of the problems with the committee system, and it should not be carried over into the new regime. We shall therefore make it clear that we expect that when the executive is having a collective discussion with officers, pertinent to any key decisions, the public should have access to those discussions.

8.15 pm

Mr. Patrick Hall (Bedford): My hon. Friend has made an important and welcome statement that goes beyond regulation 3 on page 5 of the draft regulations to which she has just alluded. Will she confirm that the wording of regulation 3 will need to be revisited again to make it clear that a meeting of a council executive will have to be open when matters pertinent to key decisions are being discussed, not just when those decisions are being determined?

[Mr. Patrick Hall]

Secondly, regulation 15 seems to leave the definition of key decisions to individual local authorities. Would it not be more sensible to have national parameters to help define key decisions?

Ms Hughes: I remind my hon. Friend of what I said. We will make it clear in the regulations that we expect that when an executive is having a collective discussion with officers, pertinent to any key decisions, the public shall have access to those discussions. The regulations will reflect that commitment.

On my hon. Friend's second point about the definition of key decisions, the draft regulations are, as he knows, out for consultation. What constitutes a key decision is a specific question that councils are being asked in that consultation. In fact, that was drawn to the attention of the local authorities when the draft regulations were published. We will take cognisance of the responses that we receive on that issue before firming up our views on how a key decision should be defined. Certainly, the responses of local authorities will be very germane.

Dr. Alan Whitehead (Southampton, Test): My understanding of the process that is being sought, and my view of an ideal process, is of a seamless mesh of access to information prior to a decision being made, while a decision is being made, and after it has been made via the scrutiny process when a key decision is in question. Is it the Government's intention that the new clauses will allow for scrutiny when a decision is being entertained but has not yet entered the decision-making process? That is what happens in Select Committees in this House, even though no legislative process is being undertaken at that particular moment.

Ms Hughes: We have already made it clear during extensive discussions in Committee that key decisions announced in the forward plan that we envisage will be weeks—possibly up to three or four months—in advance of a decision being taken, and that overview and scrutiny committees can call the executive members responsible to account before the decision is taken. That is already provided for in the draft regulations.

Mr. McDonnell: On the definition of key decisions, I agree with my hon. Friend that it is important to consult local authorities. Does that mean, therefore, that these regulations will be brought before the House for debate for potential amendment and approval?

Ms Hughes: In terms of the outcome of the consultation, there will be the opportunity to discuss the regulations.

We are very comfortable about moving in this direction and with responding to some of the issues that have been expressed. I hope that no one would argue that there should be no opportunity for early discussion in private among executive members about issues likely to lead to key decisions. It is in the interests of local people that members, with officers, are able to explore options and think through the implications of potential decisions before they make a decision.

Certainly, in terms of the concerns that are being expressed, we are also clear that when an executive is meeting to discuss issues that are pertinent to key decisions with officers, those should be in the public domain. I hope that that reassures some of my hon. Friends and hon. Members about the concerns that they have raised.

Mr. Alan Simpson (Nottingham, South): I am grateful for that clarification, but will my hon. Friend confirm what will be covered as regards advance disclosure? The timetabling is not clear. How much advance disclosure should there be? Would draft reports be covered by advanced disclosure requirements? Technically, it would seem that under the regulations a draft report could be the subject of a subsequent decision without any advance disclosure. Is it clear that the regulations will cover draft reports as well as the formal reports?

Ms Hughes: Yes, I think that our policy is clear on that. Under the Bill as it stands, where a member of the executive receives officer advice the report must be disclosed at least three days before a decision is taken. We are not saying that an executive member must have officer advice before taking a decision, although, as the guidance makes clear, in most circumstances we would expect that to be the case.

Our aim is to start from the position that too many councils have excluded the public from decision making for too long. That is a hallmark of the committee system. The desire to change that system is at the root of our proposals. Public access must be the norm. If people are elected to represent their communities, they must be seen to be delivering the best possible deal for those communities and to be accountable for that.

We shall carry over into our new provision the existing concept that certain matters, such as those relating to individuals or commercial contracts, are exempt information, on which, notwithstanding any general requirement for open meetings, decisions should properly be made in private. While we will carry across that concept, as I said in Committee, we shall review those categories to find out whether they are too widely drawn and should be reined in. Again, we will be consulting on that.

Mr. Waterson: As it might save time later, will the hon. Lady explain now what is the difference between what she is proposing to accept and applying the existing system of openness, as contained in the Local Government Act 1972 and elsewhere—subject always to confidentiality—which applies to council and committee meetings, to cabinet or executive meetings? Would that not be far simpler and achieve much the same result?

Ms Hughes: No, it would not. We are talking about an entirely different system. The hon. Gentleman has a complete blind spot about scrutiny and cannot see the advantages of a separation between executive decision making and scrutiny. Precisely because that is the structure that we are talking about, which we believe is preferable to the moribund process of the committee system, we need different arrangements to ensure access to information. Those are the arrangements that I have put before hon. Members today in our amendments.

In Committee, the hon. Member for Eastbourne said that his aim on access to information was to hold the line and that is what he just said. He asked why things could not stay as they are. Holding the line is not good enough. We want to move that line decisively towards better access, greater openness and greater accountability for local people. The arrangements that we propose will achieve that aim much better than the present arrangements.

Ms Margaret Moran (Luton, South): On the issue of greater openness and accountability, I am sure that my hon. Friend is aware that the media have expressed concern about access to information and the openness that the executive will allow for reporting. Is she also aware that at the first executive meeting of Luton borough council, *Luton on Sunday*, usually the scourge of the council, expressed amazement at the openness and accountability that is now available? It is far in excess of what was previously available. Also, the three days prior notice of information from the executive needs to be reconsidered if we are truly to be more accountable not merely to the media, but to citizens who want to be more involved and informed about the important work of the executive.

Ms Hughes: I thank my hon. Friend for that intervention. I am aware of developments in Luton because I was there last week to talk to council members, as she knows, and I was impressed by what they are doing and the spirit in which they are trying to implement their new arrangements in advance of the Bill becoming law. If she will bear with me a little longer, I will deal with the number of days notice.

In addition to our robust access regime, our amendment for open executive meetings and the review of exempt information—the outcome of which we can implement through an existing order-making power when the consultation is complete—we are also putting some other provisions before the House. New clause 9 will ensure that background papers are now listed with reports. New clause 11 will allow us to increase the minimum number of days that papers are available in advance of decisions, to which my hon. Friend referred, and we shall consult on whether we should use that power in the near future. Finally, amendment No. 112 allows us to make regulations for the forward plan.

In addition, we will for the first time bring key officer decisions into the access-to-information fold. All of those provisions taken together represent a considerable advance on the status quo that the Conservatives want so dearly to maintain.

On the amendments tabled by my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher), the hon. Member for Bath (Mr. Foster) and others, I am sure that the spirit of their and our objectives is the same. I believe that the regime and the measures that I have outlined will more than meet the concerns from which the amendments sprang. I hope that my hon. Friend will agree that the regime that we are putting in place will ensure that decisions are not only taken accountably, following rigorous local debate, but that they are seen to be so taken, and that where an individual member of the executive is taking a decision, she or he does so after proper debate and only once people know all the facts. My hon. Friend's new clause 5 would achieve just that and our draft regulations deliver those aims. Therefore, I think that we are in agreement in wanting proper access and accountability. I hope that he shares my view that our package of measures will deliver that.

Finally, the Conservative amendments speak for what they are. In contrast to our regime for access and for reforming, modernising and extending existing provisions and significantly improving public access to them, the Opposition's amendments reflect their stance of holding the line, staying put and not recognising that local government in this century is a far cry from local government two centuries ago when the system that we still have was designed. Indeed, it is a far cry from the local government of the 1960s, when the then Member for Finchley, now Baroness Thatcher, introduced her private Member's Bill. Time has moved on, we have moved on, local people have moved on in terms of what they expect, but the Opposition and their amendments have not. In short, I cannot accept the amendments.

We can all agree, however, that we want a proper, transparent and accountable system that really allows local people to know who is taking the decisions, and when and how they can influence those decisions. The framework put in place by our provisions will deliver that. I commend new clause 9 to the House.

8.30 pm

Mr. Don Foster: The speech made by the Under-Secretary of State was a tour de force; it was remarkable. She accused the hon. Member for Eastbourne (Mr. Waterson) of wanting to hold the line. She said that the Government did not want merely to hold the line, but to move beyond it. To hold the line was not good enough, she said; they want better access. In effect, she accused the hon. Gentleman and his party of looking backwards, while the Government are looking forward. She said that the Government are making progress.

According to her pronouncements tonight, we certainly are making progress. Indeed, during the past few months, we have made much progress. However, it would be somewhat disingenuous of the hon. Lady to pretend that all forward movement has occurred so easily. Even her hon. Friend the Member for Bedford (Mr. Hall) found out only a few moments ago that obtaining concessions from the Government on the issue is like getting blood out of a stone.

The hon. Gentleman pointed out—helpfully, his words planned and ready—that there were surely two improvements that we could make. I have no doubt that the hon. Gentleman knows that I too wanted to raise those issues. He asked the Minister whether it would not be a good idea to revisit both draft regulation 3 and the definition of "key decisions". All he needed from the Minister were two short words: "yes" and "yes". However, the hon. Gentleman did not receive those answers; instead, the Minister made a longwinded attempt to arrive at "yes" and "maybe"—even the hon. Gentleman acknowledges that.

Ms Beverley Hughes: Not fair.

Mr. Foster: The hon. Gentleman made it clear that a clear statement was needed in the regulations on the definition of a key decision. If the Minister checks the record, she will find that she referred only to what would be placed in the guidance. In a moment, I hope that she will confirm that she intends to ensure that the change of definition appears in the actual regulations.

For the many people who care about freedom of information and openness in government, a long and weary road has been travelled. Both sides of the House

[Mr. Foster]

can claim credit for the progress that has been made. They share that credit with many organisations: the Society of Editors, the Newspaper Society and, not least, the Campaign for Freedom of Information, whose members have worked tirelessly on the issue. Credit is deserved by those organisations and Members on both sides of the House, including the hon. Member for Eastbourne, who is even now rising to his feet and to whom I give way.

Mr. Waterson: I am not so extravagant as to ask the hon. Gentleman to include me in his list, but he might think of including Baroness Thatcher.

Mr. Foster: On this one occasion, I am delighted to include the right hon. and noble Lady. The House will recall that she and another former Conservative Member of the House, Robin Squire, promoted measures on the matter.

Progress has been made. However, it is worth reflecting on the genesis of the matter. For example, when the draft Bill was considered by the Joint Committee, it recommended that

> the agenda of the executive be published in advance, together with all papers relating to items which are on the agenda for decision.

Advance publication of the agenda is hardly a major request.

However, paragraph 2.99 of the Government's response to the Committee, published in December 1999, stated:

> The Government is concerned, though, that a requirement to publish papers before a meeting might once again drive majority groups into private discussions outside the structures of the council and the purview of the overview and scrutiny committees.

At that time, the Government were not even prepared to consider advance publication of agendas.

That is where we started. Since then, with pressure from many organisations and from Members on both sides of the House, the Government have come to believe that we need the production of a forward plan that details

> the matters in respect of which the decision is to be taken . . . the name of the decision taker . . . by when the decision will be taken . . . who will be consulted . . . the means by which any such consultation is proposed to be undertaken . . . how, and by when, people should make representations to them . . . a list of the documents, other than documents that are [then] available only in draft form, submitted to the decision-taker for consideration in relation to the matter in respect of which the decision is to be taken.

That represents good progress.

Furthermore, there must be three days advance access to reports, agendas, and background papers for decisions that will be taken at meetings held in public. The finalised reports on which decisions are taken by individual executive members must, apparently, be publicly available in advance. I should be grateful if the Minister clarified that point, as there is some confusion in the draft regulations that we saw yesterday.

Other progress has been made. After a meeting, individuals must produce a record of the decisions, including the reason for the decisions and the alternative options considered and rejected. The Government have agreed to undertake a review of the exemptions from public rights of access to meetings and information in schedule 12A of the Local Government Act 1972. They have also agreed to amend the Act to require officers to list the background papers to their reports in the reports themselves.

That is a pretty impressive list of the changes that we eventually managed to get out of the Government. I suspect that, tonight, all that many of us want to persuade them to do is to state categorically that they are willing to take one more, final step.

I should like the Government to do one more thing, although I accept that they are unlikely to do so—I should like many of the issues that we have successfully debated to be included in the Bill. I should prefer them to take that route instead of dealing with such matters in separate regulations. However, I accept that that is probably a step too far for the Government at this stage.

The hon. Member for Bedford identified the two key issues on which we seek a clear statement from the Government. The first relates to key decisions. We need to be clear that the Government are willing to reconsider and widen the scope of the definition of "key decision" and, after consultation, to ensure that it is included in the regulations. I hope that the Minister will give us a clear "yes" on that matter.

The second issue relates to meetings that may or not take place in secret. Currently, it is the Government's intention to allow a group of members of the executive, if they want to do so, to hold in private a meeting to discuss a particular issue before a decision is taken. As I understand it, we have tonight heard a clear intention to change that arrangement. Unfortunately, the current draft regulations state:

> Subject to regulation 4, a meeting of the executive of a local authority, or of a committee of such an executive, shall be held in public if it is a meeting at which consideration is to be given to a matter in relation to which a decision taken at the meeting would be a key decision.

The important phrase is "at the meeting". There is a real possibility that members of the executive may meet—on an agenda item, with papers in advance—to discuss the pros and cons of a proposal, perhaps the proposed closure of a school. It may well be that the decision on the issue will be taken at a later meeting, or delegated to an individual executive member. In those circumstances, under the current draft regulations, it would be possible for the meeting to be held in private, if the executive so determined. That would mean that members of the press and the public did not have the opportunity to listen to the arguments for and against that decision. It is certainly my belief, and that of the Campaign for Freedom of Information and the other organisations to which I have referred, that that needs to be changed, so that there is a clear statement of what is meant.

Dr. Whitehead: For the avoidance of doubt, will the hon. Gentleman make it clear to me that, wherever his party forms the executive in a local authority, he will use the best endeavours of his national party machinery to ensure that that local authority abides by the laudable sentiments that he has expressed this evening?

Mr. Foster: I am grateful to the hon. Gentleman for making his comments in a non-provocative way. It would have been possible to have been slightly more provocative.

Mr. Waterson *rose—*

Mr. Foster: Now the hon. Member for Eastbourne is going to be provocative, just when I was hoping that for once we could all come together and agree to move forward positively.

Mr. Waterson: I am tempted to say, "You rang?" Does the hon. Gentleman not think that this is a problem that will shortly solve itself?

Mr. Foster: The hon. Gentleman has now got me puzzled. The example to which I was referring was certainly one that would not easily solve itself. Perhaps he knows of another.

I take the spirit of what the hon. Member for Southampton, Test (Dr. Whitehead) says. He will be aware that it is very much the view of the Liberal Democrats that decisions that are entitled to be made at local level must be made by people at that level. It is not for those at national level to tell them what decisions they should take. I nevertheless give the hon. Gentleman the assurance that my party will take steps to encourage all Liberal Democrat councils to operate with maximum openness.

I suggest a form of words to the Minister for draft regulation 3. I shall read it slowly so that the Minister can take it in. It might say something like: "Subject to regulation 4, a meeting of the executive of a local authority, or of a committee of such an executive, shall be held in public if it is a meeting at which (a) a key decision is to be taken or (b) discussion is to take place concerning a matter about which a key decision is to be made or may be taken in the future, whether by the executive or by any other decision-taker." From what the Minister said in response to the hon. Member for Bedford, I think that that is in line with what she has in mind.

I seek a clear assurance about the definition of key decisions, and an absolute assurance that, where discussions about key decisions are taken in a meeting of the executive for which there is an agenda item and for which papers have been prepared in advance, the meeting will be held in public, whether or not the decision is taken on that occasion. If I can obtain those two assurances, I will not urge my hon. Friends to press our new clause and amendments to a vote, and we shall support the Minister's new clause.

8.45 pm

Mr. Mark Fisher (Stoke-on-Trent, Central): Like the hon. Member for Bath (Mr. Foster), I welcome what the Minister had to say this evening. She was helpful in addressing the genuine concerns that have been expressed by hon. Members on both sides of the House to the effect that the new structures for local government should be at least as open and transparent as they were in the past. We should all recognise that the Minister and the Government have moved very far from the Bill as it was originally printed and from the discussions in Committee that I read in *Hansard*. It is a tribute to the Government that they have listened to the case put by hon. Friends, such as my hon. Friend the Member for Bedford (Mr. Hall), by the hon. Member for Bath (Mr. Foster) and by other members of the Committee. It is to Ministers' credit that they have done so.

I agree with my hon. Friend the Member for Bedford that one or two matters still need clarification, and the hon. Member for Bath has identified them. It is important that any discussion on a key issue, whether or not a decision is to be made on that occasion, is open to the public and that they are notified in advance. That is what members of the public want. They want to see what their councillors say, how they address the issue, and on what information they base their decisions. Those are the determinants—not whether or not a decision is taken. I am sure that the spirit of what my hon. Friend the Minister said takes that into account. I hope that that spirit will be reflected in her reply and in the draft regulations. That similarly goes for the definition of a key decision.

There are greater difficulties in defining a key decision. It is difficult to define them, and in a way I regret that we are going down that path. I would like to say all important decisions—but perhaps "important" is equally open to definitional difficulty. I cannot say that I envy the Minister the job of wording regulation 15, but it needs to be wider, and we need to hear something in the spirit of what she said in opening the debate, but clearer and firmer than that.

There are still one or two further matters that need clearing up. My hon. Friend the Member for Nottingham, South (Mr. Simpson) raised the question of draft reports. I listened carefully to the Minister's reply, and she appeared to be making a different point rather than answering my hon. Friend's point about draft reports. Draft reports do not lead immediately to a decision, but they can be crucial. The drafting of an original report for a local authority will determine the tone and parameters of any important decision about, for example, the closure of a school or an old people's home, or anything else. So the issue of draft reports needs to be considered. I hope that the Minister will answer that point a little more clearly in her reply to the debate.

I agree with the hon. Member for Bath that, ideally, the provisions should be written into the Bill rather than into regulations, but perhaps that is difficult for the Government to accept at this late stage in proceedings. No one will press the Minister tonight to put the provisions in the Bill. The progress that we have made on the regulations is sufficiently encouraging, and it shows the spirit in which the Government are dealing with the issue. There are issues on which we need the greatest possible legislative clarity. This is a difficult area.

Most hon. Members are sympathetic to what the Government are trying to do, which is to release local authorities and their decision making from the impenetrable, slow and cumbersome committee structure. However, in doing so, the Government inadvertently went down a much less transparent route in the original Bill. The Minister has saved the legislation and the Government tonight from that unhappy and probably unintended route, and has retrieved the situation; but she must recognise that significant decisions will still effectively be delegated to members of the executive—cabinet members, as they call them in my local authority in Stoke-on-Trent—and made in conjunction with the chief officer. It will be difficult to achieve transparency

[Mr. Mark Fisher]

in those decisions. Any one of those decisions may not come within the definition of a key or important decision, but cumulatively they have a great effect on all our constituents.

We are pursuing a difficult route which will lead the Government to keep a very close eye on matters. I hope that, quite apart from these regulations, the Government and the Ministers will revisit this piece of legislation over the coming months and in a year or two's time, to see how it is working and whether members of the public—and of the local press—are worried about a lack of transparency.

It was very encouraging to hear my hon. Friend the Member for Luton, South (Ms Moran) say that the local newspaper found that the present arrangements as demonstrated in Luton were actually more open than the legislation would require. That is to the credit of her local authority and the way its councillors and officers are operating in the spirit of the legislation, but we all recognise that it is perfectly possible to operate in a different spirit. Moreover, when decisions are very contentious and difficult, and a local authority feels itself beleaguered—as happens all too often—there is always a tendency for any local authority to smuggle things through and take decisions which, once they are a fait accompli, people will have to accept. Those of us who have been councillors in the past and have been chairs of committees understand that tendency only too well; it crosses all party divides and is simply a human tendency.

It is thus very important that we get this aspect right tonight, because whether we get it right or not along the lines that we are talking about, this will be difficult legislation to put into practice, and it will be difficult to ensure that there genuinely is openness; so the greater the clarity we get from the Government—in what the Minister says in winding up, and in the drafting of the regulations, and in the monitoring of the operation of the legislation—the better.

The spirit of what the Government are doing is right. Since Committee, the Government have moved an enormous distance in addressing these problems of openness and access to information, but we still have some way to go. I hope that, when the Minister winds up, she will recognise that advice in the spirit in which it is offered to her.

Mr. Peter Atkinson (Hexham): I very much agree with what the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) has just said. He summed up the problems that we face succinctly and clearly. Where I disagree with him is that I would not be so sanguine that we have found the solution to the problem—although he is cautious about it.

I always feel extremely wary when we send a Bill to the other place in a sense incomplete, with a key area of it lying around as draft regulations on which the Government will consult. Our final destination on this vital issue remains so uncertain.

We have been considering the Bill since April, when it had its Second Reading. We have had hundreds of amendments and here we are, in July, at its last knockings in this House, still fiddling with a vital section of it. That is a great indictment of the Government. The Minister, in the little tirade at the end of her speech, said that Conservative Members were a bunch of old-fashioned neanderthals. *[Interruption.]* Of course we probably are—at least, I probably am, but not my hon. Friend the Member for Eastbourne (Mr. Waterson). However, that little diatribe hid the fact that each and every one of the concessions that the Minister has made tonight has had to be wrung out of her bit by bit; the hon. Member for Bath (Mr. Foster) was quite right about that. Every gesture that has been made in this respect has been resolved by trench warfare waged not only by the Opposition but by Labour Members.

We are about to agree to the amendment—my hon. Friends would not wish to agree to it, but we are about to do so because the Government have a large majority on it—even though we still do not know the definition of the key word. What is a key decision? We still do not know that. We do not know what can be interpreted as a key word. As I understand the regulations, the decision as to what a key decision is will ultimately be decided by the local authority concerned, with some guidance from the Minister in some manner, which we have not seen—*[Interruption.]* I am sorry. It has been seen, but it has not been agreed. That is an extremely dangerous thing. I cannot believe that journalists and editors throughout the country will be satisfied by that.

The old committee system was described as slow and cumbersome. In many respects that is true, and those of us who have been councillors know what it is like to sit through some endlessly boring committee stages, but they are open to the public and to the press, and the arguments that flow back and forth can be heard by everyone. If decisions are not key decisions, but are nevertheless important decisions—the discussions before the closure of a school, perhaps—they will be taken in private and will not be properly explained and challenged until the scrutiny procedure starts, as I understand it.

I believe that we now have an intensely bureaucratic set of regulations, which are out to consultation. We do not know what they will be like in the final analysis. I believe that the House will be asked tonight to nod through a very significant provision that could bring about a substantial diminution of press freedom and public freedom—without our seeing the detail, which, in my view, should be in the Bill.

Mr. Neil Turner (Wigan): I very much welcome the changes that have been made to the Bill in regulations. We have moved an awfully long way from the first drafting. As I said, that is a tribute to the work that has been done by Members on both sides of the House and by other organisations.

The Government had to balance the need to allow councils thinking time to get together with their officers and discuss things that are in the air before they take key decisions, with the need for a clear, transparent, decision-making process. We now have what is probably approximately the right balance. I very much agree with my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) on the need to monitor the working of the legislation. The regulations are obviously quite complex and will be difficult for authorities to operate. We need to monitor, to ensure that the regulations are complied with. There is a clear need for Government, and for ourselves as Members representing people, to ensure that our councils do the proper thing.

We need to be aware that the legislation is only part of the process of modernising local government; the other part was the Local Government Act 1999, which provided for the creation of community plans. The community plans involve the community in the way local government takes its decisions. The regulations make it absolutely clear that the community, local businesses, voluntary groups and individuals must be involved in that process. When those elements are combined in the decision-making process, the result will be that the transparency, the openness and the involvement of the public in local government will be very much better, once the Bill becomes an Act.

I therefore welcome these moves by the Government, and hope that the House will approve them tonight.

Mr. Richard Shepherd (Aldridge-Brownhills): I share some of the reservations that have been expressed by my hon. Friends about the journey that the Bill has made on openness and on its provisions for access to information. I gladly pay tribute to the Campaign for Freedom of Information, which has been a beacon of light, has monitored progress, and has demonstrated benchmarks.

In an earlier reading of what seemed to be almost another Bill from another world, one took the view that it had been drafted by the Home Office. It had all the magnificent over-defensive reactions that reflected the thought that dangerous talk cost lives and that local electorates should not have the same standard as is suggested for the Bill. It seemed inconsistent that a Government who were taking steps to advance open government were also permitting a situation that denied the residents of my local authority, for example, the access to information that they had traditionally had. The fact that the regime is now looser than was originally conceived in the Bill is to be welcomed.

9 pm

The hon. Member for Stoke-on-Trent, Central made two valid points. First, if terms such as "key decision" are not properly defined, that gives rise to anxiety. The standard in one place may well be different from that in another, and I know that the Minister is mindful of that fact. However, if a constituency covers two local authorities, two different standards of access to information might apply. That would give rise to conflict and would reduce our ability to participate. After all, openness of information is the greatest incentive to participation and to involving people in local government. They feel more involved if they know what is going on and, if they are sufficiently interested, they may participate in the process.

All political parties are trying to reach out and increase participation and the sense of validation of the decisions taken. I am naturally cautious about executive-style mayors such as we have in London, but I am a Conservative and one would expect me to view change with caution to some extent. Therefore, the first point that the hon. Gentleman raised was the variable standard between authorities.

The hon. Gentleman made another important point on the issue of regulations. The House drowns under regulations and we have very little say over them. They are not even properly scrutinised. I was going to whisper, but I do not have to do so in the House because most of the information traded here is not relayed anywhere else. Therefore, I will mention the Child Support Agency. We all agreed with the concept, so it bears some relation to what the Minister is doing here. However, on a quiet summer's afternoon, when we were busy and our concentration was elsewhere, a raft of regulations was passed. As a Parliament, we caused great hurt to many of our constituents.

For many years, we have had to sit—I certainly have—in our surgeries wondering how such an outcome could have come about. It is difficult to put right a wrong. Although regulations have the effect of primary legislation, they are not primary legislation in the sense that we can take up the House's time to try to satisfy ourselves—this is what the process is about—that they are fair and reasonable.

The hon. Gentleman said that he was bit cautious about regulations, but that he accepts the good intent of the Government. I am very concerned about regulations, however, because 2,500 of them flood through as statutory instruments each year, and that is in addition to the 2,500 pages of legislation that existed even before the Home Secretary announced yet another Bill for this Session. I hope that the Government take that point on board, because it is disappointing to think that we shall not see the regulations before the Bill is returned to the House of Lords.

I want to give a cheer to amendments Nos. 82 to 87, which were tabled under a distinguished collection of names, to which mine was also appended. I commend to the Government a more vigorous approach when the matter is considered in the Lords. I hope that they will enable us to discuss the regulations in detail without the constraints that apply to most regulations.

Dr. Whitehead: I shall add my brief comments to those who have said that the measures that the Government have introduced on Report will lead to a culture of openness in the new form of local government. That is important, because when we consider the past and the future of local government we should be honest. The idea that there was a golden age of openness in local government that the Government first ignored, and then had to be dragged kicking and screaming back towards, is not true.

In the past, local government has, in some circumstances, operated in admirable conditions of openness. However, there have also been instances in which local authorities have operated in shocking conditions of secrecy. There have also been occasions, even after the Local Government (Access to Information) Act 1985 was passed, on which local authorities subverted the requirements of such legislation by various means, including caucuses, pre-meetings, half-group meetings and half-group and officer meetings and so on.

In circumstances in which it is clear that a major decision is to be made, a seamless web of information should be made available to the public before it is made. That is the order of the day when that decision is being entertained and discussed and once it has been made and implemented. The Government have suggested changes to the Bill. I was a member of the Joint Committee of both Houses that scrutinised the draft Bill and, as hon. Members have reflected today, it is right that considerable moves have been made from some thoughts that came before that Committee.

[Dr. Whitehead]

The circumstances that will exist after the Bill is enacted will be a challenge to any local authority that wishes to pursue its activities in secret. The assumption will be that a good reason must be put to the public if items of any major importance to that local authority are to be decided in private. That does not mean that there are not circumstances in which certain decisions should be discussed in private. Certainly, there are circumstances in which decisions should be taken privately, such as those relating to tendering of contracts, in which a third party can get an advantage from those contracts, or cases relating to employees or disclosure of information which, in certain circumstances, may be prejudicial to individuals. However, I can think of only a few occasions when that is relevant, and there is an overwhelming case for openness in local government, which the changes will advance. I commend the Government amendments for the way in which they engender that culture.

Finally, there is now an onus on those in all political parties who purport to speak for local government at national level to make sure that excuses are not made for local authorities that are run by their parties in a majority, if those parties fail to live up to the culture of openness that the Bill will introduce. I certainly hope that what the hon. Member for Bath (Mr. Foster) said and what Conservative Members said in support of that greater openness will be backed by action in future. If local authorities do not do that, those parties should take action themselves.

Mr. Shepherd: The hon. Gentleman said that he could see good reasons why certain matters are confidential, and cited tendering as an instance. That relates to the commercial confidentiality argument which goes right through whole areas of British government. Why should a tender, which is an open market transaction, be protected by secrecy? In the United States, that would considered an outrageous suggestion, as people, including the public at large, want to compare open tenders. One might not take the cheapest tender, but one is forced to give the reason for that, such as quality of goods, service or reliability. I am nervous about starting to cocoon areas on the ground that they may require confidentiality.

Dr. Whitehead: Of course that must be constrained very scrupulously, but I am concerned that the playing field might not be level. If a private company wants to gain some advantage, for example, in a land transaction and the local authority is required to give it access to information that enables it to take advantage of the tendering process, the public might be deprived of money that might otherwise have gone their way if that information had not been available to the private company.

Such a requirement would be necessary if we had a regime in which everyone—whether a public, private or voluntary body, or whatever—were always required to disclose exactly the same information. Unfortunately, private companies have been able to take advantage of the openness of public bodies to make deals to the disadvantage of the public interest. We should be aware that that is possible and ensure that, in that instance and that instance only, the public interest is not compromised by the fact that the playing field is not level in those circumstances.

I hope that the spirit of openness heralded by these amendments is made a reality. One political party has recently introduced an ethics committee to its own internal proceedings. I imagine that that party would want to ensure that its ethics committee looked into any local authority, on which its representatives were in a majority, that proceeded secretively. Hon. Members from all parties have signed up to an important principle tonight. We should now ensure that, in future, the reality of local government conforms to the principles that we have enunciated.

Mr. Waterson: Oh dear, oh dear, oh dear, the Government have got themselves into a terrible mess. They have twisted, turned and tried every way to save their face, but it will not wash. We have heard all the usual guff about openness, transparency and so on, and we must all learn a new theology about key decisions. The Minister had the temerity in her opening remarks to boast about the fact that the draft regulations were put out for discussion. Yes, they were, but only since yesterday—talk about legislating on the hoof. The Government have rushed out the draft regulations. *[Interruption.]* I shall take no lessons from Ministers; they have the great panoply of the civil service at their disposal and have been preparing all this stuff for years.

We are having this discussion only because we pressed the matter in Committee, because the Minister has been greatly embarrassed in the media—we know how important they are to the Government—and because a bunch of brave Labour Back Benchers have tabled amendments.

The Government have rushed out the draft regulations and guidance because they are in an absolute panic, trying to buy off a Back-Bench rebellion—apparently, successfully for the moment. They have made an embarrassing climbdown, but to avoid the appearance of having done so, at least to anyone below the age of five, they have produced an incredibly contorted system of new regulations and guidance on key decisions that hapless local authorities will have to work their way around—as if they have not got enough on their plates with best value, cabinets and all the other weird and wonderful stuff, and with the odd directly elected mayor thrown in. It is as if Ministers' memories have been erased. If all that is so clear, obvious and straightforward, why did not they do it at the outset?

Why were these proposals not in the Bill when it was printed? Why were they not set out in the 400-odd amendments that the Government tabled in the other place? Why were they not in the nearly 400 amendments that the Government tabled in Committee? Why have they appeared only in the 115 amendments that the Government have tabled at this late stage of the Bill's progress through the House?

9.15 pm

If everything was so clear, obvious and self-explanatory, why did the Government resist the Opposition's amendments and the amendments tabled by other parties in Committee? Our proceedings this evening have turned into a face-saving exercise. There has been the occasional coached intervention from trusties on the Government Back Benches to make it seem that we are engaged in a natural, organic process. The Government's first instinct at all stages of the Bill's passage through the House has been to resist a movement to keep the regulations, rules and practices that applied under the previous Conservative Government. That has not been a movement towards greater openness.

Let us leave all that to one side, however. Let us take it that we are where we are. If these matters are so important and significant, why are we debating regulations in a vacuum? My hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) made the point clearly. There will be consultation and eventually regulations will be produced. One wet afternoon, they will pass through some part of the House. By then, the spotlight will have turned on something else. Who knows in what form the regulations will eventually appear? If these issues are so important, they should be set out in the Bill.

By way of semi-explanation, the Minister responded to the old adage that the best line of defence is attack. She made the usual attack on the committee system. She alleged that the committee structure excluded people. No, it did not. People had a right to go to council meetings and committee meetings except where there was something properly confidential to be discussed. That is the point.

The clear purport of the Opposition's amendments has not changed throughout the progress of the Bill, as the Government have twisted and turned. It has been straightforward. We wish simply to ensure that the position that applies to council meetings and committee meetings will apply to meetings of executives or cabinets.

The Minister derided a phrase that I used in Committee, but I make no apology for using it again. We have been seeking throughout to hold the line. The right hon. Lady said that that was not good enough. That is absurd. She went on and on about the moribund committee system and the status quo, for example. However, our position could not have been clearer, simpler or easier to understand for those in local government.

Baroness Thatcher, as she then was not, introduced a private Member's Bill that set out the original provision of openness. It became an Act in 1960. We opened up the meetings of councils and committees to the public and the media. Further legislation was introduced, not least the measure that was brought before the House by my former hon. Friend, Robin Squire, which cemented the approach of openness and introduced some details, quite properly. I see no reason why that system—it was simple to understand and was operated over many years—cannot be applied to the Government's proposals.

The Minister mentioned scrutiny. What relevance does that have? We are talking about meetings of cabinets or executives and whether they should be in public. In a desperate attempt to solve problems of their own making, the Government have produced an intensely complex and bureaucratic regime, against which I would happily contrast our common-sense approach, which is based on experience. That is why I shall invite my right hon. and hon. Friends to vote against Government new clause 9.

Our two amendments are straightforward, and they were debated in Committee. One refers to part I of schedule 12A of the Local Government Act 1972, which enshrines the rules that I have already discussed, which currently apply. The other would amend clause 21 and put the onus on an executive which wants to meet in private.

Not surprisingly, the Liberal Democrats, as is their wont, are trying to have it both ways. They are trying to run with the hare and the hounds. They push for amendments, but are happy to accept the bizarre results that the Government have come up with. It is no surprise, therefore, that last week at the local government conference, when the hon. Member for Torbay (Mr. Sanders) was asked whether he was optimistic or pessimistic about the future of local government, he replied, "Both."

Mr. Adrian Sanders (Torbay): As the hon. Gentleman will recall, I said that I would be optimistic, were the Liberal Democrats in government.

Mr. Waterson: I am not sure that I remember the hon. Gentleman's comment quite that way, but let us not fall out about it.

If the hon. Member for Bath (Mr. Foster) can engage in drafting on the hoof, let me do the same. I shall provide the clause that Ministers are looking for. They do not need a lot of clever parliamentary draftsmen. The wording, subject to all the confidentiality provisions that ordinarily apply, should be something like this:

> Meetings of the cabinet or executive should be held in public when
>
> (a) members are making a key decision, and
>
> (b) members are not making a key decision.

Is that simple enough for Ministers?

I do not understand the logic of producing all sorts of regulations, under which one must first establish what is a key decision. A series of criteria must be met. As my hon. Friend the Member for Hexham (Mr. Atkinson), or possibly my hon. Friend the Member for Aldridge-Brownhills, pointed out, the same people must make the decision as to what a key decision is, but let us leave that on one side for the moment.

When it has been decided what is a key decision, which must be discussed in the usual way in public. Fair enough, but why not apply that to all decisions, key and non-key? Why not continue the present practice, whereby a council meeting or a committee meeting has a full agenda, and apart from items of confidentiality, which are usually taken at the end of the meeting, the meetings are open to members of the public and the media?

I do not understand the problem that Ministers perceive, except that they are trying to pretend that the current proposal was the idea all along, and that they have not been driven to that expediency by pressure from the Opposition, the Liberals and their Back-Bench colleagues.

Let me give the Minister a warning. Why does she think that her cabinet ideas have been embraced with such alacrity by certain Labour-run councils, even before the Bill passes into law? Does she agree with Councillor Brendan Bird of Hammersmith and Fulham, a leading member of the Labour Campaign for Open Local Government, and someone who may be advised not to walk in any dark alleys on his own at present? With reference to the Government's proposals, he asked:

> If this is modern, why do all the good ol' boys love it so?

I will tell him. For many of them, the secrecy was the attraction—the ability to hold meetings behind closed doors, as they did in the past, but to be approved for doing it and seen as part of the modernising agenda.

[Mr. Waterson]

I warn the Minister that some of her dwindling band of supporters in local government may well melt way if the attraction of being able to meet in private—in secret—without public or media being present, is not available to them.

On the mechanics of the Government's proposals, we received the draft regulations only yesterday. Of course, I was grateful for my copy. Is it not remarkable how fast a Government can move when they are up against a Back-Bench rebellion? The accompanying letter makes the obvious point that the draft does not incorporate any comments received in consultation. That would be an achievement, given that that started only yesterday.

Regulation 15 contains the definition of a key decision. Such a decision must be an executive decision which,

> in the opinion of the decision taker—

that may be somewhat subjective—

> is likely to result in

something that

> has a material effect beyond the internal workings of the local authority

or

> has a significant effect on the authority.

We discussed in Committee how one would define those terms and the incurring of expenditure. I wonder whether that definition includes decisions about councillors' expenses and allowances, for example. There are other cases involving special urgency and other ways in which one can avoid the strict requirements of the regulations.

At the end of the day, there are still three major objections. One is that these are regulations; they are not in the Bill. Secondly, they still require people in a given authority to put decisions into a particular category, and it is for them to interpret those regulations. Thirdly, as I have already indicated, the problem is much simpler to resolve than that.

The House does not need to be reminded at too great a length, but it may need reminding to some extent, of the problem we have been trying to address. It took up quite a bit of time in Committee. It seemed to me that the burden of proof was firmly on Ministers who wanted to change the existing system, which seemed to me to work well, and that they should make a good and convincing case if they felt that there was any reason not to apply the regulations to the new cabinet system. We wanted to stop the Government effectively retreating from the Conservative legislation that I have already described.

Mr. Andrew Ecclestone of the Campaign for Freedom of Information put it rather well when he said:

> We are now finding a Labour Government removing the rights Mrs. Thatcher gave us.

That is absolutely spot on.

Perhaps the most appalling example of the kind of thing we are trying to tackle was described in an article in *The Guardian* by Mr. Peter Hetherington, referring to Cardiff council where fat-cat councillors gave themselves huge pay rises. They included the then lord mayor, who was initially paid a package of £58,500. The local council was so irritated by media criticism of that that it decided to cancel all council advertising in the local press and set up its own 140,000-circulation newspaper. The really awful part of it is that those decisions were made by the cabinet in secret.

I have a final illustration of why I think the Government are trying to persuade us that they have throughout had a certain mindset which is simply wrong. Very recently, as Mr. Hetherington pointed out, the Labour national executive described current campaigns against the cabinet system as "naive, misinformed or mischievous". The fact is that a whole range of people have come forward to oppose the Government's proposals: Conservatives, Liberal Democrats, Charter 88, newspaper editors, main television channels, the National Union of Journalists, the Council for the Protection of Rural England—the list goes on and on and on.

But the reason we are here today discussing these tortuous amendments is very simple. It is nothing to do with any of those organisations, or even with me or my hon. Friends. It is because Labour councillors and Labour Back Benchers were not prepared to put up with what the Government are trying to impose. I say, "Good for them!" I do not mind their having the credit if that is where the credit is due. Good for them, if they are heading in the right direction. We could be dealing with this problem in a much simpler, clearer, crisper way. That is why we shall vote against the Government's new clause.

9.30 pm

Ms Beverley Hughes: Despite the regulation churlishness from some quarters, I detected some warmth from some hon. Members for the provisions that we are bringing forward tonight. I welcome that very much. In the short time that I have I shall try to deal with some of the residual issues that hon. Members have raised.

The definition of key decisions will be enshrined in regulations. Contrary to the view of regulations expressed by the hon. Member for Eastbourne (Mr. Waterson), and as his hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) acknowledges, regulations are legislation and are binding on local authorities. I agree that the definition contained in draft regulation 15 is incomplete; it is imperfect, but we are working to improve it in close co-operation with local government and others. We commit to change it if that is the outcome of the consultation—that is why the regulations have been published in draft. Hon. Members may want changes to be made to the definition, but we expect key decisions to be the sort of decisions that traditionally would have gone to a committee for agreement, that the local community wants to know about and that are properly the concern of elected members.

We shall consider the form of words suggested by the hon. Member for Bath (Mr. Foster), but I have to tell him that it goes too far. I shall explain why, because it relates to an important point that we have skirted around in our debate. A degree of ambiguity lies at the heart of some of the concerns expressed by hon. Members tonight: on the one hand, they express a desire to decentralise and to give as much discretion and decision-making power as possible to local councils, local councillors and local people; on the other, they appear to challenge the integrity of councillors by attempting to constrain them.

We are consulting on the definition of a key decision and we shall analyse the responses. However, I should like hon. Members to acknowledge that there must be a degree of local discretion on whether a decision is significant. A decision that would be significant to a small shire council might be a small matter to a large metropolitan authority. We must have confidence in local councillors' ability to make decisions with integrity and to discuss them in the public domain. I hope that the House accepts and acknowledges that point.

Mr. David Winnick (Walsall, North): Will there be any monitoring of the way in which local authorities allow in the press, and will cases of abuse be taken up? That is an important matter about which many people are concerned.

Ms Hughes: Yes, not only will there be monitoring of those practices, but they will be open to challenge. If decision takers are making decisions about what needs to be discussed and decided in the open, those decisions can be challenged through the structures that we are creating; people will have to account for decisions about what needs to be in the public domain, as well as for the substantive decisions they make in their role as councillors.

The reassurances I have given do not encompass draft reports, because such reports are not meant to be made public. We need to acknowledge the need for officers and members to be able to think the unthinkable: they need to be able to set down a series of options early in the process of decision making, at a stage when options have not been firmed up, but a decision is imminent. Having said that, there is provision against abuse—for example, the possibility of reports remaining in draft form until immediately before a meeting. The provisions for prior publication of reports and our undertaking to review whether three days are enough—

It being four and one-half hours after the commencement of proceedings on the programme motion, MR. DEPUTY SPEAKER, *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Question put, That the clause be read a Second time:—

The House divided: Ayes 326, Noes 124.

Division No. 251] **[9.35 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Caborn, Rt Hon Richard
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, John
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Ladyman, Dr Stephen
Lammy, David
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
McIsaac, Shona
McKenna, Mrs Rosemary

Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Mitchell, Austin
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
O'Hara, Eddie
Olner, Bill
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rendel, David
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Wigley, Rt Hon Dafydd
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mrs. Anne McGuire and
Mr. Graham Allen.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Baldry, Tony
Beggs, Roy
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Pickles, Eric
Prior, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spring, Richard
Stanley, Rt Hon Sir John
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Stephen Day and
Mr. John Randall.

Question accordingly agreed to.

Clause read a Second time, and added to the Bill.

MR. DEPUTY SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

New Clause 11

MEETINGS AND DOCUMENTS: NOTICE ETC.

'.—(1) In section 100K of the Local Government Act 1972 (interpretation and application of Part VA), after subsection (2) there is inserted—

"(3) The Secretary of State may by order amend sections 100A(6)(a) and 100B(3) and (4)(a) above so as to substitute for each reference to three clear days such greater number of days as may be specified in the order.

(4) Any statutory instrument containing an order under subsection (3) above shall be subject to annulment in pursuance of a resolution of either House of Parliament."

(2) In Schedule 12 to that Act (meetings and proceedings of local authorities), after paragraph 4 there is inserted—

"4A.—(1) The Secretary of State may by order amend paragraph 4(2) above so as to substitute for the reference to three clear days such greater number of days as may be specified in the order.

(2) Any statutory instrument containing an order under sub-paragraph (1) above shall be subject to annulment in pursuance of a resolution of either House of Parliament.".'.—*[Mr. Mike Hall.]*

Brought up, read the First and Second time, and added to the Bill.

Clause 21

ACCESS TO INFORMATION ETC.

Amendments made: No. 111, in page 16, line 42, leave out paragraph (a) and insert—

'( ) as to the circumstances in which meetings mentioned in subsection (2), or particular proceedings at such meetings, must be open to the public,

( ) as to the circumstances in which meetings mentioned in subsection (2), or particular proceedings at such meetings, must be held in private,'.

No. 112, in page 17, line 19, at end insert—

'(9A) The Secretary of State may by regulations make provision for or in connection with requiring prescribed information about prescribed decisions made in connection with the discharge of functions which are the responsibility of a local authority executive to be made available to members of the public or members of the authority.

(9B) The provision which may be made under subsection (9A) includes provision—

(a) requiring prescribed information to be made available in advance of the prescribed decisions mentioned in that subsection,

(b) as to the way or form in which prescribed information is to be made available.'.—*[Mr. Mike Hall.]*

Schedule 1

EXECUTIVE ARRANGEMENTS: FURTHER PROVISION

Amendments made: No. 195, in page 77, line 13, after "he" insert—

'resigns as deputy mayor or'.

No. 196, in page 77, line 31, at end insert—

'( ) The executive arrangements may include provision with respect to—

(a) the election and term of office of the executive leader, and

(b) the appointment and term of office of members of the executive appointed under section 10(3)(b)(ii).'.

No. 197, in page 77, line 42, at end insert—

'( ) The executive arrangements may include provision with respect to the appointment and term of office of the council manager.'.

No. 198, in page 78, line 4, after "he" insert—

'resigns as deputy mayor or'.

No. 199, in page 78, line 46, leave out paragraph (a).

No. 220, in page 79, line 6, after "executive,", insert—

'which is held in private'.

No. 200, in page 79, line 15, leave out sub-paragraph (4).

No. 201, in page 81, line 37, at beginning insert—

'Except for the expression "local authority",'.

No. 202, in page 81, line 37, leave out "9" and insert "10".—*[Mr. Mike Hall.]*

Clause 26

REFERENDUM IN CASE OF PROPOSALS INVOLVING ELECTED MAYOR

Amendment made: No. 113, in page 19, line 12, leave out—

'(within the meaning of section 30)'

and insert—

'of a particular type permitted by regulations under section 30'.—*[Mr. Mike Hall.]*

Clause 27

APPROVAL OF OUTLINE FALL-BACK PROPOSALS

Amendment made: No. 114, in page 20, line 12, leave out "made" and insert "given".—*[Mr. Mike Hall.]*

Clause 30

ALTERNATIVE ARRANGEMENTS

Amendments made: No. 115, in page 21, line 19, leave out "by or under" insert—

'under either or both of the following—

( )".

No. 116, in page 21, line 20, leave out "or" and insert "and

( )". —*[Mr. Mike Hall.]*

Clause 32

REFERENDUM FOLLOWING PETITION

Amendment made: No. 117, in page 22, line 35, leave out "the proper" and insert "an".—*[Mr. Mike Hall.]*

Clause 35

INFORMATION WITH RESPECT TO DISCHARGE OF FUNCTIONS ETC.

Amendment made: No. 118, in page 24, line 21, leave out—

'with respect to the discharge of their functions'.—*[Mr. Mike Hall.]*

Clause 37

ELECTED MAYORS ETC.

Amendment made: No. 119, in page 25, line 9, leave out "and" and insert "or".—*[Mr. Mike Hall.]*

Clause 39

TIME OF ELECTIONS ETC.

Amendment made: No. 120, in page 25, line 43, leave out subsection (2).—*[Mr. Mike Hall.]*

Clause 42

POWER TO MAKE PROVISION ABOUT ELECTIONS

Amendment made: No. 121, in page 27, line 13, leave out "Act" and insert "Part".—*[Mr. Mike Hall.]*

Clause 45

INTERPRETATION OF PART II

Amendments made: No. 122, in page 28, line 30, at end insert—

> ' "alternative arrangements" has the meaning given by section 30(1).'.

No. 123, in page 28, line 42, at end insert—

> ' "fall-back proposals" and "outline fall-back proposals" are to be construed in accordance with section 26(1) and (2).'.

No. 218, in page 29, line 17, leave out paragraph (b) and insert—

> '( ) in the case of a London borough, is a reference to the person who (disregarding paragraph 5A of Schedule 2 to the Local Government Act 1972) is referred to in Part I of that Schedule as the mayor of the borough.'.

No. 219, in page 29, line 23, leave out paragraph (b) and insert—

> '( ) in the case of a London borough, is a reference to the person who (disregarding paragraph 5A of Schedule 2 to the Local Government Act 1972) is referred to in Part I of that Schedule as the deputy mayor of the borough.'.

No. 124, in page 29, line 34, at end [illegible]rt—

'( ) Any directions given by the Secretary of State under any provision of this Part—

> (a) may be varied or revoked by subsequent directions given by him under that provision, and
>
> (b) may make different provision for different cases, local authorities or descriptions of local authority.'.—*[Mr. Mike Hall.]*

New Clause 3

RESTITUTION ORDER

'.—Where matters considered by an interim tribunal or a case tribunal are or become the subject of criminal proceedings in a court, it shall be open to that court, in considering any penalty resulting from a verdict of guilty, to apply a requirement, as part of any penalty, that a restitution order be made so that any loss to the local taxpayer is repaid.'.—*[Mr. Loughton.]*

Brought up, and read the First time.

Mr. Tim Loughton (East Worthing and Shoreham): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Amendment No. 34, in page 33, line 26, at end insert—

'(5) The code of conduct shall also apply to councillors in their capacity as local authority-nominated representatives to outside bodies.'.

Amendment No. 35, in page 33, leave out line 38.

Amendment No. 36, in page 33, line 40, after "authority", insert—

'(referred to in this Part as an independent member)'.

Amendment No. 37, in page 33, line 40, at end insert—

'(4A) The membership of the Standards Committee shall be such that the number of independent members exceeds the number of members of the authority (if any).'.

Amendment No. 39, in page 33, line 43, leave out from "leader" to end of line 44.

Amendment No. 38, in page 33, line 44, leave out—

'a member of the executive'

and insert—

'any member or officer of that or any other relevant authority'.

Amendment No. 40, in page 38, line 24, leave out from "three" and insert "five".

Amendment No. 41, in page 38, line 25, at end insert—

'(2A) The Standards Board for England must be comprised of persons possessing such qualifications as may be determined by the Secretary of State.

(2B) Qualifications under subsection (2A) shall include not less than four years' continuous service as either a member or officer of a relevant authority.'.

Amendment No. 42, in page 40, line 17, leave out—

', within the period of five years ending with that time.'.

Amendment No. 43, in page 40, line 18, leave out "five" and insert "ten".

Government amendment No. 150.

Amendment No. 44, in page 44, line 5, after "investigation", insert—

'of the outcome of the investigation, and provide any such member with a copy of any report under this section before it is made available to any other person'.

Government amendments Nos. 153, 154 and 155.

No. 45, in page 57, line 30, and insert—

'( ) Pending the verdict of the High Court on any appeal under subsection (15), the appellant shall not be disqualified, other than in exceptional circumstances set out in writing by the Standards Board.'.

Government amendment Nos. 209, 203 and 204.

Amendment No. 4, in page 91, leave out lines 20 and 21.

Government amendment No. 211.

Mr. Loughton: Having sat here for the past four and a half hours and seen trashed by the guillotine great lines of amendments for which I was responsible, it is a relief to be able to move and speak to new clause 3 and to some of the amendments in this group.

New clause 3, which deals with standards of conduct, was discussed briefly in those halcyon days when the Bill was considered in Committee. I think that the new clause's purpose is quite clear: to give protection to local taxpayers if the criminal actions of one or more councillors or officers results in costs to the authority as a whole. The effect of the new clause would be that, when a miscreant was found guilty of a criminal offence, it would be at the judge's discretion to impose a restitution order on the guilty party, to order him to pay a sum to a council to cover some or all of the costs resulting from his actions.

As we also discussed in Committee, there is a broad consensus that surcharging has passed its sell-by date. However, there is a sound principle behind surcharging—that local taxpayers should not have to foot the bill when a few rotten apples abuse the position of trust in which they have been placed.

As the new clause would apply only in cases in which there had been a successful criminal prosecution, a high standard of proof would be required before the axe could fall on individuals. The risk of unjust or unduly severe penalties would be minimised both by that fact and by the fact that the penalty would be at the discretion of the judge in the individual case, who, having heard all the evidence, beyond the straight guilty verdict, would be able to make an informed judgment on intent and degree of responsibility.

During the debate in Committee, the Under-Secretary said that she was sympathetic to the spirit of the new clause, but believed that the courts already had powers in that regard. However, an authority would have to pursue a separate action to recover its costs. The new clause would ensure that the same court considering the criminality of a person's actions would also be able to determine the penalty. That would mean that the courts would not become clogged, and that authorities would not have to gamble potentially large sums in lawyers' fees for further court action to recover relatively small amounts.

It is slightly disappointing that the Government have not chosen to follow up the idea, given the sympathy for the idea expressed in Committee. We feel that the proposal would reassure local council tax payers that councillors and officers who abused their positions would be sufficiently punished.

Amendment No. 34 deals with the duty to comply with the code of conduct. In Committee, I raised the potential problem of whether councillors should be covered by the model code of conduct for activities outside those involved in being council members. I gave the example of councillors who are appointed as school governors, as members of community health councils or of economic partnerships, and so on.

The Minister assured the Committee that councillors nominated by their respective councils to outside bodies should be covered by the model code of conduct. However, the hon. Member for Bath (Mr. Foster) raised the subject of indemnification. He asked whether such councillors would be covered by their councils for any indemnities that they might have.

The question of indemnification has not been addressed by the Government, which is why we are relaunching the amendment today. I should be grateful for a response on that matter from the Under-Secretary of State.

Amendments No. 35 to 39 deal with standards committees. In Committee, we discussed this matter at some length, although the role of standards committees remained unclear. We appreciated some of the intentions behind the committees, but it was not clear how they would carry out the functions that had been described. The amendments would bolster the integrity of the members of the standards committee in the eyes of council tax payers and the electorate at large. They would therefore strengthen the Bill, rather than weaken it.

Councillors themselves have raised the points contained in the amendments. At present, the Bill requires that only one independent member must be appointed to a standards committee. We propose that standards committees should contain more than three people. In addition, we propose that, to be truly independent and to carry out properly their role of overseeing the conduct of councillors and the training and conduct of councillors referred to them, they should have a majority of independent members.

We also propose that standards committees should not be chaired by members of the executive, and that they should not even contain such members. We believe that a standards committee investigating questions of potential misconduct, or queries from the public involving members of the council executive, would be in an anomalous position under the Bill as it stands. The amendments would prevent possible conflicts of interest if standards committees have to deal with breaches of the code that involve members of the executive.

Some people have suggested that all the members of standards committees should be independent, others that they should consist of members of neighbouring authorities. That would allow them to play the sort of twinning, overseeing role that takes place at the moment, for example, when audits are conducted. Still others have suggested that several authorities should pool together for a single standards committee, as I gather already happens in west London. In that way, they could not only share best practice, but cut down on costs. That would seem a good, practical suggestion, but as the Bill stands, such a sensible procedure would not be permissible.

10 pm

The Minister was also vague about what powers will be available to members of the standards committee, in particular their role in those cases referred back to them by the national Standards Board for England. It was a feature of the report by the Joint Committee, which asked whether it was appropriate for members of the executive to be members of the standards committee as well.

In Committee, the hon. Lady accused me of being inconsistent and, now, prescriptive in making these suggestions. However, we are merely trying to maintain the integrity of the new committees that the measures are establishing. The hon. Lady also said that local authorities and their members should have ownership of the standards committees and their own code of conduct, although I cannot think of other areas, such as politics or financial services, in which the Government have been so keen on self-regulation. Does the Minister not think that our amendments would actually strengthen the role of the standards committees, and what is the point of them otherwise?

Amendments Nos. 40 and 41 deal with the standards boards. As presently constituted, they would have a minimum of three people. We propose that their membership should consist of at least five people and that those people should have appropriate qualifications. The new standards board is potentially immensely powerful; it will have the power to make or break the careers of councillors whose misdemeanours come before it. To have just three members of the national standards board also seems rather unfair; one has been designated as chairman, one as deputy chairman and the poor third one will be left out as an ordinary member.

There are other examples of committees fulfilling and overseeing scrutiny and disciplinary roles which have far more members. The Neill committee, for example, consists of 11 members. What was most bizarre when we discussed these measures in Committee was that, rather late in the day, the Minister for Local Government and the Regions suddenly said that it was not the Government's intention that those committees should consist of three people, but that the quorum was made up of three people.

[Mr. Loughton]

Nowhere in the Bill is that mentioned. It says quite clearly that the Standards Board for England is to consist of not less than three members.

We invited the Minister to make it clear in the Bill that the membership of the Standards Board for England would be rather greater than three, such as five or more. Alas, the Government have again failed to address this anomaly. It was absurd; we asked the Minister when was a quorum not a quorum—apparently when it is called a standards board. I genuinely think that this had not been thought through when the Bill was drafted. That is why our amendment is a sensible and strengthening measure.

As part of this group of amendments, we suggest that members of the standards board should have at least four years' experience as councillors or officers of local authorities. That, surely, is not demanding—four years is a normal term of office for a councillor. Because this is a new committee, with immense powers over many thousands of councillors up and down the country, it seems only appropriate that its members should have had some experience in the bodies that they are overseeing.

Amendments Nos. 42 and 43 deal with the conduct of investigation. This is where we discussed ethical standards officers who are potentially very powerful individuals. They have the power to instigate investigations of councillors, to suspend councillors and to recommend penalties against councillors.

Given the immense powers that ethical standards officers will have—powers of investigation and to summon various documents—there should be better safeguards against such officers not having connections with the councils that they are investigating. In the amendment, we suggest that ethical standards officers should have had no link with councils that they are investigating, either as a councillor or an officer, for at least 10 years, rather than five. That seems a sensible period of time.

Mr. John Bercow (Buckingham): To whom exactly will the ethical standards officers be accountable?

Mr. Loughton: That is an interesting question. Although, on the face of it, they will be accountable to the standards board, the exact terms of their operation are still to be defined. In Committee, we asked many times for a definition of their roles and powers and whether those powers could be capped. We were not given answers.

I served on the Standing Committee that dealt with the Financial Services and Markets Bill, which provides for similar regulatory officers with immense powers. In this Bill, we are setting up another phalanx of investigation officers, whose accountability is questionable. Certainly, the link between their accountability and the local electors has not been established.

Mr. Dafydd Wigley (Caernarfon): The hon. Gentleman referred to the immense powers conferred in the Bill. Does he agree that the essential prerequisite is, therefore, an adequate appeals system? That is now a prerequisite under human rights legislation. To what extent does he feel that that aspect has been covered by the Bill?

Mr. Loughton: The right hon. Gentleman makes a good point. If he had been a member of the Standing Committee, he would have heard me mention the European convention, in particular article 6, and whether it applies to these activities. We are talking about a body that has the power to levy uncapped penalties—fines or suspension from a council role—and there are potential implications for conflict with the European convention on human rights. In Committee, I asked the Minister to clarify that matter, but she was unable to do so and promised to come back to me. I fear that she has not yet done so. The matter is as relevant today as it was then. The functioning of the regulatory procedure of ethical standards officers and the standards board—the powers of tribunals—could conflict with the ECHR, in which case the Bill will be undermined.

I am grateful to the right hon. Member for Caernarfon (Mr. Wigley) and I reiterate his question to me to the Minister. What is the role of these officers and of the other powers in the conduct of investigations as regards article 6 of the convention?

To get back to the point, a 10-year lapse is necessary because officers may have been with a council for many years before that. The world of local government is relatively small. Surely 10 years is the minimum safeguard. That is the basis of amendments Nos. 42 and 43.

Amendment No. 44 deals with reports from ethical standards officers. As it stands, they can inform virtually everyone about the outcome of an investigation and give them a copy of the report, other than the person against whom the investigation was launched. It would seem to be a grave injustice if the target of the report is the only person not to be able to see it. In Committee, the Minister for Local Government and the Regions described a similar Opposition amendment as a worthy ambition that would produce some difficulties. Again, she promised to come back to us on Report. I notice, however, that the Government have tabled no amendments on that subject.

The right hon. Lady offered the excuse that the report might contain sensitive information about the perpetrators of a complaint and that, if the matter was not referred further—if the person was cleared of any misdoing—it might damage the person who made the allegations. Surely, the person who was sneaked against—to put it mildly—is due some human rights protection from potentially vexatious complainants.

There is no detail about any compensation that might be due to someone who was the victim of such vexatious complaining. A person who was the subject of inquiry might even have been penalised along the way for not complying with the handover of documents and so on, even if it was found that there was no case to answer. It appears that there is a presumption of guilt until proven innocent. That too seems to breach the European convention.

The amendment provides that the ethical standards officer must inform the subject of the investigation of the outcome and that that person is entitled to see a copy of the report. In Committee, the right hon. Lady said that she would continue to consider the matter and that she would try to ensure that the framework was right. I should like to see some evidence of that, because it is not apparent in any of the 115 Government amendments before us.

Amendment No. 45 deals with the decisions of case tribunals and with appeals—a matter to which the right hon. Member for Caernarfon referred. When a councillor has been accused by the Standards Board, has taken the case to appeal—a facility added by the Government—and the case is pending, we suggest that the councillor should not be suspended, given that the period of suspension could be lengthy.

In Committee, the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Stretford and Urmston (Ms Hughes), said that the Government would introduce the right of appeal and that she was willing to reconsider the matter, given that a by-election could be triggered when councillors were disqualified from standing while an appeal was pending. While the appeal had still not been heard, a councillor could lose his or her place on the council; a by-election could be held and, as he or she would not be entitled to stand, someone else could take the seat. If the Court of Appeal found that the person was not guilty—that the charge did not stand up—there would be no compensation. That accused councillor would have lost his or her seat. Thus, it is only right that, while an appeal is pending, a councillor should not be disqualified. The amendment would provide that safeguard.

Mr. Bercow: Does my hon. Friend agree that, in arguing that case—with which his right hon. and hon. Friends will assuredly agree—he can invoke the precedent of experience in the House? The hon. Member for Newark (Mrs. Jones) was rightly able to prove at appeal her innocence, and thereby remain a Member of the House. That prevented a situation in which, otherwise, a by-election would have been triggered. She was properly able to exercise her rights. Councillors, too, should be afforded such rights.

Mr. Loughton: My hon. Friend offers an interesting and helpful example. I should be interested to hear the Under-Secretary's response. The ethical standards officers and the standards board seem to have been afforded heavy investigatory powers. Those powers suggest too great a presumption of guilt.

We were promised further information from the Minister and from the Under-Secretary, but it has not been forthcoming in the Government amendments tabled on Report. Will the Under-Secretary address those matters in the few minutes left for debate on this group?

10.15 pm

Ms Beverley Hughes: We have had a rehearsal of many of the issues that were raised in Committee. I shall deal with them as comprehensively as I can in the time that I have left for this section.

On new clause 3, it was made clear to the hon. Member for East Worthing and Shoreham (Mr. Loughton) in Committee that, although we were in sympathy with the spirit of what his new clause sought to achieve—that councils should be able to pursue losses arising to the authority from criminal misconduct by councillors—we felt that sufficient provision was already available to courts considering criminal cases that might arise from misconduct to issue a compensation order or provide for financial restitution. That still stands; we have not changed our view.

I can offer the hon. Gentleman reassurance on the particular point that he made. Separate action by a local authority will not be necessary to invoke any of the powers in cases involving a criminal conviction. The court hearing the criminal case can order that restitution be made to the local authority. So the Bill does not impose on the local authority the additional burden of seeking compensation or restitution. The courts have those powers available to them. There is therefore no need for any special provision for such cases other than that which already exists and is available to the criminal courts.

The hon. Member for East Worthing and Shoreham tabled a raft of amendments on the size and composition of local authority standards committees. We believe in striking a balance between setting appropriate parameters and allowing councils of different sizes and with different functions some flexibility in the composition of their standards committees. We think that the balance of representation between independent members and members of the council is about right. It is after all right that councils should have some discretion.

The hon. Gentleman reminded me that I had used the term "ownership". I make no apology for that. It is important that councils should own the local body that is entrusted with establishing its ethical framework and code of conduct. The hon. Gentleman is confused about the responsibility for the code of conduct, as opposed to the investigation of specific allegations. Local authority standard committees will not be responsible for investigations, so the hon. Gentleman's point that we are introducing self-regulation is not one that stands up to scrutiny. Local authorities will not be regulating themselves. The standards committees will have a different function. It is important that members of the council should own that function and be part of the apparatus that sets in place the code of conduct and ensures that the council's procedures for enforcing it are robust, but investigation of issues will be a matter for the ethical standards officers.

Mr. Loughton: I think that the phrase "self-regulation" was one that the Minister herself used in Committee. Given that time is running out, I should be grateful for her response on the European convention; she promised to come back on that point. Has her confusion been resolved?

Ms Hughes: I was not confused in Committee, and I am certainly not confused now. We are convinced that the provisions for appeal against the findings of a case tribunal, which are contained in clauses 75(10) and 76(15), are robust. It is our view and in line with the advice that we have received that the provisions in part III are compatible with the European convention on human rights. We are proceeding on that basis.

The hon. Gentleman tabled an amendment on the standards board. He is confused about the difference between a quorum and a constitution. The Bill sets in place the minimum for the board to function constitutionally. That is different from a quorum, which is the number needed to take a particular decision. That will be for the board itself to decide, in terms of its operational procedures. We have already told the hon. Gentleman that we envisage a standards board of five or six members.

In the few moments that I have left—

Mr. Bercow: Will the Minister give way?

Ms Hughes: No, I will not.

[Ms Hughes]

In relation to amendment No. 45, we have produced Government amendment 203—

It being five and one-quarter hours after the commencement of proceedings on the programme motion, MR. DEPUTY SPEAKER, *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Question put and negatived.

Mr. Deputy Speaker (Mr. Michael J. Martin): The hon. Member for Buckingham (Mr. Bercow) should not have been talking while I was putting the question. It is not the done thing.

MR. DEPUTY SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 46

PRINCIPLES GOVERNING CONDUCT OF MEMBERS OF RELEVANT AUTHORITIES

Amendments made: No. 125, in page 29, line 42, at end insert—

'and police authorities in Wales'.

No. 126, in page 29, line 45, at end insert "(other than police authorities)".

No. 127, in page 30, line 7, at end insert—

'( ) Before making an order under this section so far as it relates to police authorities in Wales, the Secretary of State must consult—

(a) such representatives of police authorities in Wales as he considers appropriate.

(b) the Commission for Local Administration in Wales, and

(c) the National Assembly for Wales.'.

No. 128, in page 30, line 30, leave out—

'established under section 3 of the Police Act 1996'.—*[Mr. Touhig.]*

Clause 47

MODEL CODE OF CONDUCT

Amendments made: No. 129, in page 30, line 46, after "England" insert—

'and police authorities in Wales'.

No. 130, in page 31, line 3, after "Wales" insert "other than police authorities".

No. 131, in page 31, line 15, leave out from "section" to end of line 16 and insert—

' 46, before an order is made under that section'.—*[Mr. Touhig.]*

Clause 48

DUTY OF RELEVANT AUTHORITIES TO ADOPT CODES OF CONDUCT

Amendments made: No. 132, in page 32, line 19, leave out "their principal office" and insert—

'an office of the authority'.

No. 133, in page 32, line 30, after "England" insert—

'or a police authority in Wales'.

No. 134, in page 32, line 31, leave out "or".—*[Mr. Touhig.]*

Clause 50

STANDARDS COMMITTEES

Amendments made: No. 135, in page 33, line 34, after "England" insert—

'or a police authority in Wales'.

No. 136, in page 33, line 36, after "England" insert—

'or a police authority in Wales'.

No. 137, in page 33, line 47, at end insert—

'and police authorities in Wales'.

No. 138, in page 34, line 16, after "England" insert—

'and police authorities in Wales'.

No. 139, in page 34, line 18, after "England" insert—

'or a police authority in Wales'.

No. 140, in page 34, line 21, after "England" insert—

'and a police authority in Wales'.

No. 141, in page 34, line 24, after "England" insert—

'or a police authority in Wales'.

No. 142, in page 34, line 30, after "Wales" insert "other than police authorities".

No. 143, in page 35, line 6, after "Wales" insert "(other than police authorities)".—*[Mr. Touhig.]*

Clause 51

FUNCTIONS OF STANDARDS COMMITTEES

Amendments made: No. 144, in page 35, line 32, at end insert—

'and police authorities in Wales'.

No. 145, in page 35, line 35, at end insert "(other than police authorities)".

No. 146, in page 35, line 38, at end insert—

'and police authorities in Wales'.

No. 147, in page 35, line 41, at end insert "(other than police authorities)".—*[Mr. Touhig.]*

Clause 54

STANDARDS BOARD FOR ENGLAND

Amendments made: No. 148, in page 38, line 35, after "England" insert—

'and police authorities in Wales'.

No. 149, in page 38, line 38, after "England" insert—

'and police authorities in Wales'.—*[Mr. Touhig.]*

Clause 61

REPORTS ETC.

Amendment made: No. 150, in page 43, line 25, at beginning insert "subject to subsection (4)(b)".—*[Mr. Touhig.]*

Clause 65

LOCAL COMMISSIONER AND COMMISSION FOR LOCAL ADMINISTRATION IN WALES

Amendments made: No. 151, in page 46, line 38, after "Wales" insert "(other than police authorities)".

No. 152, in page 46, line 41, after "Wales" insert "(other than police authorities)".—*[Mr. Touhig.]*

Clause 66

INVESTIGATIONS BY LOCAL COMMISSIONER IN WALES

Amendment made: No. 153, in page 47, line 31, leave out "inform" and insert "give written notification to".—*[Mr. Touhig.]*

Clause 68

REPORTS ETC.

Amendment made: No. 154, in page 48, line 44, at beginning insert "subject to subsection (4)(b)".—*[Mr. Touhig.]*

Clause 69

INTERIM REPORTS

Amendment made: No. 155, in page 49, line 45, after "suspend" insert "or partially suspend".—*[Mr. Touhig.]*

Clause 70

MATTERS REFERRED TO MONITORING OFFICERS

Amendment made: No. 156, in page 51, line 21, at end insert—

'( ) In its application to police authorities in Wales, subsection (1) has effect as if for the reference to the National Assembly for Wales there were substituted a reference to the Secretary of State.'.—*[Mr. Touhig.]*

Clause 78

DISCLOSURE AND REGISTRATION OF MEMBERS' INTERESTS ETC.

Amendment made: No. 157, in page 59, line 11, leave out "Wales" and insert—

'standards committees of relevant authorities in Wales (other than police authorities)'.—*[Mr. Touhig.]*

Clause 79

CODE OF CONDUCT FOR LOCAL GOVERNMENT EMPLOYEES

Amendments made: No. 158, in page 59, line 17, at end insert—

'and police authorities in Wales'.

No. 159, in page 59, line 20, at end insert "(other than police authorities)".

No. 160, in page 59, line 31, at end insert—

'( ) Before making an order under this section so far as it relates to police authorities in Wales, the Secretary of State must consult—

- (a) such representatives of police authorities in Wales, and of employees of such authorities, as he considers appropriate,
- (b) the Commission for Local Administration in Wales, and
- (c) the National Assembly for Wales.'.

No. 161, in page 59, line 34, leave out—

'local government, and of local government employees, in Wales'

and insert—

'relevant authorities in Wales, and of employees of such authorities,'.

No. 209, in page 59, line 44, leave out from "means" to end of line 4 on page 60 and insert—

'an employee of the authority other than an employee falling with any description of employee specified in regulations under this subsection.

( ) The power to make regulations under subsection (7) is to be exercised—

- (a) in relation to England, by the Secretary of State, and
- (b) in relation to Wales, by the National Assembly for Wales.'.—*[Mr. Touhig.]*

Clause 80

INTERPRETATION OF PART III

Amendments made: No. 162, in page 60, line 16, leave out—

'in relation to a relevant authority to which Part II of this Act applies'.

No. 163, in page 60, line 24, at end insert—

' "police authority" means a police authority established under section 3 of the Police Act 1996,'.

No. 164, in page 60, line 36, at end insert—

'( ) Any reference in this Part to a member of a relevant authority, in the case of the Greater London Authority, is a reference to the Mayor of London or a London Assembly member.'.

No. 165, in page 61, line 8, leave out paragraphs (b) and (c).

No. 166, in page 61, line 20, leave out paragraphs (b) and (c).

No. 167, in page 61, line 29, at end insert—

'(b) if the authority is one to which Part II of this Act applies, for being or becoming a member of an executive of the authority.'

No. 168, in page 61, line 43, at end insert—

'( ) Any functions which are conferred by virtue of this Part on a relevant authority to which Part II of this Act applies are not to be the responsibility of an executive of the authority under executive arrangements.

( ) Any functions which are conferred on the Greater London Authority by virtue of this Part are to be exercisable by the Mayor of London and the London Assembly acting jointly on behalf of the Authority.'.—*[Mr. Touhig.]*

New Clause 4

PROPORTIONAL REPRESENTATION FOR LOCAL ELECTIONS IN ENGLAND AND WALES

'( ) The Secretary of State may by regulations introduce a form of proportional representation for elections to local authorities in England and Wales.

( ) No statutory instrument containing regulations under subsection (1) above shall be made unless it has been approved by affirmative resolution of both Houses of Parliament.'.—*[Mr. Don Foster.]*

Brought up, and read the First time.

Mr. Don Foster: I beg to move, That the clause be read a Second time.

Members present who served on the Committee that considered the Bill will be well aware that a considerable amount of our time was spent debating what measures could be taken to improve the public's interest and involvement in local government, and in particular what measures could be taken that would improve turnout at local government elections.

It became increasingly clear that it is the Government's view—erroneous, in my opinion—that turnout at local elections is likely to be increased as a result of their measures to change the decision-making structure of local government. The view that was expressed from the

[Mr. Don Foster]

Liberal Democrat Benches, to some extent supported by Conservative Members, was that such moves were unlikely to make any change in the turnout at local elections, but that two measures might go some way to achieve that much desired aim. The first, as I said earlier, would be to increase the power of local government to ensure that it could take steps to respond to the concerns of the people that it sought to serve; the second would be to change the electoral system.

Mr. Michael Thrasher of Plymouth university, an expert in these matters, has estimated that where a form of proportional representation for local government elections is introduced it will be likely to increase turnout by about 7 per cent. That may not seem a particularly significant increase, but given that the starting point is in the order of about 30 per cent., that is a rather more significant increase than it might at first appear.

It was not merely to increase turnout at local elections that we tabled the new clause, however. We did so because we believe that in local government, as in all other spheres of government, the electors have a right to ensure that their voice is heard, and heard in the sense that the parties that they represent, and seek to represent by their votes, are appropriately represented in that particular governing body. The House is well aware that, at present, there are, up and down the land, a number of local councils that are, in effect, one-party states. There are a number of examples where that one-party state is a Labour one-party state, examples where it is Conservative, and even examples where it is Liberal Democrat.

I was speaking only the other day to the leader of Richmond upon Thames council, who pointed out that he has on his council something like 80 per cent. of the seats, having achieved for Liberal Democrats fewer than 50 per cent. of the votes.

Confronted with the problems of an unfair electoral system, it is interesting to note that the Government have already responded. They have seen to the introduction—perhaps not in the form that Liberal Democrats would like—of proportional representation for the European elections, for the Greater London Assembly elections, for the elections for the National Assembly for Wales and for the Scottish Parliament. Of course, for elections to the Assembly and for local government in Northern Ireland, there has been a form of PR for some time. Shortly, we shall see Labour party support in Scotland for the introduction of PR for local government.

Mr. Wigley: In the normal run of events, I would very much want to support the new clause. The hon. Gentleman referred to the National Assembly for Wales, so why would the new clause provide for orders to be introduced by a Secretary of State, but make no provision whatever for the power to be used by the National Assembly for Wales in the way other measures in the Bill make such provision?

Mr. Foster: The right hon. Gentleman makes an interesting point. Perhaps, he rightly shows a possible deficiency in the package of measures that we have introduced. It is up to him to introduce additional proposals to rectify that possible omission, but I am delighted that he said that we would have his support for the measures, subject to the further provision being made. I remind him that there will be a further opportunity in another place to attend to that matter. Were he to arrange for that to be done, he would have the support of my colleagues in another place. I am grateful to him for raising this point.

Having seen the Government's interest in moving towards PR in a number of the tiers of governance in this country, I merely seek to give them the opportunity to introduce it for the tier of local government. As I have said, there are many good reasons for doing that. One would certainly be to bring to an end the problem of the many councils—about 90—that are run by a single party with 80 per cent. or more of the seats. Indeed, there is a further problem with the nature of the current system. It does not very often lead to changes in political control. Some 55 local authorities have been under the same political control for more 20 years.

Most fair-minded Members of the House would accept that there are problems to be addressed and might accept that the introduction of PR may go some way to solving them. If they do not wish to be fair-minded in that sense and are merely concerned with their own party political interest, it is worth reflecting that continuation of the first-past-the-post system may lead to significant problems for some of the parties represented in the House.

Research shows that, following the most recent local government elections, a continuation of the first-past-the-post arrangement could lead to a significant reduction in the Labour party's representation in local government in subsequent years. If there is merely a concern about party issues, the Labour party at least might wish to do something about the electoral system. Again, according to the research, first-past-the-post systems were primarily responsible for the dramatic fall in the number of Conservative councillors from 1979 to 1997. Their number more than halved.

10.30 pm

The question then is what support there might be for such measures. Interestingly, support is very wide ranging. The Local Government Association—whose chairman I shall return to in a moment—the Local Government Information Unit, the New Local Government Network, the Society of Local Authority Chief Executives and Senior Managers, the Scottish Council Foundation and others have spoken of the merits of moving to PR for local government.

Politicians of all parties have expressed support for PR. It will come as no surprise that many of my right hon. and hon. Friends have, over the years, made comments in support. However, it is perhaps more instructive to note the views of those such as Sir Jeremy Beecham, who said in 1998:

> In too many town halls today there is no effective opposition. The introduction of a reformed local electoral system, which will give representation to opposition parties and which more accurately reflects their electoral performance, is needed.

The hon. Member for Enfield, Southgate (Mr. Twigg), in a document that he wrote with Mr. Andrew Adonis, advocates the introduction of PR to break up single-party states and to make sure that decisions are scrutinised by a viable opposition. The Minister of State has continually expressed concern about scrutiny.

On the Conservative Benches, the right hon. Member for Skipton and Ripon (Mr. Curry) has spoken a number of times about his support for PR. On one occasion he said:

> What I don't understand is why the government hasn't simply opted for proportional representation.

He went on to argue that PR is far simpler than holding referendums, and that as we are beginning to have PR in other tiers of government, we should introduce it to local government.

Turning to the Labour Benches, while it is well known that the right hon. Member for Blackburn (Mr. Straw), the Home Secretary, rejects the introduction of PR for Westminster, at least at present, he has said:

> But I've also always said that there's a very different case when it comes to the voting systems at a local level.

I also have quotes from various members of Plaid Cymru, the party of the right hon. Member for Caernarfon (Mr. Wigley), and from members of other parties.

That is instructive, but is also useful to know what the media are saying about PR. *The Mirror* has argued in favour of it so that

> no party can ever totally dominate for years.

Mr. Peter Riddell in *The Times* has argued that

> without PR, Labour will continue to be embarrassed by its one-party local states.

Support has come from the *Local Government Chronicle*, Mr. Andrew Rawnsley in *The Observer*, editorials in *The Independent* and various writers in *The Guardian*.

Again, that is all very well, but academics who see the matter in a different light have also provided support for the argument. Professors George Jones and John Stewart are among those who have argued in favour of PR. Interestingly, support also comes even from the world of business and commerce. For example, Lord Haskins, chair of Northern Foods, said:

> Strong local government needs the backing of the local community, and the best possible people as councillors. Proportional representation is one of the best ways to achieve this.

There is growing support on both sides of the House, throughout the media and among the population at large for the introduction of PR.

Proportional representation at local government level would ensure a fair voting system in this country in which people's votes really would count. Only when people feel that their votes will count are they likely to even bother to go out to vote. To those who are concerned about turnout and the involvement of local people in local government, I strongly suggest that the introduction of PR would go a long way to resolve their concerns.

Although my right hon. and hon. Friends and I have a clear view as to our preferred option—the particular form of PR that we want—I stress that we have not incorporated that in the new clause. We have left the matter open for wide-ranging debate before the House discussed the regulations that we propose and before the Secretary of State introduced them. By its very nature, the new clause is enabling. It would enable much wider debate before the introduction of a form of PR, but PR is what local government and local people need and deserve.

Mr. Neil Turner: I am not opposed to proportional representation per se. *[Interruption.]* We need to look at an institution before deciding whether PR is particularly relevant to it. I would oppose PR for institutions that legislate or deliver services because the stability, clarity and transparency of strong government are important to them.

Proportional representation clearly goes against the whole history and tradition of government in this country. Each of us holds a constituency surgery, and people want to see their Member of Parliament or councillor. They want to be able to confront us and to have the comfort of saying, "I'll withdraw my vote if you don't do what I want you to do." That might not be a particularly strong threat to some of us, but we would all be personally affronted by such a remark. It would be no good thing if we were able to say, "I'm third on the list, so you can withdraw your vote to your heart's content. It will make no difference to me."

The argument has been made that PR would increase turnout, but the evidence is mixed at best. The Greater London Authority elections this year produced no increase, yet they were held under a form of PR. Equally, it is arguable that the form of PR used in last year's European elections reduced turnout. If there is no evidence that PR would increase turnout, would it increase effectiveness? Again, we can look at the evidence.

Audit Commission performance indicators show whether hung councils or those with strong representation from one party are more effective. Hon. Members should look at the graphs for low-cost, high-delivery councils and for high-cost, low-delivery councils and put a spread over them. They show no correlation whatever between performance and status, whether councils are hung, strongly controlled or marginal. There is no correlation between a council's effectiveness and the type of control.

Mr. Don Foster: Has the hon. Gentleman had an opportunity to read the Joseph Rowntree Foundation's most recent document, "Findings"? If not—it was circulated to all hon. Members only in past few days—may I suggest that he would be well advised to read it before continuing with that line of argument?

Mr. Turner: I have not seen the document, but I will look at it. My experience in the Greater Manchester area is that authorities such as Stockport, which is largely a hung council, and my own, which is strongly Labour, both provide effective services at low cost.

The argument for proportional representation by the fair votes campaign confuses equality with equity. There is no doubt that proportional representation would produce a lot more councils where there is no overall control—hung councils. That will mean that the least popular party will effectively become the most powerful, because it is that party, rather than the electorate, which will decide the form of administration. The third party will always have power because it will decide whether to join the second or the most popular party to become the administration.

The way that the electorate decides in this country means that the third party is usually the Liberal Democrats, so it is no surprise that they support a fair votes campaign that would give them access to power by the back door, when they are so consistently rebuffed at the front door.

Mr. Christopher Chope (Christchurch): The hon. Member for Wigan (Mr. Turner) may not be against

[Mr. Christopher Chope]

proportional representation per se, but he advanced some powerful arguments against the new clause proposed by the hon. Member for Bath (Mr. Foster).

It is important that people should be strongly motivated to vote in local elections. From my experience, the most important aspect is that, when they vote, they know that they can change those who control the council or local government. Low turnouts in local elections are usually associated with elections by thirds, which mean that, even if everybody in all the council wards voted for a particular minority party, they still would not be able to achieve a change in the control of the council.

Councils for which there are all-out elections every four years tend to have a higher rate of voter participation than councils that are subject to elections by thirds, quarters or halves, as the Government propose. The way to make people feel that their vote counts is by means of a system where, through the ballot box, they can change the control of their own local government.

Mr. Tom Levitt (High Peak): I thank the hon. Gentleman for giving way. If 40 per cent. of people voted in an election once every four years, and if 40 per cent. voted in an election by thirds one year, one year and one year, rather more people would vote for that council at least once over a four-year period than in an all-out election once every four years. Splitting the election into thirds increases the number of people who vote over a four-year period.

Mr. Chope: If everyone is allowed to vote once a year for four years, rather than once every four years, they will be able to vote more frequently and their collective votes will be more numerous.

That misses the point that I am making, which is that, when people vote, they know that their vote can change the control of their local government. If they do not feel that their vote will be able to change the control, they are less motivated to go out and put their vote in the ballot box. That is why the experience of local government in this country shows that local authorities where there are all-out elections tend to have a much higher turnout than authorities that have elections by thirds.

In my constituency, there are two district councils, East Dorset district council and Christchurch borough council. Last year, there were all-out elections and people realised that they could defeat the Liberal Democrats and change control of those two councils. That is what they did, both in East Dorset and in Christchurch, and now both those councils are run by the Conservatives.

10.45 pm

Mr. Loughton: The hon. Member for High Peak (Mr. Levitt) seems to be under the illusion that if people vote every year and the turnout is 40 per cent., it is a different 40 per cent., each year, making a total of 120 per cent. It is, of course, the same 40 per cent. who are likely to vote each year. The evidence suggests, if anything, that voter fatigue means lower turnouts if people have to turn out for many elections. Hence the turnout on a four-year basis tends to be higher, as my hon. Friend says.

Mr. Chope: My hon. Friend makes a very powerful point.

If we need to get more people involved in local government, why do we not keep the system simple? Nothing could be simpler than a system whereby the candidate who receives the most votes wins. Everybody understands that. The Liberal Democrats seem to want to change the system so that it is far more complicated. We need to attract people to vote in local elections. If we keep the system simple, we are more likely to be able to attract their interest. Therefore, I strongly oppose the new clause.

Mr. Loughton: During the Committee stage, alas, time constraints prevented us from being regaled by the hon. Member for Bath (Mr. Foster) with the regular feature that the Liberals trot out, that of proportional representation, so the hon. Gentleman has been slightly indulged here this evening, but his case has been no more forceful.

The hon. Gentleman spoke of one-party states where the party had been in power for 20 years, and when people turned up to vote it made no difference. The conclusion was that a PR system would mean more seats, particularly for Liberals, and that more Liberal councillors would be a good thing for him.

The hon. Gentleman also tried to tempt our support by saying that the dramatic fall, as he put it, in the number of Conservative councillors—by some 50 per cent between 1979 and 1997—which has largely been reversed in the past three years, I hasten to add, was due to the voting system working against us. We are not complaining about it. If anybody should be in favour of PR purely for their own reasons, it would be us, but we are not, because we do not believe that it brings about a strong result. The hon. Gentleman was flailing around, quoting all sorts of unknown professors. I am sure they have produced all sorts of wonderful treatises to back up his argument.

Then the hon. Gentleman made another great, sweeping statement, that there is growing support from all sections of the public at large for what he inevitably calls "a fair voting system"; that only if the public feel that their votes count will they vote, but there is no evidence to suggest that, where the experiments have taken place, that is happening.

The hon. Member for Wigan (Mr. Turner) quite neutrally, as he put it, made a very good case that we have had the experiments with the devolved Assembly in Wales and the Parliament in Scotland, which have produced low turnouts, with only 25 per cent of the population of Wales voting in favour of the Assembly. There is a hung Parliament and a hung Assembly, and the turnout was no greater than would be expected in any normal election, despite a form of PR being used. In the European Parliament elections, where we had a form of PR for the first time ever, there was a record low turn-out.

The hon. Member for Wigan also mentioned the London Assembly. The turn-out there was a derisory 33 per cent., and we have a hung Assembly. As the Under-Secretary, the hon. Member for Streatham (Mr. Hill), said in a written answer last week:

> Almost 300,000 people did not use their second preference vote for the Mayor. . . . About 130,000 did not cast a vote for a constituency assembly member and about 70,000 did not cast a vote for a London assembly member.—[*Official Report*, 29 June 2000; Vol. 352, col. 599W.]

Now the hon. Member for Bath is suggesting that we should extend this failed system, which has certainly done anything for increased turn-outs. One of the biggest bugbears for the Government, shared by all sides of the House, is how we can increase turn-outs at elections. There is no proof that any proportional representation systems have done anything to improve the turn-out.

Our fear is that the creeping experimentation with PR that is getting into every sphere of new forms of governance, such as the new assemblies and local government bodies, has Westminster as its next and ultimate target. Apparently, as part of the deal stitched together between the minority Labour Administration and the Liberal Democrats, the Scottish Parliament has commissioned a report into using PR for Scottish local elections. Leaks of the report have started to emerge and I wonder whether the Minister for Local Government and the Regions is in a position to provide a progress report and tell us when its findings will be made available.

We have heard nothing from the hon. Member for Bath to tempt us to experiment with further forms of PR in local government. I can perceive no evidence that there is growing support for it from all sections of the public. As for the whole business of having more elections, we have found time after time that election fatigue contributes to lower turnouts: we saw that last year, when we had European Parliament elections, local elections and elections in Scotland and Wales. The result of the hon. Gentleman's proposals would be that the least popular party became the most powerful. Backdoor merchants that they are, the Liberal Democrats want to promote PR, but we should have none of it.

In the few minutes that the Minister has left to respond to the debate, I hope that she will take on the subject of the findings of the Scottish report.

Ms Armstrong *rose—*

Mr. Deputy Speaker: Order. I hope that the Minister will not do as the hon. Gentleman asks, seeing as the amendment is narrowly drawn and refers only to England and Wales. If the hon. Gentleman wants a report, he will have to ask for it some other time.

Ms Armstrong: I was going to tell the hon. Member for East Worthing and Shoreham (Mr. Loughton) that the whole report was made public last week, so I do not know where he has been. Perhaps he does not understand that Scotland is still part of the United Kingdom; therefore, what is published in Scotland is available to everyone in England and Wales—indeed, everyone in the world. If he had looked at the websites or in newspapers, he would have seen the report, but, once again, he has failed to keep up with events.

I am not surprised that the hon. Member for Bath (Mr. Foster) tabled the new clause, and he will not be surprised to learn that the Government have not changed their view since debating the issue in Committee. Our position on proportional representation for local government elections is well documented, having initially been set out in the local government White Paper, "Modern Local Government: In Touch with the People". The Government do not propose to change the voting system for local government, other than in the introduction of the supplementary vote system for the election of directly elected mayors. We believe that local government modernisation requires more fundamental change than simply changing the voting system. Our debates on the provisions of this Bill and the Local Government Act 1999 bear that out.

In Committee, I said that no Government close down debate. There is a debate going on within the Labour party about the principles of PR, especially in relation to elections to this House. A similar debate is going on in Scotland on the suitability of using PR for local government elections. However, I do not believe that the hon. Gentleman's proposal helps the debate.

The Government do not believe that there is any point in including in the Bill an enabling provision for a system of elections by proportional representation. Furthermore, I am not sure whether an enabling clause is the right way in which to introduce such an important constitutional change. Although the new clause provides for any order to be subject to affirmative resolution procedure, it would essentially leave the decision to the Secretary of State. The House would not find that acceptable. Much more debate would be required outside and inside the House before we considered such proposals.

The Government's position is clear, and consistent with our comments in the White Paper. I believe that the House's position is also clear. I hope that the hon. Member for Bath will withdraw the new clause, although I suspect that he will not.

Mr. Don Foster: Let me put the Minister out of her misery immediately: I have no intention of following her final piece of advice. I confess that this evening's contributions have contained no surprises. I acknowledge that I have placed the Minister in a rather difficult position. Like her, I am conscious that the Labour party will hold a major debate on proportional representation this weekend. I suspect that the Minister no longer has any idea of its outcome.

Mr. Levitt: Does the hon. Gentleman realise that the debate is not only about PR versus the status quo? Electoral reform is a much wider issue. Is he not being disingenuous by limiting the new clause to PR, when we should hold a much wider debate on electoral reform? PR is only one option.

Mr. Foster: The hon. Gentleman is absolutely right. However, it is a little rich of him to accuse me of being disingenuous by not including wider matters in the new clause. A Bill that addresses some of those issues has only recently been passed. My party supports some of the experimentation that would increase the opportunities for people to vote. I accept that there is a wider issue to consider, but we are confining ourselves to PR in the new clause.

I acknowledge that the Minister is an especially difficult position, given that the Labour party's view on PR is ebbing and flowing. She clearly did not want to upset any apple carts. I am therefore delighted that she said that the Government would at least not close their mind on the matter.

I strongly recommend to the hon. Member for Wigan (Mr. Turner) the recently published Joseph Rowntree Foundation document, which is entitled "Political behaviour under proportional representation". I shall read two brief extracts from it. It states:

> The current first-past-the-post voting system in local government elections often results in major discrepancies between the proportion of votes cast and the proportion of seats parties win on the council. Inflated majorities resulting in long periods of effectively

unchallenged one-party rule can often generate a sense of complacency in the dominant party, with electoral success regarded as a foregone conclusion.

That is especially apposite, given the Minister's claim that the purpose of the Bill is to sort out the mess in some of the one-party councils by undertaking what she describes as modernisation of local government. One of the best ways in which to modernise local government is to give it the opportunity provided by proportional representation.

Question put, That the clause be read a Second time:—

The House divided: Ayes 39, Noes 284.

Division No. 252] **[11 pm**

AYES

Allan, Richard
Baker, Norman
Ballard, Jackie
Brake, Tom
Brand, Dr Peter
Breed, Colin
Bruce, Malcolm *(Gordon)*
Burnett, John
Burstow, Paul
Cable, Dr Vincent
Campbell, Rt Hon Menzies
(NE Fife)
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Fearn, Ronnie
Foster, Don *(Bath)*
George, Andrew *(St Ives)*
Gidley, Sandra
Harris, Dr Evan
Harvey, Nick
Heath, David *(Somerton & Frome)*
Hughes, Simon *(Southwark N)*
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Kirkwood, Archy
Livsey, Richard
Llwyd, Elfyn
Maclennan, Rt Hon Robert
Moore, Michael
Öpik, Lembit
Rendel, David
Russell, Bob *(Colchester)*
Smith, Sir Robert *(W Ab'd'ns)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Tyler, Paul
Webb, Steve
Wigley, Rt Hon Dafydd
Willis, Phil

Tellers for the Ayes:
Mr. Adrian Sanders and
Mr. Mark Oaten.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beggs, Roy
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Caborn, Rt Hon Richard
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chope, Christopher
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack
(Copeland)
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, Rt Hon Terry
(B'ham Hodge H)
Dawson, Hilton
Denham, John
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hinchliffe, David
Hoey, Kate
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Ladyman, Dr Stephen
Lammy, David
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Hara, Eddie
Olner, Bill
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Primarolo, Dawn
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles

Robertson, Laurence
Robinson, Geoffrey *(Cov'try NW)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ross, William *(E Lond'y)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E)*
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Winnick, David
Winterton, Nicholas *(Macclesfield)*
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*

Tellers for the Noes:
Mr. Mike Hall and
Mr. Don Touhig.

Question accordingly negatived.

MR. DEPUTY SPEAKER *then proceeded to put forthwith the Questions necessary for the disposal of the business to be concluded at that hour.*

Clause 88

ADVISORY NOTICES

Amendments made: No. 169, in page 65, line 1, after "take" insert—

'or has begun to take'.

No. 170, in page 65, line 6, after "section" insert "and section 19B".

No. 171, in page 65, line 21, after "taking" insert "or continuing to take".

No. 172, in page 65, line 23, leave out—

'specified in the notice under paragraph (b)'

and insert—

'(as the case may be)'.

No. 173, in page 66, line 7, leave out—

'a copy of a notice or statement'

and insert "any document".

No. 174, in page 66, line 10, after "at" insert—

'or sending it by post to'.

No. 175, in page 66, line 11, leave out "revoked" and insert "withdrawn".

No. 176, in page 66, line 14, leave out "order" and insert "notice".

No. 177, in page 66, line 15, leave out "revocation" and insert "withdrawal".

No. 178, in page 66, line 19, leave out from beginning to second "the" in line 23 and insert—

'( ) where the notice relates to a decision, to make or implement the decision,

( ) where the notice relates to a course of action, to take or continue to take the course of action, or

( ) where the notice relates to an item of account, to enter the item of account,

unless and until'.

No. 179, in page 66, line 27, leave out "reasons" and insert "statement".

No. 180, in page 66, line 28, leave out from "19A(6)" to end of line 30 and insert—

'the consequences of doing the thing mentioned in the paragraph of subsection (1) which is relevant,'.

No. 181, in page 66, line 31, after "body" insert "or officer".

No. 182, in page 66, line 32, after "auditor" insert—

'of the accounts of the body'.

No. 183, in page 66, line 43 leave out "revoked" and insert "withdrawn".—*[Mr. Robert Ainsworth.]*

Clause 89

PAYMENTS IN CASES OF MALADMINISTRATION ETC.

Amendment made: No. 184, in page 67, line 25, at end insert—

'( ) Any function which is conferred on the Greater London Authority under this section is to be exercisable by the Mayor of London and the London Assembly acting jointly on behalf of the Authority.'.—*[Mr. Robert Ainsworth.]*

Clause 90

GRANTS FOR WELFARE SERVICES

Amendment made: No. 210, in page 68, line 23, at end insert—

'( ) Before making any determination, issuing any guidance or giving any directions under this section relating to all local authorities in England or Wales or any description of such authorities, the Secretary of State or (as the case may be) the National Assembly for Wales must consult—

(a) such local authorities or representatives of local authorities as appear to him or it to be appropriate,

(b) such recipients, or representatives of recipients, of welfare services as appear to him or it to be appropriate, and

(c) such providers, or representatives of providers, of welfare services as appear to him or it to be appropriate.'.—*[Mr. Robert Ainsworth.]*

New Clause 12

INDEMNIFICATION OF MEMBERS AND OFFICERS OF RELEVANT AUTHORITIES

'.—(1) The Secretary of State may by order make provision for or in connection with conferring power on relevant authorities in England and police authorities in Wales to provide indemnities to some or all of their members and officers.

(2) The National Assembly for Wales may by order make provision for or in connection with conferring power on relevant authorities in Wales (other than police authorities) to provide indemnities to some or all of their members and officers.

(3) An order under this section may apply—

(a) to all relevant authorities, or

(b) to any particular description of relevant authority.

(4) Before making an order under this section, the Secretary of State or (as the case may be) the National Assembly for Wales must consult—

(a) such representatives of relevant authorities,

(b) such representatives of employees of relevant authorities, and

(c) such other persons,

as he or it considers appropriate.

(5) In this section—

"member", in relation to a relevant authority, includes—

(i) a member of any committee or sub-committee of the authority, or

(ii) a person who is a member of, and represents the authority on, any joint committee or sub-committee,

"police authority" and "relevant authority" have the same meaning as in Part III of this Act.'.—*[Ms Beverley Hughes.]*

Brought up, and read the First time.

Ms Beverley Hughes: I beg to move, That the clause be read a Second time.

New clause 12 addresses the issue of indemnification which the hon. Member for East Worthing and Shoreham (Mr. Loughton) mentioned earlier, but obviously had not spotted on the amendment paper. The new clause will allow the Secretary of State by order to confer a power on local authorities in England and police authorities in Wales to provide indemnities to their members and officers. It will give an equivalent power to the National Assembly for Wales in relation to Welsh local authorities.

The new clause responds to an amendment tabled in Committee by the hon. Member for Bath (Mr. Foster) that attempted to confer a power of indemnity on local authorities. In response, I pointed out to him that such a power raised many complex issues, but I also offered to see whether a suitable enabling provision could be introduced to enable the Secretary of State to confer an indemnification power on those local authorities once those issues had been discussed with local government.

The enabling power in new clause 12 covers all local authorities to which part III applies, including principal authorities, town and parish councils and single-purpose authorities. Before making an order under the power, the Secretary of State is required to consult representatives of local government and their employees.

The introduction of the power will enable the removal of an unhelpful ambiguity in the current powers of local authorities, and I am sure that hon. Members will welcome it.

11.15 pm

Mr. Don Foster: I shall be very brief. I am delighted that the Under-Secretary has been able to introduce new clause 12 in response to a request that we made in Committee. She was not convinced that it would be possible to hold the consultation process in the short period between the end of the Committee's deliberations and now. I advised her that members of local government were ready and waiting for her telephone call, and she may wish to know that I called the Local Government Association immediately after our Committee deliberations were complete and said that it should expect a telephone call from her.

I am delighted to hear that that call was made within less than 24 hours, and that agreement was sought with such speed. I wish that that was always the case, but I am delighted with the new clause.

Mr. Loughton: Conservative Members are delighted with the new clause too, of course, although I am a little surprised that the Under-Secretary did not refer to it when I raised the question of indemnification in connection with the previous group of amendments.

The Under-Secretary has already confirmed that any councillor or council appointee who sits as a councillor, a school governor, as a member of a community health council or of an economic partnership, for example, is covered by the model code of conduct. Will she further confirm that the new clause means that such an individual will be fully indemnified by the council if they take on any activities such as I have set out?

Ms Hughes: The hon. Gentleman does not seem to have read the new clause very clearly. He is confusing two matters. We are no longer dealing with the code of conduct, but have moved on to indemnification.

The hon. Gentleman asked about the extent of indemnification. That will be the subject of the consultation to which I referred earlier.

Question put and agreed to.

Clause read a Second time and added to the Bill.

Clause 94

ALLOWANCES AND PENSIONS

Mr. Peter Atkinson: I beg to move amendment No. 30, in page 70, line 31, leave out "pensions,".

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: Government amendments Nos. 46 and 47.

Amendment No. 217, in page 71, line 9, leave out subsection (7).

Amendment No. 48, in page 71, line 13, leave out—

'which are operating executive arrangements'.

Amendment No. 49, in page 71, line 14, leave out "of the executive".

Government amendments Nos. 187 and 188.

Amendment No. 31, in page 71, line 18, leave out "pensions,".

Amendment No. 32, in page 71, line 24, leave out "pensions,".

Amendment No. 50, in page 72, line 9, leave out—

'which are operating executive arrangements'.

Amendment No. 51, in page 72, line 10, leave out "of the executive".

Government amendment No. 189.

Amendment No. 33, in page 72, line 11, leave out "pensions,".

Amendment No. 52, in page 72, leave out lines 26 and 27.

Government amendment No. 191.

Mr. Atkinson: The amendments have the particular purpose of reversing the trend towards professional, full-time councillors, and of preventing the substantial increase in the power of patronage that will result from the Bill.

Amendment No. 217 would remove the proposals relating to allowances, and the requirement to pay pensions to councillors. In Committee, we opposed the Government's proposal to pay pensions to executive members in the cabinet system. We did not consider that any councillor should be entitled to a pension, but the complaint to the Government was that it is was unfair to pay pensions only to executive members, rather than to all councillors. The Government have decided, therefore, to extend the pension regime to all local councillors.

We oppose the provision, as we believe that being a councillor is a matter of public duty. We do not consider it an activity that deserves large-scale reward, as the Government propose. In addition, the proposal has unleashed a host of headlines in various local newspapers about fat-cattery, especially in Labour councils.

No sooner was the idea of cabinets mooted than councillors throughout the country, particularly Labour councillors, began to award their leaders substantial sums of money. As my hon. Friend the Member for Eastbourne (Mr. Waterson) said in Committee, Hammersmith and Fulham was the first in this respect, with the council leader becoming, at that time, the most highly paid in the country. Hot on the heels of that award was the leader of Cardiff city council with an allowance of between £35,000 and £40,000 a year.

If my memory serves me right, the lord mayor of Cardiff was earmarked a salary of £58,000. It was only after protests and difficult meetings that that amount was reduced. When that issue was debated in Cardiff, members of the Labour group who opposed paying the lord mayor such a salary were subsequently suspended. That demonstrates the attitude of Labour councillors towards the new cabinet system.

My local newspaper, and that of the Minister for Local Government and the Regions, is *The Journal* in Newcastle. *[Interruption.]* The right hon. Lady points out that *The Northern Echo* is her local paper, but I believe that *The Journal* also circulates in her constituency. In any case, *The Journal* carried out a survey of north-east councils and their reaction to the cabinet system. It produced a headline, which I think damages all in local government: "Labour Councils Branded 'Fat Cats'". The paper contained an exposé of the amounts paid to various councillors. I am pleased to say that it included a photograph of me, taken nearly 15 years ago. It is always flattering to be reminded of what one looked like 15 years ago.

The Journal did a detailed analysis of how councillors' allowances had increased. In Sunderland, for example, the leader of the council's allowance went up from £10,900 to £30,000 a year. The leader of Sedgefield council, the Prime Minister's local authority, put up his allowance from £4,000 to £15,000 a year. If that were not enough, there have been huge increases in the leader's salary and costs in Newcastle from £14,000 to £29,375, with the total allowances for the cabinet increasing by more than £619,000—a staggering amount of money.

Mr. Levitt: I have been listening to the hon. Gentleman's list with interest. Is he saying that only people who can afford to be councillors and pay their own pension contributions should be councillors? That is the conclusion that I am drawing from his remarks.

Mr. Atkinson: That is not the case at all. We accept that people should have a reasonable allowance to enable them to be councillors. [HON. MEMBERS: "Spell it out."] I will spell it out. We do not want people making a living as full-time councillors. That is utterly against the ethic of being a councillor. Those of us who have been councillors believed that the officers were the paid hands doing the job and that councillors were responsible for political control and advice. However, we did that as part of a different duty, not as a full-time career. The Government are proposing to make being a councillor a full-time and highly paid job.

Once we introduce high salaries, we increase not only the benefit to the individual but the power of patronage. That is one of the most important issues to come out of these proposals for high salaries.

Labour party groups talk of abolishing whipping, but if one does so but has the power of patronage, one achieves the same thing more effectively. As we have seen, if one becomes one of the chosen few who will get a cabinet job, with the salary and the pension, one also has the opportunity to serve on a national health service trust, with another £19,000 a year—that has happened frequently in the north-east. It is significant that the names of the leading figures in local government in the north-east of England crop up time and again—I am sure that that also happens in other parts of the country.

If one goes through the magic circle into the inner core of the Labour party in local government, one will pick up a salary of £30,000 a year, expenses, trips and, if one is lucky, a place on an NHS trust or on another quango. *[Interruption.]* Hon. Members think that that is funny, but *The Journal* also looked into how often leading councillors in local authorities in the north-east went on trips in this country and abroad. It discovered that some councillors incurred costs of £15,000 a year simply going on trips.

Mr. Dennis Skinner (Bolsover): I am intrigued by these Tories who are worried about money. I heard the other day that the Short money that they receive has increased by 270 per cent. I have never heard them complain about that. They have been transferring their staff from central office into the parliamentary office to use the Short money and it ought to be investigated. If a local authority did that, it would be surcharged.

Mr. Deputy Speaker: Order. Although that may have been an interesting intervention, it had nothing to do with the amendment.

Mr. Atkinson: Thank you, Mr. Deputy Speaker. I would have liked to respond, but I accept your ruling. There is no connection. The Bill is about local government, local councillors and this insane cabinet and

[Mr. Atkinson]

executive system that the Government are proposing to force on them willy-nilly. I am surprised that the hon. Member for Bolsover (Mr. Skinner) is so keen on so much government going on behind closed doors, with unaccountable councillors going on trips and not revealing how much they are spending.

This is a jolly debate, but when *The Journal* telephoned authorities to ask how much they spent on trips for their councillors, a large number refused to reply. It is worth mentioning the names of the councils that refused to give any details on conference attendance or expenditure. *The Journal* lists them as:

> Newcastle, County Durham, Redcar and Cleveland, Sedgefield, Hartlepool, Tynedale, Derwentside, Easington, Durham City and Darlington.

We listened to lectures from Labour Members on Second Reading and in Committee about openness, yet a number of prominent councils, which spend many thousands of pounds a year on trips and visits, refused to itemise who got what and who went where.

Mr. Loughton: The gravy train.

Mr. Atkinson: Indeed.

The Government and Labour Members are forcing this system of cabinet government on local authorities against their will, in spite of opposition in the country and on the Labour Benches. The Government are in danger of damaging the reputation of local government in consequence. Council tax payers throughout the land have had to pay substantial increases because the Government have cut grant—people pay well over £1,000 for quite ordinary houses in some north country councils—but are seeing councillors helping themselves to vast increases in allowances and to more money than rate payers ever dreamed of. That will be hugely damaging to the reputation of councillors and of local government across the country.

I do not pretend that our amendment will change that, but I hope that we can send a message to the other place. When their lordships consider the measure, I hope that they will reconsider the matter. The reputation of local government and of many decent councillors will be besmirched by the measure.

11.30 pm

Mr. Don Foster: Throughout the deliberations of the Standing Committee, I much enjoyed the contributions of the hon. Member for Hexham (Mr. Atkinson). However, I confess that his performance this evening causes me some confusion. I read carefully the string of amendments and have some difficulty in relating his remarks to their broad thrust—even that of those tabled by his colleagues and himself.

The key issue is relatively simple and narrow. Until this evening, the Government intended, in their proposals for executives, cabinets and scrutiny committees, that only one category of councillors—members of the executive or cabinet—should be eligible for a pension, with the agreement of the particular council. The Government were not minded that such provision should be available for other groups of councillors—such as those serving on scrutiny committees.

In Committee, I argued that that was a bizarre idea. The Government maintained that the scrutiny role was vital, yet councillors who served on scrutiny committees were to be deemed second class compared with those who served on the executive. In an effort to make progress on the matter, two proposals were made this evening. The hon. Member for Hexham suggests that we can even things up by refusing to allow any councillor, in any category, the possibility of a pension. That would be one way of solving the problem.

The amendments tabled by myself and my hon. Friends to provide equality would extend the pensions option to all councillors, subject to the agreement of the council. I was delighted to see that the Secretary of State for the Environment, Transport and the Regions himself saw fit to add his signature to two of the amendments tabled by my hon. Friend the Member for Torbay (Mr. Sanders) and myself—a clear indication of his support for our suggestions.

The effect of other Government amendments would be much the same as those that we propose, although the wording is marginally different. I could chalk that up as a success, but that is not important. What matters is that the Government recognised an injustice and were prepared to do something about it. I welcome that.

I hope that, when the Under-Secretary replies, she will turn her attention to amendment No. 191—the effects of which appear to be somewhat bizarre and would mean that the National Assembly for Wales would be unable to give advice on some matters. If my interpretation is correct, that would be a retrograde step and we should have difficulty in supporting it. I look forward to an explanation of why the Government think the provision is necessary.

Ms Armstrong: The amendment has disappeared.

Mr. Foster: If that is so, I am absolutely delighted.

I am extremely pleased that the Government have accepted the principle of ensuring greater equality between councillors who are members of the executive and those who are members of scrutiny committees. It is a pity that they did not accept that earlier, but I am delighted that they have done so.

Ms Beverley Hughes: I intended to start by replying to the remarks made by the hon. Member for Hexham (Mr. Atkinson), but as the hon. Member for Bath (Mr. Foster) has already noted, nothing that he said related to the amendments, so I find myself at something of a loss. The hon. Member for Hexham spent a lot of time talking about allowances for councillors, not about the payment of pensions, which was the subject of the amendments. No one would support the award of unjustified salaries and allowances to councillors, but neither do we support the rubbishing of all councillors in which the hon. Gentleman engaged. That is equally reprehensible. The assertion that councillors do not merit a reasonable allowance for the time and work that they put in is a cheap, populist jibe that diminishes the excellent work that the vast majority of councillors do.

The hon. Member for Hexham should have talked about his amendments. I am surprised that the official Opposition continue to oppose outright the payment of pensions to members of the executive. The principle that those councillors who, because of their position in the council, devote a significant amount of time to council work deserve a pension is widely accepted in both the local government world and beyond, and indeed, by the Conservative group on the Local Government Association. It will be interesting to see what the group thinks about the amendments tabled by the Opposition.

By providing that the basic or special responsibility allowances paid to members of the executive of an authority may be pensionable, we are acknowledging that the amount of time spent by some members on council duties is significant. With executive arrangements, we expect that this may increase further, and that some councillors, particularly those in the executive, may become more or less full time. It is right that we recognise that such councillors may lose out on pension rights where they do not also have paid and pensionable employment. If we are to attract the right people and a wider range of people into local government, it is important that we make such provisions. Having said that, we need to think long and hard about which councillors should be entitled to pensionable allowances, as I shall make clear in a short while. In the sense that we must not undermine the voluntary principle of public service to which the hon. Member for Hexham alluded, I agree with him.

It may prove to be the case that some councillors' roles are so demanding that we should make provision in regulations to give them access to an occupational pension such as the local government pension scheme. If that is the case, we will need to have the powers to do so. Clause 94 provides those powers. I see that an amendment has been tabled by the Opposition Front-Bench team to remove the provisions in the Bill that deal with independent panels. That one really foxed me. The Opposition may have a view about whether councillors should receive pensions, but to be opposed to making an independent panel the mechanism for making recommendations to a council is difficult to understand.

In contrast to the amendments tabled by the official Opposition, the amendments tabled by the hon. Member for Bath have a great deal of common ground with the Government amendments. For the record, amendments Nos. 46 and 47 were first tabled by the hon. Members for Bath and for Torbay (Mr. Sanders) and now appear as Government amendments, and of course we will accept them—just in case the hon. Gentlemen were in any doubt. Amendments Nos. 49 and 51 have the same purpose as Government amendments Nos. 187 and 189, but we do not feel that they do all that is needed, and I hope that the hon. Gentleman will accept the Government amendments and not press his own. We also intend to accept amendments Nos. 48, 50 and 52 in the name of the hon. Member for Bath, so we will not move amendment No. 191. The other amendment to which the hon. Gentleman referred has not been selected.

As I made clear in Committee, we believe that it is right that everyone, including councillors, should have access to an adequate occupational or personal pension to supplement the basic state pension. All councillors will be able to benefit from stakeholder pensions, which are specifically designed to provide access to supplementary pension provision. I hope that, for most councillors, council work will not be their principal occupation, and these councillors will receive levels of allowances that are more in line with the intended target group for stakeholder pensions; but, with the advent of executive arrangements, we expect that some councillors may become more or less full-time, and it is for those that the enabling powers in the amendments are particularly designed.

I have said that I intend to accept amendments Nos. 48, 50 and 52 to ensure that the enabling powers in clause 94 are as flexible as possible, in order that we can respond as we and the councils gain experience and circumstances change, following implementation of all the elements of the modernisation agenda in the Bill. However, in accepting the amendments, I should like to make a few things absolutely clear and place them on the record.

First, I consider it unlikely that the amendments will prove necessary in the long run because I think that all principal councils will ultimately be operating executive arrangements. The only way in which a principal council could find itself in a situation where it is not operating executive arrangements is if it is operating the alternatives following a referendum defeat, and we have already made it clear that we believe that to be unlikely.

Secondly, we believe that the new councillor role was created by the executive arrangements, which may mean that some councillor roles are such that they should receive pensionable remuneration. Thirdly, I believe that I have already made it clear that pensionable remuneration may not prove to be the best option for any member's roles, but the best case is likely to be for members of the executive. I must tell the hon. Member for Bath that I find it difficult to envisage any roles in arrangements of a non-executive style that might demand pensionable remuneration.

Therefore, although I believe that we should ensure that the enabling powers in the clause are wide enough to enable us to respond to the multiplicity of potential situations and arrangements that could arise following enactment of the Bill, I do not necessarily accept that we shall need to use all of that flexibility.

In summary, I shall repeat what we are proposing in relation to the various amendments. To ensure that the powers in the clause are wide enough to allow us to be flexible, and to enable us to react flexibly to the results of the consultation that we shall engage in on pensionable remuneration, we shall accept amendments Nos. 46, 47, 48, 50 and 52. I shall move those and Government amendments Nos. 187, 188 and 189 in the appropriate place and I shall not move amendment No. 191. However, I must oppose amendments Nos. 49 and 51 because they are technically flawed and, in my view, the amendments that we have tabled will achieve the intended effect. I most certainly oppose Opposition amendments Nos. 30 to 33 and 217, and I hope that the hon. Member for Hexham will withdraw amendment No. 30 and not press the others.

Amendment negatived.

Amendments made: No. 46, in page 70, line 32, leave out "of an executive".

No. 47, in page 70, line 34, leave out—

'"executive" and "local authority" have'

and insert ""local authority" has".

No. 48, in page 71, line 13, leave out—

'which are operating executive arrangements'.

No. 187, in page 71, line 15, leave out "executive" and insert "council".

No. 188, in page 71, line 17, leave out "and" and insert "or".

[Ms Beverley Hughes]

No. 50, in page 72, line 9, leave out—

'which are operating executive arrangements'.

No. 189, in page 72, line 10, leave out "executive" and insert "council".

No. 190, in page 72, line 23, leave out from "State" to end of line 25.

No. 52, in page 72, leave out lines 26 and 27.—*[Mr. Robert Ainsworth.]*

Further consideration adjourned.—*[Mr. Robert Ainsworth.]*

Bill, as amended in the Standing Committee, to be further considered tomorrow.

Sea Defences (Norfolk)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Robert Ainsworth.]*

11.44 pm

Dr. George Turner (North-West Norfolk): I am privileged to represent my Norfolk constituency. It is a good place to live and it is also particularly attractive to visitors; it has much to offer them. Much of the area that is the subject of this debate is important in residential and tourism terms, with its mixture of holiday parks and permanent properties as well as expanses of open land. However, it is also of international environmental importance, falling, as it does, within the Wash site of special scientific interest and a designated special protected area now formally recognised under the European habitats directive.

Currently, sea defences are mixed in character and include concrete walls and shingle embankments. In many parts, the beach itself is also an important feature of the defence. The need for effective sea defences in this part of Norfolk is well documented—the danger of flooding is writ large in the minds of my constituents. In 1978, flooding caused considerable disruption and damage to property, but in 1953 the position was tragically worse and 65 people died as a result of sea flooding.

Much has been done in west Norfolk since then, but I shall seek to persuade the Government that more needs to be done and, indeed, is overdue. In 1997, the Environment Agency, which has much delegated responsibility for these issues, published proposals for a "Hunstanton and Heacham Sea Defence Strategy". Its report pointed out that the residual life of some existing defences would be unacceptably low in the absence of recycling and maintenance. It concluded that current standards are too low, with existing practices and beach management insufficient.

The new strategy that the agency proposed involved a mixture of hard defences, beach nourishment and beach management. The strategy was in line with the shoreline management plans for both the Wash and north Norfolk. The estimated cost was some £10 million over five years. Locally, the plans enjoy wide support, and they will defend about £50 million worth of assets.

Following completion of the proposed strategy, the Government introduced a new points system on a pilot basis with the laudable object of providing a more rational basis for comparing competing schemes. The west Norfolk proposals were caught by the changes and remain the subject of heated debate. It is for the Environment Agency to carry out the required assessments under the points system. It is charged with ensuring value for money and sound engineering work. It is, however, for the Government to make final decisions. I understand that the Environment Agency will soon finalise its recommendations for our scheme.

There are, however, a number of important issues that I fear could be lost in the detail of the points scheme as explained to me. The most important of my concerns is over the proper assessment of the value to their owners and the community of the 3,500 essentially static caravans, mobile homes and park homes—call them what we will—that would be protected by the proposed scheme.

My hon. Friend the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food, who is the Minister responsible for fisheries and the countryside, came to west Norfolk where he met and listened carefully to representations from some of those most directly involved. They included Terry Evans, the chairman of the Heacham beach bungalow owners association, and Richard Searle, whose family has provided family holidays in my part of Norfolk for many years and who also speaks at a national level for those in the park home industry.

Following my hon. Friend's visit and at his suggestion, I have met further with appropriate representatives of the Environment Agency. They were thorough in explaining the technical detail and I am grateful to them. However, happily, I do not need to dwell too much on the detail tonight, for my conclusion is that this is a case where the engineers and officials can advise, but the buck must rest very firmly indeed with Ministers. As explained to me, the technical argument is not conclusive. Politics not science will determine the outcome.

The nub of the problem was summarised in earlier correspondence with my hon. Friend the Parliamentary Secretary, who told me:

> Because most expenditure on flood and coastal defence falls on UK tax payers as a whole, costs and benefits have to be appraised from a National, rather than a regional, local, individual or corporate perspective. In the case of caravans, mobile homes and other temporary structures, it must be recognised that if a decision is taken to abandon a site, the National economic loss is limited as the actual assets still have a value if moved elsewhere."

This is a key argument to be addressed in west Norfolk. In some circumstances, it may be entirely valid, but I would argue otherwise in west Norfolk. It is simply too narrow a viewpoint. A final decision needs to take a broader perspective. In modern parlance, we need joined-up government.

We also need to recognise the need for local and regional circumstances to be taken into account. In particular, we should have regard to the Government's policies for tourism and the need to encourage economic regeneration in rural areas such as mine. The Government have firmly identified tourism as a growth industry of particular importance in the rural economy, which is suffering from the major problems of agriculture. Will the Government not then acknowledge that the estimated £157 million contribution from tourism is a vital part of the west Norfolk economy?

However, 60 per cent. of all holiday accommodation is in caravans, mobile homes and park homes, and 90 per cent. of them are located in the coastal areas that are under threat. Ministers must not allow the current formula considerably to underestimate the costs of moving or replacing such accommodation and to ignore the huge negative impact that its loss would cause the local economy.

I understand the theoretical point that the accountants have made—after all, I was trained as a theoretical physicist. In a more perfect world, such erudite points would suffice, but what of the real world in which people have to make practical decisions? What do the Government expect owners of those properties to do? Richard Searle tells me that it would cost him more than £16 million to relocate his park, which contains only 15 per cent. of the pitches affected. That means that the bill for full relocation is estimated at £90 million.

How can owners square such practicalities with a theory that assumes a seamless move, without planning complications, to bare agricultural land valued without planning consent? When should owners abandon their current sites? If Richard Searle waits until a flood warning is given, it will be too late to protect his property. The alternative is effectively to abandon his business. Richard Searle's summary of the situation is forthright. He says:

> The loss of this holiday area would be devastating to both the individuals concerned and to the area. For a comparatively small cost, involving a modest change of policy this could all be avoided.

Will the Government acknowledge that if parks such as Searle's were to move inland to escape the sea, which is the focus of attraction for many tourists, they would lose customers in droves? Is it realistic to assume that those displaced will simply go elsewhere in the UK? I doubt it. Much of the competition will be from Europe, and European competitors are increasing their investment in tourist areas, providing marinas and specialised bathing beaches, and protecting existing developments. I have little doubt that much of the tourism displaced from North-West Norfolk would be lost abroad. The high hurdles set for planning permissions for park home sites, which are almost a universal feature of many structure plans, would help to ensure that.

I have also had strong representations from private owners of properties in the threatened areas, including those of the association of bungalow owners at Heacham. Interestingly, their chairman, Mr. Terry Evans, lives in Cambridgeshire. Many properties are second homes or are let. Mr. Evans and those whom he represents are, of course, anxious to see their property protected, but they have particularly emphasised the real danger of loss of life with continued delay in the implementation of the proposed scheme. They make a good point.

During the periods of highest risk of flooding, there are nowadays increasing numbers of tourists in residence because the holiday season has become extended as more people take short breaks. There could easily be 10,000 people to be evacuated if there were a serious threat. I have been advised that proper evacuation would require about four hours' warning.

The threat is of high winds from the worst direction when tides are high. However, the tides in the area are notorious for coming in much more quickly than they go out, and the tide would still be out when warnings would be most effective. It would be only two hours later, as the tide came in, that it would become clear, with the onset of damage to defences, whether fears were well founded—and of course that might be too late.

There is then a dilemma for those responsible for flood warnings. If they wait too long, there will be much more damage and possible loss of life. But if they are perceived to cry wolf regularly, the final outcome could easily be even worse. Formulae do not give weight to such local factors; Ministers must.

From my briefing with officers of the Environment Agency, I understand that our scheme now sits on the threshold of the required points total of 22 out of a maximum of 30. However, I was sorry to hear that additional advice at the end of last year further changed the details in the way that costs and benefits are analysed, and raised the hurdle to be jumped by the scheme. Work was still proceeding when I spoke with the agency, but it was clear that that issue, too, could be make or break by autumn.

[Dr. George Turner]

More positively, I was reminded that exceptions are considered when important environmental habitats are involved, which is an interesting contrast to the rule-bound approach which I have heard to date when pressing the interests of my constituents as people. I hope that my right hon. Friend the Minister can offer some assurance of balance in the final outcome.

I suggest that the time is fast approaching when Ministers will need to make decisions. With my own scientific and engineering background, I do not seek to undermine the usefulness of developing point-scoring systems. I am a former chairman of Norfolk education committee and I oversaw the introduction of just such a scheme in assigning capital funds for schools. However, formulae should inform political argument, not determine outcomes, and should provide guidance, not shelter for politicians.

Property and livelihoods are at stake in my constituency, and I ask the Government to add a dash of practicality to the theory. An important sector of the local economy in west Norfolk could be devastated and, of course, there must be overriding concern for the risk that getting it wrong poses to human life. My constituents' views are strongly held and I share them. We want a green light for the scheme.

I am pleased to note that, despite the lateness of the hour and her just-in-time arrival, my right hon. Friend the Minister has listened carefully to what I have had to say. Tonight, I know that I cannot realistically expect the decision that my constituents seek, but will she assure them that their case will be properly and carefully considered and that the points that I have made on their behalf will be appropriately weighted? Will she also assure them that my right hon. Friend the Minister of Agriculture, Fisheries and Food will give those points appropriate priority in his bid for Treasury funding in the spending review and in the allocation of Ministry of Agriculture, Fisheries and Food budgets?

11.57 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Ms Joyce Quin): I welcome the debate and congratulate my hon. Friend the Member for North-West Norfolk (Dr. Turner) on drawing the House's attention to this subject and, indeed, on the way in which he spoke.

Flooding and coastal erosion, with damage to or loss of land and property, is an important and emotive subject, and understandably so. The damage and distress sustained by those affected is often severe, and not just in economic terms. We have seen the effects of flooding recently in Todmorden and in Bishop Auckland. That served as a timely and regular reminder that natural forces can overcome man. Although natural events such as flooding and coastal erosion can probably never be entirely prevented, it is obviously right that public authorities that are empowered to take measures to alleviate the risk act where it is reasonable to do so.

Government policy is to reduce the risks to people and to the developed and natural environment from flooding and coastal erosion by encouraging the provision of technically, environmentally and economically sound and sustainable defence measures. Three key strands support that policy aim. First, we encourage the provision of adequate and cost-effective flood warning systems by grant-aiding them. We also support underpinning measures. For example, in the past year, the Environment Agency has produced indicative flood risk maps that show the areas most at risk of flooding. Those are important tools in deciding where flood warning systems are needed, but whatever warning systems are in place, individuals must take action to protect themselves—they need to heed warnings.

Hon. Members will remember the message in the Environment Agency's flood awareness campaign last winter, which was part funded by the Ministry of Agriculture, Fisheries and Food: "Floods don't just happen to other people". The risk to caravan parks and other vulnerable temporary occupancy sites was identified following the major flooding at Easter 1998, and the agency has written to site owners to raise awareness of flood risk with a request that they make visitors aware of such risks and of what they should do in the event of a flood.

Secondly, the Government encourage the provision of flood and coastal defence measures. We do so by providing grant aid to schemes that achieve an appropriate priority score—to which my hon. Friend referred—based on urgency, ministerial priorities and the cost:benefit ratio. Schemes also need to be sustainable. We cannot commit future generations to maintaining defences in areas where that is not sustainable. Defence measures need to be based on an understanding of natural processes and, as far as possible, should work with those processes.

As part of the strategic approach to flood and coastal defence problems, the Ministry has promoted the setting up of coastal defence groups which provide a forum for discussion and stimulus for co-operation, to help to ensure that coastal processes within particular stretches of coast are taken into account. To assist those groups in the strategic management of discrete stretches of coast, the Ministry has encouraged the preparation of shoreline management plans and has issued guidance on their preparation.

The aim of the plans is to provide a basis for sustainable coastal defence policies and to set objectives for the future management of the coastline, taking into account natural coastal processes, coastal defence needs, environmental considerations, planning issues and current and future land use. Shoreline management plans are intended to be living documents and will need to be reviewed at regular intervals. Indeed, a timetable for reviews should be included in the plans. The Ministry intends to issue revised guidance for the next generation of plans later this year.

It is for operating authorities to assess what measures are needed to reduce flooding and coastal erosion in their areas, and to produce relevant plans that are cost-effective and sound in engineering and environmental terms. It is important to recognise that, given the tremendous diversity of coastal formations in this country, there can be no uniform approach to coastal defence.

Coastlines recede or advance with changes in current, wind and tide. It is therefore unrealistic to expect that every inch of coastline will remain exactly as it is now. Instead, authorities must look at a range of options and consider what the impacts of defending a particular stretch of coast are, so as to avoid, wherever possible, burdening future generations with the maintenance of unsustainable defences.

The bulk of expenditure on flood and coastal defences is, of course, provided by the taxpayer. The Ministry and the operating authorities therefore have a responsibility to ensure that value for money is obtained when schemes are funded. Because the expenditure falls on taxpayers as a whole, costs and benefits of proposed schemes are appraised from a national, rather than a regional, local, corporate or individual perspective.

Although economic analysis is an important aid to decision making, I can tell my hon. Friend that it is not applied in isolation and authorities are required to consider other matters, including environmental impact and sustainability, when deciding where investment in defences should be directed and determining the optimal solution.

The Government recognise the importance of sustaining flood defences and coast protection, and the outcome of the comprehensive spending review was that an additional £23 million was provided for Ministry funding over the past year, the current year and next year, bringing the total available to £230 million. Funding for future years will be considered in this year's spending review.

Next, the Government discourage inappropriate development in areas at risk from flooding and coastal erosion. I stress the word "inappropriate". It is necessary to ask whether it makes sense to place a development in a particular area. A key test is sustainability. Even if defence measures are put in place today to protect a new development, there will be continuing costs in maintaining them and in ensuring that they continue to do their job in decades to come, against the challenges of rising sea levels.

In 1992, guidance was issued to local planning authorities to steer development away from areas at risk of flooding. In April the Department of the Environment, Transport and the Regions issued a consultation draft of strengthened guidance, which will make flood risk a material consideration for local planning authorities. There is also guidance on the need for developers to make contributions to defences which are necessary as a result of a development, not just now, but throughout the likely lifespan of the development.

The Environment Agency remains a consultee on development proposals, and the agency's flood risk maps are important tools for local planning authorities in considering development plans and planning applications.

Having set out the Government's policy aim and objectives for flood and coastal defence, I should say that, however good they are, there is a need to ensure that they are delivered on the ground by some 650 operating authorities. In April this year the Government therefore put in place a series of high-level targets to help achieve a more certain delivery. We are requiring the operating authorities to produce policy statements to set out how they will achieve the Government's aims and objectives. There are targets in relation to identification and inspection of defences, recording of results and assessing flood and erosion risk. We will, of course, be reporting on the achievement of these targets.

I now turn to some of the specific matters that my hon. Friend raised. He knows that the Ministry provides grant aid for capital flood and coastal defences and coast protection schemes, which have to be technically sound, economically worth while and environmentally acceptable. In the face of ever increasing demands for funding, priority scoring arrangements were introduced in June 1997 on a pilot basis, with a view to optimising the allocation of available funds. The priority scores take account of ministerial priorities, which my hon. Friend mentioned, as well as urgency and cost:benefit ratio. I welcome my hon. Friend's very reasonable comments about the priority scoring system and his understanding of it, and I listened carefully to some of the reservations that he expressed about the system.

For the first time sites of environmental interest were specifically identified within ministerial priorities, which of course also recognise the emphasis placed on the protection of life and hence on those parts of the country where large numbers of people live and work. The priorities are, first, flood warning; secondly, urban coastal and tidal defences, and environmental assets of international importance; thirdly, urban flood defences; fourthly, rural coastal and tidal defences, existing rural flood defences and drainage works, and environmental assets of national significance; and fifthly, new rural flood defence works and environmental assets of local significance.

We recognise that the priority scoring system may not be perfect; that is why we have regarded it as a pilot and indicated that we are prepared to consider revisions. A full review of the arrangements will be initiated later this year. However, it is in the nature of such arrangements that arguments are always made for higher priority, but rarely, if at all, for lower priority. Difficult choices therefore ensue.

In recognition of the United Kingdom's obligations towards internationally important habitats, the Government have decided that there must be no question of such habitats being lost. In some cases this could mean recreating habitats elsewhere as an alternative to saving a site, where strategic studies show this to be the more sustainable option. Where necessary, exceptional treatment regarding priority score will be considered for schemes designed to protect such habitats.

In relation to the defences for Hunstanton and Heacham, significant beach renourishment was undertaken in 1991 following agreement of a long-term strategy for the frontage. An ongoing programme of beach management has been in place since then. More recent reviews by the Environment Agency and its consultants have identified a number of shortcomings in the standards and longevity of the defences.

An updated sea defence strategy is being developed by the Environment Agency. It will need to satisfy the Ministry's engineering, environmental and economic criteria and be sustainable. If the works are to attract grant aid, they will need to equal, or exceed, the priority scores threshold; for the current year the threshold is 22.

A particular issue is the sustainability of the proposed defences in the light of the review of the earlier strategy. Also at issue is the priority score of the scheme. A significant component in this relates to economics, which

[Ms Joyce Quin]

I know my hon. Friend is aware of, in which the value to be attributed to caravans in the holiday park is a major factor. In the case of caravans, mobile homes and other temporary structures, it is recognised that if a decision is taken to abandon a site the national economic loss is limited, as the actual assets still have a value if moved elsewhere. The agency is reconsidering in this light—including consideration of whether a case can be made for an alternative approach to the economic methodology. Any such departure would need to be considered with colleagues in the Treasury for their guidance, too.

I hope that, in the light of my remarks, my hon. Friend will be reassured that my Ministry will receive further representations from him. I know that the Parliamentary Secretary, my hon. Friend the Member for Scunthorpe (Mr. Morley), who leads within the Ministry on the issue, is keen to ensure that applicants for support are treated seriously and that their treatment is based on detailed examination of all the relevant issues.

Question put and agreed to.

Adjourned accordingly at ten minutes past Twelve midnight.

House of Commons

Wednesday 5 July 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF LONDON (WARD ELECTIONS) BILL *(BY ORDER)*

Order for further consideration, as amended, read.

To be further considered on Wednesday 12 July.

Oral Answers to Questions

INTERNATIONAL DEVELOPMENT

The Secretary of State was asked—

Ethiopia

1. **Mr. Laurence Robertson** (Tewkesbury): If she will make a statement on her policy towards development aid to Ethiopia. [127737]

The Secretary of State for International Development (Clare Short): Our current bilateral programme in Ethiopia is small, our work on food security is on-going and, so far this year, we have contributed £9 million for food aid directly and another £14 million through the EC. The recent signature by Ethiopia and Eritrea of a cessation of hostilities agreement is a welcome and positive development. We are encouraging the international financial institutions and the European Union to re-engage as the peace process unfolds and we will, over the coming months, review our bilateral programme.

Mr. Robertson: I am grateful to the Secretary of State for that reply. She is right to bear in mind the conflict that took place between the two countries. However, it is urgent to renew development aid, because the last thing that we want three, four or five years down the line is a repeat of the situation that we have just seen in Ethiopia. Will she therefore think very carefully about how she can speed up the development aid that that country so desperately needs?

Clare Short: I applaud the hon. Gentleman's objective, but we have to make a distinction. Humanitarian aid and food aid go to anyone regardless, and we do not stop them because of war—people have to eat. However, development aid must not support countries arming themselves and going to war, so we have to nuance that. Of course, we want to reinforce peace and get on with development. Both Ethiopia and Eritrea are desperately poor countries, and the people there are subject to hunger because they are so poor. We shall do all that we can to help development and to maintain the peace.

Aid Budget Reform

2. **Mr. Desmond Swayne** (New Forest, West): What discussions she has had with EU officials on reform of the aid budget. [127738]

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): My right hon. Friend and I have frequent exchanges with Commissioners Nielson and Patten about reform of the European Commission aid budget. We are working for the implementation of our strategy, a copy of which I have here and a copy of which is in the Library of the House. We are constantly pressing the Commission and other EU member states to improve the poverty focus and effectiveness of EC development assistance.

Mr. Swayne: Given the description of the rotten heart of Europe that the Secretary of State gave to the Select Committee on International Development yesterday, what prospect is there of the United Kingdom regaining control of the budget so that it might be deployed according to our own exemplary standards?

Mr. Foulkes: We have a much better prospect of that with the Labour party in power than we would have if the Conservative party were in power. I remind the hon. Gentleman that, in 1992, his Government renegotiated the financial perspectives, and the amount of Britain's aid budget that we contributed to Europe went up from 20 to 30 per cent. When we negotiated the financial perspectives last year, we kept the figure constant. With an increasing budget for development, that means that we have, unlike the previous Government, more money to spend on bilateral assistance. The percentage spent on bilateral assistance will be increasing.

Mr. David Stewart (Inverness, East, Nairn and Lochaber): What steps can the Secretary of State take to refocus EU aid spending towards poorer countries?

Mr. Foulkes: That is exactly what we are discussing with the Commissioners. In 1987, about 75 per cent. of European Community aid was spent on the poorest countries of the world, but 10 years later the figure was just over 50 per cent. That is not good enough and we argue that there has to be a switch towards a poverty-focused programme. At last, the European Commission has published a draft policy statement that is moving in that direction. Commissioner Nielson strongly supports that, and we are backing him 100 per cent.

Mr. Gary Streeter (South-West Devon): The House does not need a history lesson from the Minister. We need something specific in terms of action to make the situation better. Will he confirm that the Government will table paving reforms at the current intergovernmental conference so that a mechanism is put in place to enable member states who choose to do so to take urgent and immediate action to spend most of their aid budgets bilaterally if the Patten reforms do not prove to be a success within the next 12 months? Is that not a proper response to the EU aid fiasco? We want not empty words but positive, constructive and common-sense action.

Mr. Foulkes: I do not know about you, Madam Speaker, but I think that the hon. Gentleman does need a history lesson. He has the barefaced cheek to come here to try to lecture us. As I pointed out in reply to the main question, it was under his Government that the percentage of money spent in Europe increased substantially and yet no action was taken to make that spending more effective. We have taken action to make the spending more effective. We have produced a strategy paper and we are working to get it implemented. The number of Commissioners dealing with development assistance has been reduced from five to two; we have renegotiated the Lomé convention; and we have financial perspectives that do not increase development assistance. It is about time that the hon. Gentleman took a history lesson and learned from us.

Mr. Streeter: I assume that that was a very long no to my specific question. The hon. Gentleman knows as well as I that if steps are not taken at this year's IGC to effect radical surgery of the EU aid budget, no action will be possible for several years—unless he knows the date of the next IGC, which I know he does not—during which the world's poorest countries will continue to be cheated out of vital help and support by bungling Brussels bureaucrats. If they do not seize this heaven-sent opportunity to implement a framework for a better aid policy, will it not be just another example of this Government being long on rhetoric and short on delivery?

Mr. Foulkes: This is barefaced cheek from the Opposition; what is more, it is carefully rehearsed barefaced cheek. The Government whom the hon. Gentleman supported did absolutely nothing to reform the European Community development programme. In fact, they increased it by 50 per cent. We are moving in the right direction: there is a poverty focus and an agreement to streamline the programme and delegate it to the countries concerned. We are moving in the right direction, and under this Government we will continue to do so.

Beijing Plus 5 Review

3. **Ms Chris McCafferty** (Calder Valley): If she will make a statement on the final report of the Beijing plus 5 review. [127739]

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): The principles laid down at Beijing were reaffirmed despite the efforts of some hard-line states to reverse previous gains. The report by the United Nations Development Fund for Women—UNIFEM—on progress worldwide since Beijing will be placed in the Library.

Ms McCafferty: Does my hon. Friend agree that 70 per cent. of the world's poorest people are women? Is he aware that, next week, the United Nations Fund for Population Activities will launch a special report to mark world population day that will highlight the fact that reproductive health and rights are human rights? Will he do everything possible to ensure that the sexual health and reproductive rights of adolescents and women are regarded as human rights and are part of the Government's international development policy?

Mr. Foulkes: Yes, I agree with my hon. Friend. I can reassure her that the gains made in Cairo were successfully defended in Beijing, despite the persistent efforts of hard-line states to undermine them. We would like much more explicit commitments to women's sexual rights, particularly the right to control their own sex lives, but a number of conservative countries are still blocking that.

Mr. Paul Keetch (Hereford): Does the Minister agree that many of the world's conflicts occur in some of the world's poorest countries and that often many of the non-combatants affected are women and children? Does he also agree that those women often suffer sexual violence as well as the violence of the wider war? What measures is his Department taking to ensure that those women's rights and children's rights will be central to its emergency aid for such conflicts?

Mr. Foulkes: The hon. Gentleman has pinpointed something that we have said on several occasions during Question Time: poverty is exacerbated by conflict. It is difficult for us to implement programmes to help the poorest people, particularly women and children, during conflict.

The question of violence against women was discussed at Beijing plus 5 and real gains were made. So-called honour killings, acid attacks, marital rape and forced marriage were condemned and recognised for the first time as a cause of concern. I am sure that the hon. Gentleman agrees that that is some progress.

Mr. John Bercow (Buckingham): Of the 12 specific promises agreed in Beijing, how many has the United Kingdom fulfilled?

Mr. Foulkes: We have made substantial progress on the promises that were made. If I had the time, I would spell out each of them one by one. I can tell the hon. Gentleman that, at Beijing plus 5, there was no retreat from previous agreements on abortion; there were many strong references to the threat to women posed by HIV; the key role of the women's movement in non-governmental organisations was recognised and the importance of women's rights at work is underlined in the report; the need fully to extend inheritance and property rights to women was accepted; and, as I said earlier, real gains were made in relation to violence against women. I am sure that even the hon. Gentleman would agree that that is substantial progress.

Mr. Andrew Miller (Ellesmere Port and Neston): Has my hon. Friend had any discussions with the Chinese about the spread of HIV-AIDS from Burma? I should like to congratulate the Department on its excellent publication on that country, which came out yesterday.

Mr. Foulkes: I thank my hon. Friend for his kind remarks. I am pleased to tell him that my right hon. Friend the Secretary of State plans to visit the border area to look at the project that he identified. I am sure that he agrees that that will be a great step forward.

China Western Poverty Reduction Project

4. **Mr. Norman Baker** (Lewes): What her policy is in respect of the China western poverty reduction project. [127740]

The Secretary of State for International Development (Clare Short): Britain supported the China western poverty reduction project at the World Bank board meeting in June 1999 because it is designed to bring significant benefits to 1.7 million of the poorest people in China. The hon. Gentleman will know that there was a campaign against the project. We therefore scrutinised it carefully and were convinced that, basically, it was beneficial. We also supported the board's conclusion that no funds should be disbursed on the Qinghai component of the project until an independent inspection panel had conducted an investigation, and it had been subject to further environmental and social assessments.

The report by the independent inspection panel, and the bank management's response to it, will be discussed at a World Bank board meeting on 6 July.

Mr. Baker: I am interested to know what the Secretary of State's position will be on 6 July—that is a key question. Is the Secretary of State aware that the World Bank inspection panel found seven major violations of World Bank policy in that particular project, including a lack of proper consultation, inadequate environmental assessment and a climate of fear in the area in question? With even the US opposed to the project, will she consider the matter carefully and conclude that it is not in the UK Government's interest, and certainly not in the Tibetan interest, to support this project?

Clare Short: We have not yet decided exactly what position we will take at the board meeting. There will be a discussion but not a final decision on 6 July. We are trying to maintain the project and benefits to some of the poorest people in China, some of whom have an annual income of only £23 a year. They live in remote villages for and represent four different ethnic minorities. We want to preserve a good project, but make sure that there is proper protection. We agree with a lot of criticisms in the panel report and, indeed, expressed some of those criticisms at the last meeting. We want to secure all those provisions, but also the project—that is our intention.

Mr. George Stevenson (Stoke-on-Trent, South): Does my right hon. Friend accept that many in the House welcome the Government's priority on the alleviation of poverty? Does she also accept that, no matter how desirable and well intentioned they are, schemes must comply with the regulations laid down by the World Bank? Given that the independent panel review found that seven out of 10 of the World Bank regulations have been violated, will my right hon. Friend make it as clear as possible that until the Government are satisfied that all those regulations have been complied with, they will not support the scheme?

Clare Short: I am very well aware that people are concerned about the situation in Tibet. I share the concern of those who have opposed this project from the start. My duty is to try to use UK influence to protect the interests of very poor people in China and make sure that that the project is good, but not to be swayed by a strong international campaign. I promise the House that I shall try to do that.

Mr. Tim Loughton (East Worthing and Shoreham): It is very alarming that the Secretary of State will not have made a decision when the meeting takes place tomorrow. Why, when the vote was taken, was it not supported by the United States, Canada, France and Australia, although Britain was for it? When will we see some vestiges of an ethical policy in our dealings with China in a policy that purely legitimises Chinese population transfer and all its obscene implications? The Government are kowtowing to the Chinese again. When will they stop?

Clare Short: The hon. Gentleman is deeply misinformed. China is opening up to the world. Its decision to join the World Trade Organisation is of crucial importance to humanity and the people of China, and will ensure that there is less oppression in China. China's record in reducing poverty in recent years has been very good, but in the most remote and the western parts of the country some of the poorest people live in some of the most inaccessible places. They have human rights to development, to education and to a decent livelihood. We will do all in our power to ensure that all human rights, including those of the poor, are protected everywhere, and that is what we are doing in China.

Mr. Ben Chapman (Wirral, South): Does my right hon. Friend agree that a principal thrust of the DFID's programme in China thus far has been the development of judicial and civic structures to aid social development and, in particular, the development of human rights? Against that background, is it not right that when the Chinese have decided to switch their attention from the coastal provinces to the poorer inland provinces, we should do our part to assist that project, provided that we can get the assurances that we seek?

Clare Short: My hon. Friend is right. We have been conducting judicial training, and helping not only in state enterprise reform but with access to education, health care and water in remote provinces with some of the poorest ethnic minorities. I am sure that the House would agree that that is the right thing to do.

Primary Education

5. **Mr. Tom Brake** (Carshalton and Wallington): If she will make a statement on progress towards the global provision of primary education by 2015. [127741]

The Secretary of State for International Development (Clare Short): Since the publication of our White Paper, we have worked hard to mobilise the international community to meet the target of universal primary education by 2015. We welcome the strong political commitment at the world education forum in Dakar to achieve universal primary education by 2015 and significantly to enhance investment in primary education.

Mr. Brake: I thank the Secretary of State for her response. Does she accept that, regrettably, gender equity in primary and secondary education is unlikely to be reached by 2005? What new targets will the Government argue for? Can she reassure the House that the matter will be discussed at the Okinawa summit?

Clare Short: Certainly, all the international development targets will be discussed at Okinawa for the first time, and one of them is progress on gender equity in education. In the poorest countries, girls tend to be excluded from school, and educating girls is profoundly developmental for a country. I am not willing to agree with the hon. Gentleman and to write off significant progress by 2005, because we are now making progress on the objective. Let us drive that forward. If we have not achieved the objective in all countries in 2005, we can reassess the matter, but let us not give in now; let us make further progress. I promise the hon. Gentleman that the subject will be discussed at Okinawa.

Mrs. Maria Fyfe (Glasgow, Maryhill): Does my right hon. Friend agree that when the target is reached, it will be an enormous step forward because never in human history has it been achieved? Being able to read and write, and to answer back, will make an enormous difference to the ability of people worldwide to cope with all that the world can throw at them.

Clare Short: My hon. Friend is right. There are 900 million adults in the world who are illiterate. We now have an international commitment to ensure that all children in the world get primary education, and widespread recognition that it is the most powerful development intervention that any country can have. Including girls in education, in particular, transforms a country as the girls grow up and increases the likelihood that their children will survive.

I am certain that we will make major progress by 2015. We might not achieve the target in every country, and we are less likely to achieve it in war-torn countries, but massive progress is possible. We are the first generation that can look to the elimination of fundamental illiteracy from the world. We can achieve that if we are serious.

Mrs. Cheryl Gillan (Chesham and Amersham): Uncharacteristically, I agree with the Secretary of State in that I support the objective of providing universal primary education by 2015. Does she agree that no money earmarked for development should be wasted on bureaucracy and that every penny should be focused on the front line? Why then, since she took office, has she increased her staff by 321, increased her administration costs by £20 million and doubled her Department's publications, including bumf such as vanity publications that cost more than £400,000—enough to double the basic education programmes in Colombia, Mozambique and Nepal? Is it not about time that she spent a little more on the education of children in developing countries and a little less on publicising her own Department?

Clare Short: The hon. Lady is characteristically wrong, misinformed, inaccurate and not attached to the truth. The Department's spending has grown by £1 billion under this Government, but the budgets shrank and shrank under the administration supervised by the Government of which she was a member. Slightly more staff are needed to have a bigger programme, but our staffing is small. There has not been a big increase in administration costs, but we have published the details of all our strategies and programmes—that is freedom of information that was hidden by the previous Government. Publication costs money, but it allows people in developing countries to know about the programmes that are for their benefit. The hon. Lady is misinformed as ever.

Chad-Cameroon Oil Pipeline

6. **Mr. David Chaytor** (Bury, North): If she will make a statement on the proposed Chad-Cameroon oil pipeline project. [127742]

The Secretary of State for International Development (Clare Short): The World Bank is supporting Chad and Cameroon to build a pipeline to take Chad's oil to the Atlantic coast. Chad and Cameroon are both very poor countries. We believe that the World Bank's involvement in the project will help to ensure that measures will be taken to protect the environment and that the benefits of the development will reach the poor.

Mr. Chaytor: I thank my right hon. Friend for that reply. Does she agree that, in the long-term, it is far less likely that the exploitation of fossil fuels will bring prosperity to countries such as Chad and Cameroon, and that the World Bank should consider more seriously the development of renewable energy, the potential for which those countries have in abundance? Can she assure the House that she will use her influence at the board of the World Bank to give greater attention to renewable energy projects in future?

Clare Short: No, I do not agree with my hon. Friend. I agree that renewable energy—solar energy—is very important for the future of humanity and will bring benefits to countries with lots of sun. Chad is one of the poorest countries in the world, but it has substantial oil reserves. Of course Chad must be allowed to exploit those oil reserves, and the World Bank's involvement will ensure that that is done responsibly and that the poor benefit from that. That must be right. I support renewable energy, but Chad has a right to exploit its oil.

Mr. Bowen Wells (Hertford and Stortford): Will the Secretary of State tell the House what contribution the Prime Minister's initiative group at the Department for International Development makes to the proposed Chad-Cameroon oil pipeline project? *[Interruption.]*

Clare Short: I did not fully hear the hon. Gentleman; there is an awful lot of noise in the Chamber, Madam Speaker.

Madam Speaker: Order. Conversations are much too noisy. The House must come to order. I cannot hear, neither can Ministers. Secretary of State, did you hear the question correctly? Will the hon. Gentleman repeat the question? *[Interruption.]* Order. We cannot hear. Repeat the question.

Mr. Wells: Will the Secretary of State tell the House what contribution the Prime Minister's initiative group at the Department for International Development makes to the proposed Chad-Cameroon oil pipeline project?

Clare Short: My right hon. Friend the Prime Minister's initiative involves working with the private sector to use information technology in various countries, especially those in Africa, to improve teacher education to meet our primary education objective and to ensure that an educated group of people has access to the new technologies. It is too soon to say whether Chad will benefit, but we are currently reviewing whether we can drive that forward and which countries will benefit. I am very hopeful that Rwanda will benefit, and I am sure that the hon. Gentleman will share my pleasure at that.

Emergency Relief

7. **Mr. Malcolm Bruce** (Gordon): What plans she has for setting up permanent stand-by arrangements for emergency relief. [127743]

The Secretary of State for International Development (Clare Short): A mechanism for international emergency relief already exists under the co-ordination of the United Nations. We are supporting the strengthening of the UN Office for the Co-ordination of Humanitarian Affairs. Our strategy paper on that work is available in the Library. The emergency relief operations of my Department are widely recognised as one of the most effective in the international system. *[Interruption.]*

Madam Speaker: Order. Before I call Mr. Bruce, I remind hon. Members that I have asked them to cease noisy conversations. I cannot hear, neither can the Secretary of State. Will hon. Members have quiet conversations, if they have any at all? They are here to listen to questions and answers, not to have conversations among themselves.

Mr. Bruce: Thank you, Madam Speaker.

I thank the Secretary of State for that answer, but she will be aware that, during the Mozambique crisis, I contacted her office on behalf of helicopter companies in Aberdeen. Her staff gave a quick and efficient response. I have no complaints about that, but the helicopter companies said that their response could have been greater if there were stand-by arrangements between the Government and private companies, such as themselves, for emergency provision. Is there any possibility that that could be further explored so that we can get the right people, with the right equipment, in the right place and, I entirely accept, at the right price?

Clare Short: We have stand-by arrangements with health professionals, logisticians, former military people, firefighters and all sorts of people who, overnight, will drop everything to go out to an emergency. Britain should be very proud of them. It is not wise to send helicopters from northern Europe to southern Africa if they can be hired in southern Africa. That is what we did, because it was cheaper and quicker. It was the right thing to do.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [127767] **Kali Mountford** (Colne Valley): If he will list his official engagements for Wednesday 5 July.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. I will have further such meetings later today.

Today marks the centenary of the passage of the Commonwealth of Australia Constitution Act 1900, which established a unique and strong relationship between our countries. I am delighted that we will mark that occasion tomorrow. It testifies to the remarkable and close bonds between our two great countries.

Kali Mountford: Does my right hon. Friend recall meeting GPs from the primary care group in my constituency last week? Was he impressed, as I was, by their great success and the real changes that they are now able to achieve for patients as they move towards trust status? Is not the last thing that GPs and their patients need a return to the divisive two-tier system that we inherited from the Tories?

The Prime Minister: My hon. Friend is absolutely right. The primary care groups have replaced the vastly discredited two-tier system, but more than that, as a result of the additional money that we are able to get into the health service, both primary care services and acute hospital services will be increased. We now know from the Conservative party that it would take £1 billion out of the national health service. That is why every time the issue turns to substance and policy, the Conservatives have nothing to say.

Mr. William Hague (Richmond, Yorks): I join the Prime Minister in his tribute to Australia and ask him to join me in welcoming to the Palace of Westminster five Australian Prime Ministers, including the current Prime Minister, Mr. Howard. On the centenary of the passing of the Commonwealth of Australia Constitution Act, will he join me in celebrating the close links between Britain and Australia and the sacrifice made by the people of Australia in upholding freedom and democracy in two world wars? Does he share the hope that the ties between our two great countries will be as strong throughout the next hundred years as they have been over the past hundred?

The Prime Minister: I am delighted to join in those sentiments. At my meeting with the Australian Prime Minister yesterday, we agreed that we should establish here a proper and fitting war memorial to those American service men and women who lost their lives—[HON. MEMBERS: "Australian!"] Forgive me: Australian service men and women. *[Interruption.]* Forgive me. Well, there were many good allies in those conflicts.

The important thing at this time, when we look ahead at the next hundred years, is to remember just how much sacrifice was made by those Australians who gave their lives to defend the whole of the civilised world from fascism and dictatorship. We will be delighted to honour them here in this country.

Mr. Hague: Australians are straightforward people, so let me ask the Prime Minister a straightforward question. Does he remember announcing a new Government policy last Friday, to a chorus of derision—something that he must be getting used to these days? In what was billed as a major announcement, he said that drunken and violent thugs would be picked up by the police, taken to a cashpoint and asked to pay an on-the-spot fine. Can he tell the House which person in the Government came up with that brilliant idea?

The Prime Minister: The essence of the proposal of course is that—*[Interruption.]* The essence of the proposal is that there should be summary justice for disorderly conduct and that there should be—*[Interruption.]* I am sorry to disappoint the right hon. Gentleman; he should just listen. There should be on-the-spot fines for those people who engage in disorderly conduct. It is correct that it may be better to do that by fixed penalty notice, but summary justice, on the spot, is the essence of the proposal. Perhaps when the right hon. Gentleman gets to his feet, he will say whether, if we introduce the proposal for summary fixed penalty notices, he will support it.

Hon. Members: Answer!

Mr. Hague: If there were a fixed penalty notice for evading the question, the right hon. Gentleman would be bankrupt by now. The shadow Home Secretary has said that we are happy to look at the principle of using more fixed penalty notices, but what we want to know about is last Friday's announcement, copiously leaked to the press as usual, of

> Blair's shock proposal to stop street violence—

which was all about people being taken to a cashpoint and given an on-the-spot fine.

Whose idea was this? It could not have been the Home Office civil servants', because they said that they knew nothing about it. It could not have been the Home Office Ministers', because they called it an "ill judged metaphor". It could not have been the police's idea, because they said it was "ludicrous" and "unworkable". Could it have been anyone in the Labour party? Hands up anyone who thought of it. *[Interruption.]* The Prime Minister is on his own, again. Who in the Government came up with the obviously fatuous idea of getting drunken criminals to form orderly queues at cashpoints around the country?

The Prime Minister: On-the-spot fines—*[Interruption.]* Let us get the right hon. Gentleman off what he likes to talk about, and get him on to the substance. Was he saying a moment or two ago that if we introduce fixed penalty notices on the spot for disorderly conduct, he will support that?

Mr. Hague: Actually, I was asking the Prime Minister a question, to which he does not give the answer. I am happy to give the answer, as I have about fixed penalty notices. I will be happy to give the answers about Government policy in the future, which he will not give at the Dispatch Box today. The truth is that the proposal was yet another gimmick from a Government of gimmicks.

Three years ago, the Prime Minister announced, with another fanfare, the introduction of child curfew orders as another way in which Labour would fight youth crime. Will he tell the House, three years on, how many child curfew orders have been implemented?

The Prime Minister: The child curfew orders and the anti-social behaviour orders were part of a Government strategy to deal with unruly behaviour. They are being used, and we want to see them being used more. However, I take it from what the right hon. Gentleman has just said that he will support on-the-spot fines. *[Interruption.]* The issue for people out there, when there are people drunk in the street, kicking in their gates, and engaging in drunken disorderly conduct, is whether the police will be given the powers that they need.

Yesterday we proposed measures on football hooliganism. Let me again challenge the right hon. Gentleman. Today the House of Lords Conservative party said that it would not support those measures. Will he or will he not back us on disorderly conduct and football hooligans—yes or no?

Mr. Hague: We called for the Prime Minister to deal with football hooliganism two years ago. Just because he did nothing and has mismanaged the parliamentary timetable does not mean that he can get legislation through in a matter of hours.

What is the answer to the question that we asked the Prime Minister? It is a nice, easy number. It is probably in his folder, if he had a PIN number to get to it. It is a nice, easy number, the number of child curfew orders implemented: zero. Was that what the right hon. Gentleman meant by zero tolerance when he talked about it at the last election? It is yet another gimmick. With violent crime rising—and his gimmicks have done nothing to address it—would it not be a good idea to make violent criminals serve their sentences? Will the right hon. Gentleman now give the House the figure for the number of people convicted of grievous bodily harm and released early, before their normal parole date, by the Home Secretary?

The Prime Minister: As the right hon. Gentleman well knows, that proposal was supported by his party. On football hooliganism, we now know today—*[Interruption.]* The Tories do not like to talk about the substance of the policy. On football hooliganism, we now know today that the right hon. Gentleman is not prepared to support the measures going through the House of Lords. Let me tell the House also that we have introduced a measure whereby, for breaches of community service orders, benefit is lost. The Opposition oppose that as well. They also oppose the fines on illegal trafficking in illegal immigrants and asylum seekers. As for their record on crime, many people in the country remember that it was under the Conservatives that crime doubled. If the right hon. Gentleman wants to be taken seriously on crime, let him stand at this Dispatch Box—[Hon. Members: "Hear, hear."] Maybe he should give us a few answers to some questions. Let him stand there now and tell us whether he will back these measures on crime, or whether he will carry on talking about them but doing nothing.

Mr. Hague: I will stand at the right hon. Gentleman's Dispatch Box and be taken seriously on crime, which he never will. We will support tougher measures on crime going through the House, but we will subject them to proper parliamentary scrutiny, which he has never favoured. The number of people—a figure which, again, he has not given—released early who have committed grievous bodily harm is now 1,654, many of whom have offended again. Three years into the Government—*[Interruption.]*

Madam Speaker: Order. I hear what the hon. Member for Halton (Mr. Twigg) is calling out. I shall have to move him out of the Chamber if he continues.

Mr. Hague: Three years into the Government, is it not the truth that they are failing to deal with the real issues, such as crime, because they are so busy with leak and counter-leak, spin and counter-spin, and doing each other down in the press. Is not the fact that the Prime Minister spends his time clutching for another empty headline with a cashpoint announcement instead of getting a grip on his divided and shambolic Government a sure sign of weakness and failure of leadership?

The Prime Minister: Let us deal with "spin rather than substance". I notice that the right hon. Gentleman did not raise today the record number of jobs created by inward investment in this country; the 1 million extra jobs since the election—not spin, substance; the new hospital building programme—not spin, substance; the building work for up to 11,000 schools—not spin, but substance; today's £1 billion programme for science—not spin, but substance; the minimum wage; paid holidays; the right to union representation; the new deal; the working families tax credit—all substance. The truth is, when the debate turns to policy, we will see who is standing.

Hon. Members: More!

Mr. Michael Fabricant (Lichfield): Resign.

Madam Speaker: Order. Any more of that and the hon. Gentleman will be out.

Q2. [127768] **Mrs. Maria Fyfe** (Glasgow, Maryhill): One of the things that I hope that my right hon. Friend will do today is have a look at the petition with 70,000 signatures gathered in Glasgow in support of Govan shipyard. There are voices this morning saying that the future for our yard is bleak. Does my right hon. Friend have any encouraging things to say to the men and women in that yard who have campaigned so hard and so long to save its future?

The Prime Minister: My hon. Friend will recognise that the Ministry of Defence receives the bids tomorrow and will consider them carefully. Other United Kingdom warship orders are coming up, and Scotland can expect to benefit from them, too. For example, it is probable that a type 45 destroyer, first of class, will be assembled and launched on the Clyde. In addition, the Government have spent about £500 million on defence equipment from contractors based in Scotland. We must obviously make decisions in the best interests of our shipbuilding industry, but we are well aware of the anxieties of those who work in the Govan yard.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): While I acknowledge the welcome level of investment that has been recorded today, what does the Prime Minister make of the opinion that was expressed to him and the Foreign Office by our ambassador in Japan? The ambassador said that there is a perception among Japanese business men that, unless this country gets firmly on track for membership of the euro, additional future investment will entail unnecessary costs and doubts. Does the Prime Minister agree with his ambassador's analysis?

The Prime Minister: Before I answer that question, I shall refer to a question that the right hon. Gentleman asked last week and to which I promised an answer. He asked whether the health action zone money had been cut. I have examined the matter carefully. Five different streams of money go to health action zones. The right hon. Gentleman was right to say that one had been reduced. However, the other four have been substantially increased, and there will be an overall increase of 37 per cent. in health action zone funding.

On inward investment, it is extremely important to hold to the policy that we have set out. It is, in principle, for Britain to be part of a successful single currency, while recognising that, in practice, the economic conditions must be fulfilled. That remains our policy. To rule out the euro altogether would be absolutely disastrous for British jobs and inward investment, leading to an immediate loss of jobs and investment. That is why Conservative policy is the surest way I know to lose jobs.

Mr. Kennedy: On health action zones, the Prime Minister is right about the 37 per cent., but the point of last week's question was that the 37 per cent. increase is a decrease when compared with what the Treasury proposed initially. It will still result in cuts. That is the heart of the matter.

On the euro, Richard Branson wrote this morning:

> outside the Euro . . . we will be much poorer both as a nation and as individuals.

Did the Prime Minister notice that? Does he disagree with Mr. Branson as well as his ambassador in Japan? Is he not in danger of allowing his "prepare and decide" policy to slip into the "wait and see" policy that had such disastrous consequences for his predecessor?

The Prime Minister: No, because it is a "prepare and decide" policy. Depending on the economic conditions, membership of a successful single currency would be good for British jobs, mortgages and industry. However, membership must depend on the economic tests for the simple reason that if the conditions were not met, membership would not have the beneficial impact that we have discussed. The majority of those who are in favour of our joining the euro in principle recognise that joining now would not be right. It is therefore important to keep to the "prepare and decide" policy, the "in principle" commitment and the tests. We must do that because it is best for British people and British industry. Adopting the crazy policy of the Conservative party would prove the fastest way of removing inward investment from this country.

Q3. [127769] **Mr. David Kidney** (Stafford): Now that the Home Office accepts that it costs more to police rural areas, can my right hon. Friend assure the residents of rural Staffordshire that Staffordshire police will get more money? Does my right hon. Friend agree that wherever people live in Britain, they should be entitled to a police service that is consistently good?

The Prime Minister: I note that my hon. Friend's force will get an additional 83 officers from the 5,000 extra national recruits in the next two years. I also note that recorded crime has fallen in my hon. Friend's area by 3.3 per cent. The comprehensive spending review is coming up shortly. The extra resources that we are able to invest in the police show the importance that the Government attach to investing in our essential public services—schools, hospitals, law and order and transport. All those investments would be put at risk by the Conservative party's policy, which would mean that, whatever the economic circumstances, tax cuts always come first. When we undertake the comprehensive spending review, the choice will be simple: it will be between investment in the future and a stable economy on one side and an unstable economy and cuts in investment on the other.

Q4. [127770] **Mr. William Thompson** (West Tyrone): Is the Prime Minister satisfied that the illegal arms in the Provisional IRA dumps recently inspected by the two international inspectors are now secure and unavailable for use? When will they be put beyond use on a permanent basis, as required by statute, and when will the arrangements be made to deal with the remaining dumps?

The Prime Minister: It is important that this was a confidence-building measure. It is not the end of the decommissioning process, as I said on the day the measure was announced. I hope that the hon. Gentleman will welcome the fact that we have a chance in Northern Ireland, with an inclusive Executive now and with a Government who are able to represent all parts of the community, to take the process forward. We know that the confidence-building measure is not the full decommissioning that we need. However, it is a significant step along the way to a more peaceful future for people in Northern Ireland. I believe that the vast majority of people in Northern Ireland and in the whole of the United Kingdom will welcome it.

Dr. Brian Iddon (Bolton, South-East): Last Friday, my right hon. Friend the Secretary of State for Health announced an allocation of £658,000 for the Royal Bolton hospital to build a dedicated eye operating theatre. That is in addition to a doubling, under the Government, of intensive care beds and a significant increase in capacity of the accident and emergency department. My right hon. Friend the Prime Minister has been invited to Bolton to open one or all of these facilities. May I say on my 60th birthday what a wonderful present it would be if he accepted the invitation? I promise to pay for the plaque.

The Prime Minister: That does not seem to be an offer that I can refuse. I am delighted that that investment is going into my hon. Friend's constituency. Every accident and emergency department throughout the country that needs it is being refurbished. In addition, there is the largest hospital-building programme since the war. *[Interruption.]* Before the Tories start shouting out, I might add that when we came to office not one hospital was being built under their programme.

That is the substance, and the difference. We are making an investment in the national health service. The Leader of the Opposition's economic policy means that he would have to cut that investment. Over the past two weeks we have not yet had an answer to explain how the Tories can spend an extra £1 billion on private medical insurance and still keep to the spending plans that we have set out.

Q5. [127771] **Mr. Nigel Evans** (Ribble Valley): Labour Governments are famous for soaking the rich, but with exorbitant petrol taxes the Government are guilty of milking the poor. The car is not a luxury in rural constituencies such as Ribble Valley; it is a necessity. The Prime Minister tells us that the tax is all being earmarked for public services. However, there is a VAT element on higher petrol prices that has given the Chancellor of the Exchequer a windfall VAT tax. Why cannot that tax now be returned to the motorist? When will the Prime Minister stop caning the motorist?

The Prime Minister: I remind the hon. Gentleman that it was the Government he supported who introduced the fuel duty escalator. In the past year, less than 2p of the 18p per litre rise in the price of petrol has been fuel duty. The hon. Gentleman is an Opposition Front-Bench spokesman, is he not? When the Leader of the Opposition was asked another substance question—another policy question—about whether he would take off any of the petrol duty, he said that he would not because

> We have to be very careful

about matters of taxation. Conservatives can go round the country telling people how they support the campaign on petrol duty, but the truth is that they are not prepared to make one commitment on it.

It is true that there was a fuel duty escalator, and in the first two years that increased the price of petrol. We did it for the reasons that I have explained, to get rid of the huge deficit that we inherited from the Conservatives. In the past year, however, the increased price has been the result of rises in the price of oil. Until the Leader of the Opposition is prepared to put his party's policies in order, we will take no lessons from him about these matters.

Ms Helen Southworth (Warrington, South): Will the Prime Minister join me in welcoming the £1 billion investment in science that was announced today, a radical improvement for our national science base which was reduced to impoverishment under the Tories? Further, is he aware that north-west senior scientists, academics, politicians and industrialists are meeting this Friday in Manchester to put, in partnership, the north-west right at the front of the biotech revolution? Will he take a personal interest in the North-West Science and Daresbury taskforce to ensure that we get the continued new investment in our north-west science base which our excellence merits?

The Prime Minister: That is right. I gather that the principal of the university of Manchester has welcomed today's announcement. It is a major investment in science in this country. We do it to ensure not merely that we are educating our people properly, but that we can carry on being the number one place to do business in the whole of Europe. I quote from what the US consultants said just a few weeks ago when asked to look into this:

> The UK rose to 2nd place in the worldwide index as a destination of choice for foreign investors.

They say that the

> continued pro-business stance of the Blair Government . . . all underlie this favourable British market position.

If we carry on running a stable economy and then make the investment in science and education, we have the best chance of a prosperous and successful future for our people; but if we go back to the days of unstable economics, back to the days of deficit financing, and if we turn our backs on Europe, or cut investment, then jobs and prosperity go—again, a substance question.

Q6. [127772] **Mr. Simon Burns** (West Chelmsford): As a precaution, may I ask the Prime Minister if he would be kind enough to answer the specific question that I am about to ask, rather than the question that he hopes I am going to ask? Is he aware that, today in mid-Essex—I am not interested in the rest of the country—1,600 more people are on a hospital waiting list than on 2 May 1997? Can he explain to my constituents and to me why, in mid-Essex, there has not been a single day since 2 May 1997 when hospital waiting lists have been lower than when the Conservative Government left office?

The Prime Minister: I will not respond to the hon. Gentleman about the detail of his own constituency because I do not know it, but I will make sure that I get the response. However, if we are to reduce hospital waiting lists—of course, the in-patient lists have come down nationally by 100,000—we have to make an investment in more nurses, doctors and facilities in the health service. *[Interruption.]* It is no use the hon. Gentleman shaking his head: he is against that extra investment in the health service. He is going to go into the next election—*[Interruption.]* Oh, yes. I am afraid that at some point Conservative Members are going to have to answer a few questions on policy. If they go into the next election holding to their tax guarantee, then, as my predecessor, the former leader of the hon. Gentleman's party, said, the only way that their tax policy can be made to add up is swingeing cuts in education and health. That is the fact; so although there are people in his area entitled to ask for more money in mid-Essex to cure the waiting list problem, he is not one of them.

Dr. Norman A. Godman (Greenock and Inverclyde): The earlier noise in here must have made our Australian visitors feel quite at home.

On the question of the programme for the intergovernmental conference, may I ask the Prime Minister if, when he last met the leaders of Austria, Finland, the Irish Republic and Sweden, they discussed the European Union's rapid reaction force? If they did hold such a discussion, did he receive assurances from the leaders of those neutral countries that they would support the setting up of such a force?

The Prime Minister: Yes, we did discuss that and they are supportive of setting up the rapid reaction force. Of course, we have to be very careful of the sensitivities of non-NATO EU member countries, but the whole purpose of the force is to allow us that greater facility to deal with situations that may arise on the doorstep of the European Union, where it is important that European Union member countries co-operate. In defence policy, the work that has been done by the Government in co-operation with other Governments is a classic example of how a positive, constructive attitude in Europe yields the best results for Europe and for the country.

Q7. [127773] **Mr. David Lidington** (Aylesbury): So that the Bill on football hooliganism can receive swift passage and proper parliamentary scrutiny, will the Prime Minister agree today to drop from his legislative programme his Bill to restrict trial by jury?

The Prime Minister: No, I certainly will not. Both those matters go to the heart of the law and order debate on policy. The mode of trial legislation was recommended by a royal commission, it is supported by the Lord Chief Justice, it will hugely increase the efficiency of the criminal justice system and we will be able to use some of the money thus saved in front-line policing.

Two weeks ago the right hon. Member for Richmond, Yorks (Mr. Hague) demanded that we introduce emergency legislation on football hooligans and said that he would give it fair passage. We now know what he means by parliamentary scrutiny of every line, dot and comma. Having called for that emergency legislation, he is not prepared to bring people in the House of Lords into line to get it through. What the country should know is that he is standing in the way of policy measures on football hooligans, community service orders—how can he oppose the idea of people having a penalty levied against them if they breach a community service order?—mode of trial, and fines on illegal traffickers. Those measures will deliver decent law and order in this country.

Points of Order

Dr. Julian Lewis (New Forest, East): On a point of order, Madam Speaker. In the half-hour of Prime Minister's Question Time we only reached question 7. Was not one reason for that slow progress the Prime Minister's insistence on answering a question posed to him not this week but last week, by the leader of the Liberal Democrats? If that is to be in order in future, may we expect answers to all the questions we ask the right hon. Gentleman that are never answered? If so, we will not get beyond question 2.

Madam Speaker: It is reasonable for the Prime Minister to correct something that he wanted to correct from last week. In any case, the hon. Gentleman is quite wrong: we may have reached question 7 on the Order Paper, but he has perhaps forgotten that the leader of his party put six questions, so that is seven plus six. The leader of the Liberal Democrat party also put two questions, so there were more than seven questions. I can add up too.

Mr. James Clappison (Hertsmere): On a point of order, Madam Speaker. In the exchanges during Prime Minister's Question Time about the early release of prisoners on home detention curfew—especially those convicted of grievous bodily harm—I believe I heard the Prime Minister say that that measure had the support of the official Opposition when it came before the House. I was the Conservative spokesman on the Crime and Disorder Act 1998, and that measure certainly did not have the support of the Opposition at that time. The Standing Committee proceedings will bear that out, and will show that the official Opposition tried to exclude high-risk offenders.

Madam Speaker: As the hon. Gentleman will understand, that is certainly not a point of order. It is a matter of political argument and debate.

Mr. William Ross (East Londonderry): On a point of order, Madam Speaker. During Prime Minister's questions, the right hon. Gentleman answered a question that was put to him last week. That seems to be a departure from normal procedure. Is it to be part of our procedure in future, so that we can all get our questions answered?

Madam Speaker: The hon. Gentleman obviously did not hear me earlier. I hope that that will not be the case, but it seemed to me that the Prime Minister was correcting something that he had said last week. I obviously do not want that to happen weekly, and I shall make that known to the Prime Minister and to his Office. I hope that that will help the Opposition.

Community Reinvestment

3.34 pm

Mr. David Kidney (Stafford): I beg to move,

That leave be given to bring in a Bill to extend the regulation of financial institutions so as to require them to demonstrate that their deposit facilities serve the convenience and needs for credit services and deposit services of the communities in which they are regulated to do business; and to require the Financial Services Authority to encourage such institutions to help meet the credit needs of the local communities in which they are regulated to do business, consistent with the safe and sound operation of such institutions.

There was a great outcry when, on one day last April, Barclays Bank closed more than 170 branches. For 86 communities, the decision marked the end of access to any local banking services whatever. Customers complained, community leaders complained, and hon. Members complained, but the decision was not changed. This week, people power was successful in overturning another decision of some banks. The news that plans to charge for the use of cash withdrawal machines have been dropped is very welcome. However, I suggest that those two great issues demonstrate that banks cannot be trusted always to put the interests of their customers first.

Banks make their profits in the communities that they serve, and they should put something back into those communities. The Government believe that. The Government have ambitious plans to regenerate areas of social exclusion, to make cash banking cheaper for the poor and to maintain services in rural areas. The Government see banks as partners in achieving those aims, but seek a voluntary compact rather than a formal system of regulation. I think they are slightly wrong in that, although I certainly share the view that heavy-handed regulation is undesirable. My Bill seeks to achieve a light-touch addition to the current regulation of banks.

The Bank of England Act 1998 transferred the Bank of England's current supervisory powers to the Financial Services Authority. I propose that the FSA's powers be extended to mirror those of United States bank regulators under that country's Community Reinvestment Act 1977. In a moment, I shall describe those powers in a little more detail. However, I stress now that they are not intended to interfere with proper commercial decision making. Regulation must be consistent with safe and sound operation of banks' business activities.

Building on initial work by the social exclusion unit, the Treasury has set to work to tackle problems of financial exclusion. There are many manifestations of social exclusion, but I shall only give the example of the unbanked and the practice of so-called red-lining, which is a refusal to lend to certain areas. I support the Treasury's stated intention of encouraging wider access to financial services for individuals and communities who may be suffering detriment from not having access to facilities such as a bank account or some types of insurance.

I welcome the Cruickshank report on competition in United Kingdom banking. I welcome, too, the reports of the Treasury's policy action teams on "Access to Financial Services" and on "Enterprise and Social Exclusion". The former points the way to developing new and alternative means of delivering and providing banking services, such as the recent suggestion of a universal bank operated by the Post Office. The latter led directly to the Treasury inviting the Bank of England to report regularly on finance for business in deprived groups and communities. I understand that the Bank of England intends to publish its first such report this autumn, with its regular review of finance for small and medium-sized enterprises.

Reports such as those help to inform debate concerning those who have no bank account and those who cannot gain access to suitable finance. They also help to determine the future direction of public policy. The extent of branch closures, for example, has contributed to the policy of offering a basic banking service through post offices. Additionally, the estimate that 3.5 million people are without basic banking facilities has contributed to the Treasury deadline to banks to provide, by October, a new form of basic account.

I believe that for policies such as those to succeed, we have to have the right regulatory framework in place. I want community reinvestment to be a matter of partnership, and the Government of the day to represent the public interest in such a partnership. I want communities to be represented in a variety of ways, including through customer organisations and voluntary organisations such as the Campaign for Community Banking Services. I want the private sector to be represented not least by the banks themselves. However, in my view, the banking regulator should have the powers to ensure that the banks keep their side of the bargain that that partnership reflects.

On the very first page of the Cruickshank report, there is a call for a new policy framework for the relationship between Government and the banking industry. Although I might quibble about the absence of a reference to Parliament, I agree that a new framework is desirable. I argue that, as part of that new framework, there is a need to underpin by statute the very good work that is being done to combat social and financial exclusion.

The Cruickshank report calls for action to be taken in a number of spheres of banking practice, including money transmission, small business markets and the reform of merger law. Although my Bill may not make it to the statute book on this occasion, may I ask Ministers, while they are contemplating implementation of those Cruickshank recommendations, also to consider seriously adjusting the powers of the regulator in the manner that I suggest?

There will be those who will be nervous about calls for additional regulation. There is an understandable fear that it may add to bureaucratic burdens and lessen competitiveness. Let me try to reassure anyone harbouring such fears. The model for my proposal is the US Community Reinvestment Act. America is not generally regarded as a country overburdened by state controls—nor are American banks seen as uncompetitive. However, for more than 20 years, the Act has encouraged banks and financial institutions to meet the credit needs of their communities. A bank's record on serving the community, including disadvantaged sections of it, will be taken into account when regulatory permissions are considered. The regulator's permission is required for such matters as mergers and branch openings.

In 1999, a group of Democrat Senators claimed that the Act's achievements included significantly improved availability of credit in historically under-served communities, a dramatic increase in home ownership by low and moderate-income individuals and investment by commercial banks and thrifts in housing development and rehabilitation and in community economic development. The scale of community financing needs is obviously bigger in the US, but the principle is the same. When I mention that the US initiatives are channelled through community development banks, credit unions, loan funds, micro-finance funds and neighbourhood equity funds, it is plain to see that those initiatives are easily transferable to the UK.

Under the American Act, banks are assessed from time to time against three tests—the lending test, the investment test and the service test. As a result of the assessment, the regulator assigns the bank one of four ratings—outstanding, satisfactory, "needs to improve" or substantially non-compliant. The ratings are made public. Obviously, banks will want to maintain a high reputation by seeking the best rating. If we apply that regime to the example—hypothetical, of course—of a bank in this country that seeks to close a lot of branches, gives little notice of its intentions and makes little effort to provide alternative arrangements for the people affected by the closures, it is difficult to see how a bank that behaved in that way would obtain a rating of outstanding.

Instead, the desire to maintain the best rating might persuade a bank having a commercial plan to close branches first to set in place alternative arrangements for the communities affected. Greater use of information technology, collaborative arrangements with other banks and now arrangements with the local post office are the kinds of measures that could be planned in advance.

In that example of how a community reinvestment Act might bring positive benefits to this country, I chose to highlight branch closures because they have been of concern recently. That issue has illustrated the shortcomings of relying entirely on a voluntary approach in tackling financial exclusion. It is easy enough, however, to imagine other situations in which banking services to communities could be improved because banks would wish to behave in a manner that preserved the best rating.

I started my speech by referring to Barclays' programme of branch closures, so I shall finish with the reported words of Mathew Barrett, the new chief executive of Barclays. Speaking at the bank's annual general meeting in April, he said:

> The lesson is clear. Where we have difficult closures, there must be a debate among the people affected and we have to do all that we can to eliminate the inconvenience. We did not. We must do better.

I want British banks to do better, and that is why I commend the Bill to the House.

Question put and agreed to.

Bill ordered to be brought in by Mr. David Kidney, Liz Blackman, Mr. Tony Colman, Mr. David Drew, Ms Julia Drown, Dr. Lynne Jones, Mr. Andrew Love, Ms Margaret Moran and Mr. Gareth R. Thomas.

COMMUNITY REINVESTMENT

Mr. David Kidney accordingly presented a Bill to extend the regulation of financial institutions so as to require them to demonstrate that their deposit facilities serve the convenience and needs for credit services and deposit services of the communities in which they are regulated to do business; and to require the Financial Services Authority to encourage such institutions to help meet the credit needs of the local communities in which they are regulated to do business, consistent with the safe

[Mr. David Kidney]

and sound operation of such institutions: And the same was read the First time; and ordered to be read a Second time on Friday 21 July, and to be printed [Bill 154].

DELEGATED LEGISLATION

Madam Speaker: With permission, I shall put together the motions relating to delegated legislation.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

INTERNATIONAL IMMUNITIES AND PRIVILEGES

That the draft European Court of Human Rights (Immunities and Privileges) Order 2000, which was laid before this House on 19th June, be approved.

That the draft International Seabed Authority (Immunities and Privileges) Order 2000, which was laid before this House on 19th June, be approved.—*[Mr. Robert Ainsworth.]*

Question agreed to.

Orders of the Day

Local Government Bill *[Lords]*

As amended in the Standing Committee, further considered.

New Clause 2

PROHIBITION ON PROMOTION OF HOMOSEXUALITY: BULLYING

'( ). In section 2A of the Local Government Act 1986 (prohibition on promoting homosexuality by teaching or by publishing material), at the end of subsection (2) there is inserted '; or

(b) prevent the headteacher or governing body of a maintained school, or a teacher employed by a maintained school, from taking steps to prevent any form of bullying.'.—*[Mr. Waterson.]*

Brought up, and read the First time.

3.45 pm

Mr. Nigel Waterson (Eastbourne): I beg to move, That the clause be read a Second time.

Madam Speaker: With this it will be convenient to discuss the following amendments: No. 7, in page 74, line 2, leave out clause 98.

No. 6, in clause 102, page 75, line 9, leave out from beginning to end of line 14 and insert—

'paragraph 63 of Schedule 37 to the Education Act 1996'.

Mr. Waterson: The new clause and amendments concern what is euphemistically known as "section 28", but more accurately as section 2A of the Local Government Act 1986. Their effect would be pretty straightforward: they would simply return the Bill to its state when it left the House of Lords a little while ago. They would, in fact, do two things. They would reinstate section 28—as I shall continue to describe it, euphemistically—and they would reinstate their lordships' amendment relating to bullying. In other words, Opposition Members seek to overturn the amendments made by the Government in Committee.

We may have to return to this, but it occurs to me that it might be convenient, in due course, somehow to engineer a vote not on new clause 2 but on amendment No. 7, the key amendment in the group. It seeks to leave out clause 98—in other words, to reinstate section 28, or section 2A. I hope that that is reasonably clear.

Mr. Ben Bradshaw (Exeter): I am sure that, in the wake of the conviction of the London nail bomber, the hon. Gentleman, like all other Members, would want to condemn homophobia in all its manifestations. Why, then, does the Conservative party continue to support this nasty little homophobic piece of legislation?

Mr. Waterson: I will not co-operate with the hon. Gentleman's nasty little press release; but if he has any grown-up contributions to make to this serious and, indeed, narrow, debate, no doubt he will try to catch your eye, Madam Speaker.

Our position, which has been consistent throughout, is very clear. It has never had anything to do with bigotry, prejudice or intolerance. Homosexuality is a personal and private choice for consenting adults, and that is as things should be. This provision, however, has never had anything to do with any of that; it is simply to do with whether public money should be spent in schools on promoting homosexuality among children.

Dr. Evan Harris (Oxford, West and Abingdon): Will the hon. Gentleman give way?

Mr. Waterson: No. I want to make a little progress, because I think some Members are becoming slightly overheated. I intend to deal with every point that they are either muttering about from a sedentary position, or seeking to intervene on.

The first point to make—one that the Minister conceded in Committee—is that the Government's proposal was not in the manifesto for the last general election, although, curiously, it was in the manifesto for the 1992 election. I do not know whether the Government still intend to whip their Members for the vote, but no doubt their ability to do so will depend partly on what I have just said.

This nasty little provision is typical of the Government's attitude. We believe that it is based not on principle, but on spin and political correctness. The proposal to repeal section 28—as I shall call it for ease of reference—is on a par with the Prime Minister's ill-fated remarks about cashpoint criminals. It is cheap gesture politics. It is designed to curry favour with the gay and lesbian community, and, in its early stages, it was designed to be part of the Prime Minister's again ill-fated attack on what he was good enough to call the forces of conservatism.

Sadly for the Government, it turned out that those forces actually represent most people in the country. It is interesting to note that, in a recent survey in the Prime Minister's constituency, 71 per cent. of his constituents—of whom 63 per cent. were Labour voters—said that they wanted section 28 to be retained. It is also noteworthy that the leaders of all the major religious groups take a similar view.

Mr. Bradshaw: That is a lie.

Madam Speaker: Order. I heard that.

Mr. Bradshaw: I apologise, Madam Speaker, and I will retract what I said. Nevertheless, I would like some evidence, because the hon. Gentleman is wrong.

Madam Speaker: That is another matter. We will not have that sort of language in the House.

Mr. Waterson: I am afraid the hon. Member for Exeter (Mr. Bradshaw) will have to contain himself, Madam Speaker. I have got as far as page 2 of my remarks.

Although more heat than light has been generated on this issue, it is instructive to look at the history. The provision first saw light as a Back-Bench amendment. The Minister glowers—*[Interruption.]* We are going to have a serious and restrained debate on the matter, whether Labour Members like it or not.

The amendment was tabled originally by my hon. Friend the Member for Spelthorne (Mr. Wilshire), and was later supported by the Government. The 1987 debates are interesting. Given all the words expended on the issue since, it is worth noting that the amendment was accepted in Committee without a Division.

Indeed, there seems to have been quite a constructive debate about the correct way to address what was clearly perceived to be a problem. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) said that the earlier part of what was then clause 28 of the Local Government Bill was

> a proper statement on what should be the role of local authorities.—[*Official Report*, 15 December 1987; Vol. 124, c. 990.]

However, it is fair to say that the hon. Gentleman clearly had criticisms of the rest of the clause. In an amendment, he proposed that the word "commend" be used in place of "promote"—the word that has caused so much controversy. If that had been accepted, one wonders how it might have changed the way in which the provision has been perceived.

Dr. Harris: I hope that the hon. Gentleman will recognise that, although there was no Division when the proposal was considered in Committee—it happened before my time in the House—Liberal Democrat Members opposed what became section 28 in this Chamber, both then and ever since.

Mr. Waterson: I am not sure that they were Liberal Democrat Members at the time, but I take the hon. Gentleman's point. I was not trying to suggest that they did not oppose the measure.

The Minister in charge of the 1987 Bill was my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), who made the following points. First, he said:

> It is not right for pupils to be taught, in any school, that homosexuality is the norm.

That does not seem to have met with a great deal of controversy in the debate. He also said:

> I recognise that there may be a need for teachers to touch on the subject of homosexuality in the classroom.

We, of course, agree with that.

My right hon. and learned Friend went on:

> In the Government's view, objective discussion of homosexuality in the classroom, in the way that I suggested a short time ago, would be perfectly proper, because it is not promotion of homosexuality.—[*Official Report*, 15 December 1987; Vol. 124, c. 1019.]

I think that that is a very fair view.

A central issue in the debate on section 28 has been bullying. Any lingering concerns on that subject were addressed in the Lords amendment that the new clause would reinstate, but the Government's rhetoric on the matter has moved on. At one time we heard a lot about bullying, but we have heard much less recently. That is probably as well, for reasons that I shall explain.

Sadly, the Minister does not seem to have kept up with the Government's changes in rhetoric. In Committee, she said:

> I have a view about young people being able to sort out their own ideas in a supportive environment in which they are not subject or vulnerable to bullying because they are unsure about themselves. That is what the measure is about.

She then went on to say:

> The repeal will remove discriminatory and confusing legislation from the statute book.

[Mr. Waterson]

I think that I am quoting the right hon. Lady fairly. She also said:

> People have suffered far too much fear and intimidation . . .—[*Official Report, Standing Committee A*, 20 June 2000; c. 541-2.]

That seemed to make the case that bullying was the main evil to be addressed. If that were so, there would be agreement on both sides of the House. However, we take the view that bullying must be tackled whether it is because of someone's hair colour, because they are fat or thin or because of their possible sexual orientation. Any teacher worth the name should be prepared to crack down effectively on bullying as a matter of urgency. There cannot be much disagreement about that. However, for those who take a different view, there is the Lords amendment, which we are seeking to reinstate.

All too often this argument proceeds by assertion rather than evidence. How much evidence is there of a major problem of homophobic bullying? Back in January, a spokesman at the Department for Education and Employment said

> we don't have any concrete evidence . . .

The chief inspector of schools is on record as saying

> My own experience is that there is no evidence that section 28 has had a negative effect on teachers' ability to deal with bullying. No head teacher has raised it with me in all the school visits I have made.

That seems a pretty telling point, because I cannot imagine that anyone has made more school visits than the chief inspector of schools.

Mr. Gordon Marsden (Blackpool, South): The hon. Gentleman may be aware, depending on how closely he studies the proceedings of the Select Committee on this matter, that when the chief inspector of schools came before the Select Committee and was questioned on that issue—and, indeed, in correspondence with my hon. Friend the Member for Exeter (Mr. Bradshaw)—he specifically admitted that he had never raised the issue directly with head teachers.

Furthermore, a survey was carried out by Mr. Neil Duncan and published by Routledge, and another by the Institute of Education. They showed that 61 per cent. of schools surveyed were aware of lesbian, gay or bisexual pupils in their schools, and that [illegible] per cent. of those schools had reported at least one instance of homophobic bullying in the past term. Does the hon. Gentleman not accept that that is ample testimony, whatever the chief inspector's non sequiturs on the subject?

Mr. Waterson: I am aware of those surveys, but I am grateful to the hon. Gentleman for bringing them into the debate. I think that there are two issues here, and it is important to separate them. One is whether homophobic bullying takes place in schools. I should have thought that it is clear that it does. There are different conclusions from the evidence on how prevalent it is, and to what extent children at a certain age understand the meaning of some of the words they use. The second, more important question is whether, as a result of section 28, teachers feel constrained in from dealing with such bullying.

Ms Julia Drown (South Swindon): A survey was carried out asking teachers whether they felt reticent because of what was on the statute book, even though it is not supposed to affect schools. Some 40 per cent. of teachers believed that the provision did inhibit them from talking properly to some children and students who felt that they were being bullied. Is not 40 per cent. a significant number of teachers who are feeling inhibited because section 28 is on the statute book?

Mr. Waterson: With respect, I fear that the hon. Lady was eliding two quite separate points. Whether teachers believe that the section affects them at all is yet another issue that we shall discuss. The other issue is whether they are prevented from talking about homosexuality in the classroom. I seriously wonder whether teachers feel constrained when it comes to dealing with bullying for that reason. Bullying is a separate problem, whatever the excuse or ostensible reason for it—there can be no proper reason for it—and we should crack down on it. I do not think that we can separate out homophobic bullying for a particular purpose.

4 pm

When we first began to debate some of the issues in the Bill, I wrote to secondary heads in my constituency to find out about their attitude. They held a meeting and wrote to me. Their comments partly relate to the hon. Lady's remarks. The letter stated:

> Jointly, we can say to you that bullying goes on in every school . . . whatever its causes, Eastbourne Schools, in common with other institutions, are not prepared to accept it . . . In our experience, there is no single, major root cause of bullying, however, we do work hard through social and moral education to eradicate prejudice.

That was from Peter Barton, the head of the Causeway school, who is chair of the Eastbourne area education partnership. The letter was written on behalf of the heads of all the secondary schools in my constituency, but I do not think it is untypical.

Two points arise from that letter. The first is that those heads treat bullying as the problem—whatever its causes. The second is that they obviously do not feel at all constrained in trying to deal with bullying or to eradicate prejudice.

Not long ago, Mr. Arthur Cornell, a retired and distinguished headmaster in my constituency, wrote to *The Times* on the issue. He stated:

> Matters of bullying are about demanding dignity and respect for the individual as a human right.

We can all agree about that. The letter continued:

> If I deal with a pupil who has bullied a boy because he is wearing a turban, there is no suggestion that in doing so I am promoting Sikhism . . . The claim that Section 28 prevents schools from dealing effectively with bullying arising from homophobia says more about a school's policy on bullying than it does about Section 28.

That is a pretty good summary of the point I am trying to make.

Dr. Harris: Does the hon. Gentleman agree that if there was a law that schools should not promote the teaching of the acceptability of Sikhism as a pretended religion, that would create real difficulty for teachers? Indeed, it would be an open invitation for the bullying of Sikhs. A child might say, "Miss, I've been told my religion is unacceptable", and the teacher would reply, "Well, that's what it says in the law." The hon. Gentleman's analogy is offensive in any case, but he does not seem to realise that the legislation made bullying inevitable, or that there was difficulty in tackling bullying because of the words "acceptable" and "unacceptable".

Mr. Waterson: I am prepared to concede that the analogy—like most analogies—can be taken only so far.

I am sure that the Minister for Local Government and the Regions is strapping on her spurs and boots and preparing to climb on to her high horse over this issue—as she did in Committee—to lecture us and the rest of the world, if they are listening, about the purity and goodness of the Government's intentions. To dismantle that argument, one has to begin by considering how the Government's case for repealing section 28—a decision that I am sure they bitterly regret—has subtly changed.

We used to hear much about bullying. We are still hearing it from the Minister, but she is slightly out of step with the spin doctors—I hope that does not presage anything too awful for her. Recently, the Government have been pushing hard on three issues. The first is guidance. We have heard and will continue to hear much about guidance to schools and to teachers—suddenly, there is a lot of it around. Guidance is welcome as far as it goes. I have not followed the progress of the Learning and Skills Bill as closely as I have the proceedings on this Bill, but there have been some useful debates on the matter. The Government's proposals do not go as far as we would like. However, it is difficult to avoid feeling—as with yesterday's debates on cabinet secrecy in local government—that Ministers see guidance as a way of getting themselves out of a tight spot.

The second issue is the Government's greater reliance on the argument that the section does not apply to schools at all. I can understand how that argument runs legally. The only problem is that it applies—of course—to local education authorities. Many hon. Members agree that LEAs have some impact on what is taught or not taught in the schools in their area. It seems to be common ground on both sides of the argument that, whatever the law may or may not say, there is much confusion about whether the section applies to schools.

Mr. Gordon Marsden: I am listening carefully to the hon. Gentleman's point about schools, but may I take him back to what he said earlier when he focused on the position in 1988, when the section was introduced? Since then, there has been a revolution in the way in which schools are administered, their budgets handled and decisions taken in them. In the light of that, is the hon. Gentleman seriously telling the House that the parents and the governors who have been empowered to make decisions in that period are no longer to be trusted to make sensible and reasonable decisions about the teaching of homosexuality?

Mr. Waterson: That is not what I am saying—certainly not. However, those on the other side of the argument really have to make up their minds. On one hand, it is argued that the proposed repeal will be a small piece of tidying up that needs to take place because it is a bad thing to have legislation lurking on the statute book that nobody uses or is likely to use. Certainly, it is clear that nobody has ever used section 28. If that is the case, however, why was there all the excitement and bally-hoo when it was first announced that the section was going to be tidied away? The alternative position is that adopted by Mr. Peter Tatchell and Stonewall, who argue that the section has an impact on teachers and on how they choose to arrange matters and to teach. The hon. Gentleman may wish to intervene later when I discuss this aspect in more detail, but, sooner or later, the argument for repeal must decide which colours it is putting its money on or which horse it is backing.

Sir Peter Lloyd (Fareham): Those in favour of retaining section 28 must also make up their minds as to whether the changes that were brought in to strengthen the powers of school governing bodies and to give parents a central role on those bodies are working or not. The tenor of my hon. Friend's argument is that those changes are so weak that parents cannot ensure that inappropriate teaching does not happen in a school. If he thinks that, presumably he will suggest further legislation to make governing bodies really effective in the way that the previous Conservative Government thought they had done.

Mr. Waterson: My hon. Friend makes a powerful point, and it will be interesting to hear what Ministers have to say about it. I want to make progress, but these are detailed issues and they deserve detailed debate.

The confusion as to whether the section applies to schools also extends to such Olympian characters as the Prime Minister. He said:

> We believe . . . in getting rid of section 28. That is not because we believe it right to promote homosexuality but because we believe it is right for school teachers and others to be able to explain to children properly the facts of life.—[*Official Report*, 19 January 2000; Vol. 342, c. 840.]

The right hon. Gentleman seemed to be under the impression that they were prevented from doing that by the legislation.

I wish to put on record my gratitude to Angela Mason of Stonewall for providing information on this issue. We have not necessarily agreed, but she has been very reasonable and reasoned in her representations to me. In a letter to me, she said that

> there has been enormous confusion about how the secti[illegible]plies in schools.

Another information sheet produced by Stonewall refers to a string of occasions on which local authorities and educational institutions have been stopped from doing things that they would otherwise have done. One of the most well-known examples is that of Corby borough council which wanted to set up a Corby lesbian line.

The third issue about which we have heard something, although not a great deal, appears on the face of the Bill. It is suggested that section 28 is somehow objectionable under the European convention on human rights. It is a convention that the Government do not show us the legal opinions that they receive, but I have seen other opinions that suggest the opposite. Commission case law on the subject has consistently held that same-sex relationships fall outside the family-life provisions of article 8 of the convention. At the very least, the point is arguable. Indeed, there is an argument the other way: parents might feel able to bring a case under the convention if section 28 were repealed and certain things happened as a result.

[Mr. Waterson]

I could speak endlessly on the legal aspect, but I suspect that I would lose the attention of the House—

Mr. Gordon Marsden: Will the hon. Gentleman give way on that point?

Mr. Waterson: Let me finish the sentence. I shall not at all insist that Ministers break with precedent and show us the legal opinions that they have received, but the Minister for Local Government and the Regions could be a little more forthcoming in this debate than she was in Committee in talking us through the sudden appearance of the certificate in the Bill.

Mr. Marsden: The hon. Gentleman mentions the Human Rights Act 1998 and European Court judgments. It is obviously of great satisfaction to those of us on the Government Benches that the Opposition are taking such a keen interest in matters European. However, may I refer the hon. Gentleman to something domestic in this respect? As he will know, section 28 refers to the unacceptability

> of homosexuality as a pretended family relationship,

which presumably, by moving the new clause, he wants to entrench in the Bill. Is he therefore in conflict with the House of Lords judgment in September, in which Lord Nicholls and Lord Slynn of Hadley said in the majority decision on Fitzpatrick *v.* Sterling housing association that same-sex partners could be considered to be family members?

Mr. Waterson: I have a feeling that that case was to do with the Rent Acts. If it is the case that I am thinking of—it may not be—their lordships made it abundantly clear that their decision only concerned matters affecting the Rent Acts. No doubt we can look at that later.

The fourth point made—in a sense I have dealt with it in response to interventions—is that, as there have been no prosecutions, the provision does not matter. I have made the points on that, which are clear. Either the provision is a dead letter and nobody worries about it, in which case why all the fuss, or it has been having an effect and we therefore need to debate it.

Perhaps the worst aspect of this issue is what it reveals about the Government's metropolitan attitudes—their domination by a liberal elite who are out of touch with most people and even with large tracts of their own party's supporters. The provision simply does not pass the Kilfoyle test. An awful lot of decent Labour Back Benchers, many with religious convictions, will, if whipped, vote with a heavy heart.

By contrast, ours is a common-sense approach that seeks to prevent the abuse of taxpayers' money and to give parents the reassurance that they want and deserve. We have always felt that the provision was tacked on to the end of this substantial Bill because it seemed to the spin doctors like a good idea at the time, and would distract attention from the much more important provisions affecting local government. I hope and expect that the Lords will stand firm again on this issue, as on others, because on this issue, as on others, they are more in tune with the views of the British people than this Government.

Mr. Patrick Hall (Bedford): Will the hon. Gentleman give way?

Mr. Waterson: I will not give way.

Have no fear: Government spokesmen are already spinning that they will have to drop the abolition of section 28 if they do not want to lose the whole Bill. I hope that the same attitude applies to the fourth option that we discussed yesterday. It is time for the Government to see sense, abandon their obsession and move on.

4.15 pm

Miss Geraldine Smith (Morecambe and Lunesdale): Section 28 has always been highly controversial. It most certainly did not achieve all that its supporters claimed for it—nor will its repeal alter in any significant way the homophobic attitudes and prejudices in our society. The repeal of section 28 would not have stopped the London nail bomber killing innocent people in a pub. It would have made absolutely no difference. Section 28 applies only to local authorities, and cannot be invoked against individuals, companies or other publicly funded bodies such as the Arts Council, the BBC and the Health Development Agency.

It therefore follows that section 28 does not inhibit or prevent teachers and school governors from including in their school curriculum the teaching of the acceptability of homosexuality as an alternative form of family relationship, should they so desire. In fact, the guidelines make the matter quite clear when they state:

> This prohibition applies to the activities of local authorities themselves, as distinct from the activities of governing bodies and staff of schools.

Mr. Bradshaw: My hon. Friend referred to the London nail bomber and said that there is no connection. Does she not accept that he was motivated by homophobia and that a discriminatory piece of legislation such as section 28 is, by its very nature, homophobic?

Miss Smith: It is extremely sad that that evil person, the London nail bomber, carried out those acts. However, that has nothing to do with section 28, and saying that it does is a red herring. Would the London nail bomber have considered whether or not section 28 was in operation before he carried out those bombings? Of course not.

Section 28 does not apply to schools and should not affect the delivery of sex and relationship education in schools. It does not affect the activities of school governors or teachers; nor does it prevent objective classroom discussion of homosexuality. Schools can provide counselling, guidance, advice and support to all pupils. Any claim that section 28, in itself, stops homosexuality being discussed in schools is clearly unfounded. It is complete and utter nonsense to claim that section 28 inhibits schools or teachers from having in place appropriate measures to deal with cases of homophobic or other types of bullying.

For many years, I have had close contact with schools and teachers in my area. They have raised a host of issues with me, but on no occasion has a teacher, head teacher or school governor brought to my attention any problems arising from the implementation of section 28. It would appear that the chief inspector of schools has had a similar experience, as we heard earlier that the issue of section 28 has not been raised in any of the schools that he has visited. Indeed, it has not come up in Ofsted inspections as a matter affecting schools.

Mr. David Borrow (South Ribble): I have listened carefully to my hon. Friend. Is she coming to the conclusion that, as section 28 has had no impact on what happens in schools, it is redundant and therefore there is no need for the House to seek to reintroduce it into the Bill?

Miss Smith: Section 28 is certainly redundant for schools, but I shall come on to the promotion of homosexuality in relation to local authorities, which is what this debate should be about.

I would be surprised—I am willing to accept interventions on the matter—if anyone could produce a teacher or head teacher who was prepared to say that he or she allowed bullying in school and did not take preventive measures to stop it immediately because of concern about falling foul of section 28. Teachers would not let that happen.

Mr. Phil Willis (Harrogate and Knaresborough): I am not as distinguished a former head as the head to whom the hon. Member for Eastbourne (Mr. Waterson) referred. However, the matter is not simply about heads not giving way to bullying; it is about how we deal with the issue of inculcating into young people respect for those who are different. That is the challenge, and I should be grateful if the hon. Lady would address that issue, rather than the spurious argument that head teachers or teachers could condone bullying which, in fact, they do not.

Miss Smith: Teachers and head teachers are not affected by section 28; it does not apply to schools. New guidelines have been issued since section 28 was introduced. It is a complete red herring to suggest that it affects schools or the teaching in them. It is for governing bodies and teachers to decide what they wish to teach.

Mr. Patrick Hall: Has my hon. Friend seen the evidence based on research that the health and education research unit of the university of London published in November 1997, called "Playing it safe"? The research, carried out among secondary schools in England and Wales, arrived at clear conclusions that teachers and governors felt that section 28 applied to schools, even though it technically did not, and that it influenced their perception of how they should do their job in terms of meeting the needs of young people.

Miss Smith: I am not surprised that there is confusion in schools, because there seems to be rather a lot of confusion in the House. Many Members of Parliament seem not to understand that section 28 does not affect schools. People, especially hon. Members, would do well to research the matter thoroughly and to pass that information on to head teachers in their constituencies. If they are confused, I am not surprised that they are sending out confusing signals, which have been picked up by teachers and head teachers.

Another widely quoted piece of nonsense, which is offered as a reason why section 28 should be repealed, is that its existence somehow acts as a barrier to building a more tolerant and inclusive society. Those who foster that myth are, of course, completely unable to show that the introduction of section 28 caused an upsurge in homophobic activity or that its repeal will have the reverse effect.

Mr. Borrow: At the heart of section 28 lies a statement that promoting homosexuality as a pretended family relationship is unacceptable. Does not my hon. Friend feel in any way that that introduces into legislation the suggestion that homosexual relationships are unacceptable and that gay people who have long-term family relationships with someone of the same sex are in a pretended relationship, not one of merit? Does not she consider that that contributes to homophobia?

Miss Smith: I think that section 28 was badly drafted and that it could have been amended, but I do not believe that it is the role of local authorities to promote homosexuality or, indeed, any other form of sexuality. That is not their job; it is not what local ratepayers expect them to do.

Mr. Gordon Marsden: I am grateful to my hon. Friend for giving way because she is dealing with the important relationship between section 28 and local authorities. If she will not accept that section 28 has inhibited what can be taught or done in schools, despite abundant evidence to the contrary, will not she at least accept that it is now having an inhibiting and negative effect on the health education and promotion that local authorities can provide? I refer to the case that has been brought against Glasgow city council, as a result of which all its funding for HIV and AIDS groups has been stopped. The basis of that case is that such activity contravenes section 28. Is not that a clear and unambiguous example of how section 28 inhibits the health education activities of local authorities?

Miss Smith: Section 28 makes it clear that health promotion should not be stopped and that HIV and other information can be provided by local authorities.

I shall make progress. The fact that this matter is once again being debated in Parliament and that it has received much coverage has given a platform to every homophobic group and presented them with an opportunity to whip up anti-homosexual feelings among the public. We have seen that recently in newspapers and on television.

On the subject of inclusiveness and tolerance, may I say that the intolerant way in which the party Whips are being used for this debate on a topic that is essentially a matter of conscience leads me to believe that the major parties in this place have much to learn about tolerance?

The core of the issue is section 28(1), which states:

> A local authority shall not—
>
> (a) intentionally promote homosexuality or publish material with the intention of promoting homosexuality.

Section 28 is part of the civil law, not the criminal law. It therefore regulates what a local authority may do but does not create any criminal offences. In theory, any ratepayer could apply for a judicial review of a local authority action or decision that might appear to be in breach of section 28. If that was successful, the court could, for example, make an injunction restraining the authority from continuing with its action. No damages or fines could be awarded.

Mr. Borrow: Will my hon. Friend give way?

Miss Smith: No. I must make progress. I have taken several interventions.

Let us be honest. When we strip aside all the hot air and red herrings that have littered the debate, we are left with this simple question: should local authorities be

[Miss Smith]

allowed to spend taxpayers' money on the promotion of homosexuality? My answer to that question is a clear and unequivocal no, not on the promotion of homosexuality or any other form of sexual relationship.

Given that the only real effect of repealing section 28 would be to remove the prohibitions that prevent local authorities from spending their taxpayers' money in that way, one can assume only that those in favour of the repeal are in favour of local authorities having the ability to promote homosexuality directly.

Dr. Harris: Will the hon. Lady clarify—

Miss Smith: I am sorry; I am trying to make progress.

I find it odd that so many supporters of repealing the section are silent on that point. Section 28 is badly drafted, and I understand why many would find the wording objectionable. That could well be improved by amendment, but no such amendments have been tabled. However, it provides the public with an important safeguard against the irresponsible actions of some local authorities, and until a credible alternative is found, it should remain.

Mrs. Caroline Spelman (Meriden): I am grateful to be called to speak after the hon. Member for Morecambe and Lunesdale (Miss Smith), whose speech contained a huge amount of common sense. I find myself agreeing with most of what she said. She spoke in practical terms, and it is important that we bring our practical experience to the debate.

I know that others want to speak, so I shall make a brief contribution from the perspective of a mother of young children who have yet formally to receive their sex education in school. I am deeply concerned about the way in which that is taught. I know that I am not alone in that, because in the playground parents come up to me and tell me of their fears about the implications of repealing section 28.

Young people are increasingly being encouraged by various media to experiment with sex. The fact that this country has the highest rate of teenage pregnancy and the highest incidence of sexually transmitted disease in Europe is nothing to be proud of. As parliamentarians, we must work together to try to do something about that.

I read from cover to cover a copy of a teaching guide—yes, it is called a teaching guide—produced by Avon NHS health promotion trust. I was dismayed to find that the health authority has produced a written guide, teachers' notes and a video aimed at years 9, 10 and 11. Things have changed since my day, so for the benefit of the House, I should explain that that means 13, 14 and 15-year-olds.

On the video, speaking to the camera, a young boy says:

> Try experimenting with other boys and girls and see who you feel most comfortable with.

Mr. Patrick Hall: Will the hon. Lady give way?

4.30 pm

Mrs. Spelman: There have been many interventions in this debate. We all have brief contributions to make, and I should like to see mine through. The hon. Member for Morecambe and Lunesdale took many interventions, making it difficult to follow her points, so I should like to persist.

Avon health authority spent £9,000 of public money on that material, basically aimed at encouraging people to break the law on the age of consent. With section 28 in place, that material, which was produced by the health authority for schools—why else would there be accompanying teacher's notes?—should not be used in any way. Certainly taxpayer's money should not be used to encourage children to break the law on the age of consent for sexual intercourse.

Mr. Gordon Marsden: The hon. Lady referred earlier to teenage pregnancies, which I am sure hon. Members on both sides of the House would agree is an important issue, which should be addressed. Does she therefore feel that to teach girls of 14 or 15 about sexual activity with a view to discouraging teenage pregnancies would be a bad thing, in the same way as she seems to be saying that for boys of that age to be taught about sexual activity would be a bad thing?

Mrs. Spelman: The hon. Gentleman is trying to distract me from the words:

> Try experimenting—

experimenting, if you please—

> with other boys and girls and see who you feel most comfortable with.

Mr. Hall: Will the hon. Lady give way?

Mrs. Spelman: No, I have made my point. I do not want my children to be encouraged to experiment with children of their own sex or the opposite sex at the tender age of 13, 14 and 15. I feel incredibly strongly on that point. If that is the only point that I make in the House tonight, I want to make it most forcefully.

The hon. Member for Morecambe and Lunesdale said that section 28 was poorly drafted, and I tend to agree. As parliamentarians, we could do something to make it clearer. None the less, it acts as a deterrent on my local authority, preventing it from purchasing documents, such as the one to which I have referred, to distribute within the schools for which it has responsibility, and I want to see that deterrent retained.

Closer to home for me is the booklet produced jointly by Birmingham city council and Birmingham health authority, the target group for which is local youth groups, which, in a couple of years, children of mine will be eligible to attend. That booklet also portrays under-age children experimenting with sex. Both from my perspective as a parent and with my interest in health matters, I find its cavalier attitude towards the attendant health risks irresponsible.

Referring to sexually transmitted diseases, the booklet says on page 86:

> They are just part of life, as common as colds and flu.

Yet on page 88, the same booklet says:

> Sexually transmitted infections don't just go away, they are not like colds.

Apart from the obvious point—

Mr. Hall: The hon. Lady has clearly read the document to which she has just referred, and I am pleased that she has. She quoted from a video called "Beyond a Phase" made by Avon health authority. Has she seen that video?

Mrs. Spelman: Yes, I have watched that video, and I replayed it twice to make sure that I had the words of the young lad. Do I need to repeat them? For such words to be presented to children is most shocking. He said:

> Try experimenting with other boys and girls and see who you feel most comfortable with.

Any parents of my acquaintance who hear those words want a law in place that would prevent their children from being exposed to such material.

Mr. Don Foster (Bath): The hon. Lady has told the House that she has watched the video; will she confirm that it included several interviews with young people who expressed their abhorrence of gay activity and put the other side of the case?

Mrs. Spelman: The video contains a wide range of information, but it also includes something that should not be presented to young children. I would not wish my children to watch that.

The Birmingham health authority document was also produced with taxpayers' money. Apart from the blatant inconsistency of claiming on one page that sexually transmitted diseases resemble colds and stating on the next page that they do not, the document flies in the face of information that a health authority is in a position to promote differently. Britain has the biggest increase in sexually transmitted disease among teenagers; since 1988, the figure for teenage women has doubled. Who could possibly describe a disease such as chlamydia as anything like a cold? It can lead to pelvic inflammation, ectopic pregnancy and infertility. It is grossly irresponsible of a health authority, which has joint local authority funding, to issue a document that encourages young people to experiment with sex and describes sexually transmitted diseases as resembling a common cold.

In a Department of the Environment, Transport and the Regions press notice of 26 November last year, the Government state that they want to create

> local government that listens to what people really want—how they want to be governed and how they want their services to be delivered.

Parents do not want section 28 to be repealed. If it is repealed, how can we protect our children from materials such as "Beyond a Phase"? How can a taxpayer prevent public money from being spent on a document that contains misleading information and on documents—such as that produced by Birmingham health authority—that compare sexually transmitted diseases to a cold?

As the hon. Member for Morecambe and Lunesdale said, section 28 is almost the only route whereby a taxpayer can call for a judicial review of whether a health authority should be allowed to spend taxpayers' money on the documents that I have described. For me, that is an overwhelming argument for retaining the section.

Mr. Don Foster: I am delighted to follow the hon. Member for Meriden (Mrs. Spelman) because I hope that my contribution will contrast starkly with hers. I disagreed with almost everything she said. I also disagreed with almost everything that the hon. Member for Morecambe and Lunesdale (Miss Smith) said, although I agreed with two points that she made. First, the hon. Lady was right to say that there is an urgent need in society for everyone to be more tolerant. I hope that my contribution is founded on the principle of the need for greater tolerance. I also agree with the hon. Lady that section 28 is badly drafted. However, we reached different conclusions about the action that we should take.

New clause 2 has barely been mentioned. I hope that we will be able to vote on amendments Nos. 6 and 7, which are at the heart of the matter that we are debating. I want to deal with those amendments in my speech. The House is familiar with what section 28 purports to do, but it is worth reminding hon. Members of that. It purports to prevent local authorities from "promoting" homosexuality. It forbids councils to publish material that has the intention of promoting homosexuality and to promote teaching in their schools of

> the acceptability of homosexuality as a pretended family relationship.

In Committee, we agreed that we wanted to see the back of section 28. Our debate today is about whether we want to change the decision that we made in Committee.

We made a great deal of progress in our deliberations on the Bill yesterday. We made several changes on matters such as equality of entitlement to pensions by different categories of councillors, indemnity for councillors and subjecting executives to greater public and media scrutiny. I am delighted that those changes were agreed. However, I hope that no changes will be made today to what was agreed in Committee. I hope that we shall continue to support the repeal of section 28.

Leaving aside Liberal Democrats' abhorrence of discrimination that is based on sexual orientation, there are three key reasons why I shall continue to oppose attempts to retain section 28. First, we believe that the section is a redundant piece of legislation as it affects schools. Secondly, it is meaningless in both legal and common-sense terms. Thirdly, it has led to much confusion among teachers about whether they can deal with issues involving homosexuality in schools, and especially homophobic bullying.

The repeal of section 28 alone should not be the issue. We should be concerned also with what will replace it. I was disappointed when the hon. Member for Eastbourne (Mr. Waterson) said that he had not been studying carefully the passage of and deliberation on the Learning and Skills Bill. That Bill reflects clearly the Government's intention, with Liberal Democrat support, to replace the current arrangements in respect of section 28.

I referred to three reasons. The first is the redundancy of section 28. I am confused when those on the Opposition Front Bench are seeking to retain the section to give powers to local education authorities on the very day when we read in newspapers that it is the Conservative plan to abolish LEAs. I find confusion in Conservative thinking.

Mr. Waterson: Will the hon. Gentleman give way?

Mr. Foster: I look forward to hearing the hon. Gentleman sort it out for me.

Mr. Waterson: I suspect that the hon. Gentleman is in danger of dragging us both out of order. It is not our policy to abolish local education authorities, but I fear that it is the Government's policy.

Mr. Foster: If that is so, I hope that the hon. Gentleman will be rapidly firing off a letter to, for example, Mr. John Clare, the education editor, who believes that that is what the leader of the Conservative party announced only yesterday. I could cite others.

Leaving aside Conservative plans for the future of LEAs, I hope that at least the Opposition will agree that it was a Conservative Government who made head teachers and governing bodies, which include parents, responsible in law for all relations relating to sex education within their schools in the Education Act 1996. Heads, governors and parents have total control of sex education and the teaching material that is used in their schools. They are free to reject any material that is sent to them by the LEA, campaign groups, health authorities or anyone else. In addition, parents have a right to withdraw their children from sex education. If we trust parents, head teachers and governors to be responsible for running our schools, managing quite significant budgets and ensuring that schools meet requirements and statutory duties, surely we can trust those people to be responsible for sex education.

Local education authorities now have no direct responsibility for sex education in our schools, whether that relates to issues of homosexuality or otherwise. For that reason, and that alone, we should be repealing section 28. It is entirely redundant legislation.

Secondly, in legal and common-sense terms, the section is nonsensical for the following simple reason. Homosexuality cannot be promoted. It is not possible to do so. We might as well introduce a Bill that forbids the promotion of left-handedness. As they grow up, some young people will start to realise that they are attracted to those of the same sex. Most of them do not. However, homosexuality is not taken up like train spotting or even joining the Conservative party. Young people cannot be persuaded to become gay, but the crucial thing that should matter to every hon. Member is that those young people need care. They need guidance. They do not need their lives to be made more difficult by decisions in the House.

4.45 pm

The third reason is that section 28 has undoubtedly, despite what some hon. Members have said, led to great confusion among teachers about whether they can or cannot deal with issues of homosexuality in school.

Mrs. Spelman: Will the hon. Gentleman give way?

Mr. Foster: Of course I will.

Mrs. Spelman: I appreciate that on a kind of 15-all basis.

The hon. Gentleman has said that homosexuality cannot be promoted. However, on the encouragement of young people to experiment with the same sex, does he not accept that particularly younger boys in their teenage years often go through a period of confusion and that encouraging them to experiment just makes that worse?

Mr. Foster: The hon. Lady has clearly got hung up on the Avon health authority video. Let me say, although I was going to come to it a bit later, that I happen to agree with her. I do not think that it was a particularly helpful video, but I draw her attention to the fact that, under the legislation that her Government introduced, it would be for the governing body of the school to decide whether to use it. It is not a matter that we can determine here, but, in fairness to her, I think that she was right to draw our attention to that video and to some of the remarks within it, which I genuinely believe were not helpful to the case that I and other right hon. and hon. Members seek to make.

The key point is that section 28 causes confusion in the minds of teachers as to how they are to respond to issues of homosexuality and, in particular, to the issue of homophobic bullying. Indeed, it has put confusion in the minds of some council officers as to how they can or cannot provide services for gay and lesbian council tax payers and others.

The hon. Member for Eastbourne suggested that there is no evidence that section 28 has caused the confusion that I have described. Such evidence has already been cited by the hon. Members for Blackpool, South (Mr. Marsden) and for Bedford (Mr. Hall). Other examples can be cited. I wish to use just one: the evidence provided by my noble Friend Lord Tope. He has gathered a considerable body of evidence, which is, incidentally, informing some work by the Institute of Education at London university. His evidence from school pupils, their parents and teachers testifies to harrowing personal experiences of homophobic bullying, ranging from verbal abuse and the ruining of books and clothing to physical attacks. Perhaps the most tragic of all the episodes that he came across was that of Darren Steele, a 15-year-old comprehensive schoolboy in Northamptonshire, who committed suicide following years of such abuse. Some of the young people who wrote directly to Lord Tope spoke of their own attempts to take their own lives.

In many cases—not all, but in many—the accounts that Lord Tope received pointed to the apparent inability of teachers and adults who knew about the bullying to interfere. A constant theme in those accounts was, "Teachers say they cannot do anything because of section 28." We all know that teachers have got it wrong. We absolutely accept that the correct interpretation of section 28 should not have led to that situation, but the reality is that it has. Far better then that we remove that legislation and replace it with an acceptable alternative. I fear that some of the evidence that has been given to Lord Tope suggests that some of the teachers themselves have perhaps been homophobic. I am sure that no hon. Member would condone that.

As I have said, I accept that there have been some examples that have not been helpful—I have referred to the Avon video—but what matters above all is not the symbolism of removing section 28, but what it is replaced with, which is why it is so important that all hon. Members study carefully what has been done and said during consideration of the Learning and Skills Bill.

As the House will know, that Bill had its Third Reading on 27 June. The guidance under that legislation has three main elements that are relevant to this debate. The first is

> learning the value of family life, marriage and stable and loving relationships for the nurture of children.

The second is

> learning to make choices based on an understanding of difference and with an absence of prejudice.

The third is

> learning the reasons for delaying sexual activity, the benefits to be gained from such delay, avoidance of unplanned pregnancy.

I hope that all hon. Members entirely agree with those words. We should be debating those elements and the regulations and guidance that will flow from that.

I support the view expressed by my hon. Friend the Member for Oxford, West and Abingdon (Dr. Harris), who on 27 June sought assurances that there would be time for a parliamentary debate on the detail of the guidance. The Minister for Local Government and the Regions is not responsible for that legislation, but I hope that she will be willing to seek an assurance from her right hon. and hon. Friends that there will be such a debate, and I hope that the issue will be taken forward with cross-party support.

Reference has already been made to the difficulties that section 28 has created, such as the situation in Glasgow. It is relevant to repeat the facts of that case. Mrs. Sheena Strain, a Glasgow nurse, with the support of the Christian Institute, has brought a case against Glasgow city council for funding organisations that have given valuable support to gay and lesbians on health issues, to carers of people with HIV and AIDS and to young people in distress over their sexuality.

The hon. Member for Morecambe and Lunesdale rightly reminded us that section 28(2) states that that should not happen. It shows the confusion created by section 28 that such a case can be brought, and is another reason why we should repeal section 28 and replace it with appropriate alternatives.

My party's constitution says that we exist to build a society in which

> no-one shall be enslaved by conformity.

My party rejects all prejudice and discrimination based on sexual orientation, and opposes all forms of entrenched inequality. We went into the last general election with a manifesto that made it clear that we wanted section 28 to be repealed. I hope that I have given a clear outline of the reasons why we want its repeal. I hope that we will have an opportunity to vote specifically on that issue. I and many of my colleagues will be in the Division Lobby to continue our support for the repeal of section 28.

Ann Keen (Brentford and Isleworth): I am grateful for the opportunity to speak in a debate on the repeal of section 28, which I, and many hon. Members, believe does nothing to foster tolerance in our society. We are half way through a new year of a new century, but yet again we are having to beg for tolerance. That is unacceptable.

Virtually all Members present on the Opposition and the Government Benches want a tolerant and fair society. I know that my colleagues support organisations that want the repeal of section 28. We take their advice and we use their knowledge. Organisations such as Barnardos, the National Society for the Prevention of Cruelty to Children, and those that represent my own nursing profession are concerned with the physical and mental health of our young people. Surely we all remember our teenage years—it is not that long ago—and those difficult times when we needed to talk about how we felt about difficult subjects.

Are we saying that homosexuality does not exist? Are we saying that homosexuals are not equal to other people? If we are, we should say that that is how we feel. If hon. Members feel that way, they should have the courage to say so, and not hide behind section 28 by saying that it is about protecting young people. Section 28 does nothing to protect young people. The organisations that I have mentioned would not say that section 28 did not protect young people if it did. I think that we all honour those organisations.

All our young people are entitled to have their lives valued equally. Surely all our young people in families should be allowed openly to discuss within their family how they feel. Of course they should do that privately. However, those families will require guidance and support. For some families, such discussions are an extremely difficult and stressful time. In fact, some parents do not respond positively to young people who express their sexuality. Very sadly, some families ask their young people to leave home. Many young homeless people on the streets of this city and others across the United Kingdom are there because they do not have their family's support.

Some of those young people are also afraid to go to their teachers. I am not talking about all teachers, and would not for a moment suggest that all teachers are not capable of using sensitivity and discussing privately the feelings of young people. We are, however, discussing a matter of perception.

I genuinely believe that not one hon. Member who has spoken in this debate wants to foster an intolerant or prejudiced society. However, such a society already exists. I believe that, when I spoke on this issue previously, I offended some hon. Members by saying that intolerance gives rise to actions such as David Copeland's bombing. As I also said on that occasion, however, I do not believe that any hon. Member would attempt to justify or in any way to support such an act. Nevertheless, the longer ignorance and intolerance continue, the more people will feel that they are acceptable.

Hon. Members do not in any way support racism or homophobia, because those traits are wrong and should not be supported. It is as simple as that. It is also wrong for anyone to feel intimidated. Earlier, when my hon. Friend the Member for Morecambe and Lunesdale (Miss Smith) was speaking, some of my hon. Friends tried to intervene, and other hon. Members told her not to be intimidated. I well understood why my hon. Friend wanted to continue her speech. However, was that really intimidation? What about intimidation at school, at work, or in one's own family? Surely that intimidation cannot be acceptable.

I have received very many letters about the issue, including some printed reply slips from a certain newspaper, which said, "Please do not do anything to repeal this provision." Some articles on the issue are extremely ignorant and have frightened many people. They certainly do not demonstrate the behaviour of a responsible newspaper.

Nevertheless, one man has written to me to say that, in the mid-1970s,

> The climate was such that homosexuality was a taboo subject and so there was no support system for me to turn to when I was raped at 13 by a "heterosexual" man of 30. When I confided in another

> pupil, I was then repeatedly seriously assaulted by gangs of older pupils and no help, guidance or support was offered by the staff. I also felt unable to involve my family, due to the general hostility and ignorance which prevailed in society at that time.

Miss Geraldine Smith: I think that every hon. Member would agree that that is a tragic story. However, what does it have to do with the repeal of section 28? Section 28 does not affect schools; it deals only with the promotion of homosexuality by local authorities. It is quite a specific provision. My hon. Friend is introducing red herrings into a debate in which there have already been too many.

5 pm

Ann Keen: I do not believe that my hon. Friend's comments stand up. The issue is not a red herring if people feel that they cannot ask for advice, or when those who have responsibility for young people who have been bullied feel that they cannot deal with the problem. It is a real issue if people feel intimidated.

We have talked about sex education and teenage pregnancies and I know personally how much we need education in that area. Such education must be offered openly and with parental consent, and applied with good common sense and guidance. That is what we should provide for our young people today. We need that because, sadly, our society is not perfect. It does breed bigots and people who deliberately promote prejudice. Open discussions have changed minds on this issue. However, I cannot accept that religious groups, who claim to protect people, should also promote prejudice.

It is time that we listened to the organisations that are skilled in dealing with young people and those responsible health professionals who argue that, as well as sex education, we should provide education about drug addiction. Do we really think that such education would lead people to become drug addicts? We should tell young people about the issue, because it might affect their families, themselves, their friends or people with whom they will work, study or socialise in future. That applies in the House itself. All hon. Members are different, and we show amazing tolerance to each other. That is good, and can show the House at its best. I hope that today's debate sees the end of intolerance and that we can give families, parents and our young people at schools the opportunity to talk openly without prejudice and to protect each other while still being proud of their differences.

Mr. Julian Brazier (Canterbury): I congratulate the hon. Member for Morecambe and Lunesdale (Miss Smith). During my first Parliament, I ended up speaking out against almost my entire party on a particular issue, and it is a lonely and difficult business. I do not think that some of her hon. Friends did themselves or the House any favours by intervening on her repeatedly, sometimes before she had finished a sentence. If ever I saw intolerance, it was then.

The House is probably united in the belief that what should be taught in schools should be a matter for the governors. All hon. Members who have touched on the issue have agreed on that, and I endorse that point. I am afraid that that is the only point of consensus that I shall make this afternoon, but I shall add a few brief remarks to the excellent contributions we have already heard from hon. Members on my side of the argument.

Every so often, somebody introduces a red herring and says that the section does not make any difference. But the example given by my hon. Friend the Member for Meriden (Mrs. Spelman) is not an isolated one. There are others from various sources. Grampian health authority warned that teachers should not use

> resources which advocate monogamy or marriage as a solution to HIV.

A north London health authority produced a curriculum of material, including gay material, to be used in primary schools.

The fact that nearly all the worst examples come from health authorities not covered by section 28 suggests to me that the section is making a difference. Why else should health authorities produce material of this sort, while education authorities are not? As we have been rightly reminded again and again—first by my hon. Friend the Member for Eastbourne (Mr. Waterson), and then by the hon. Member for Morecambe and Lunesdale—section 28 applies only to education authorities.

Dr. Peter Brand (Isle of Wight): Will the hon. Gentleman give way?

Mr. Brazier: By all means—although I do not intend to make a habit of it, as others wish to speak.

Dr. Brand: Might not the reason for health authorities' eagerness to provide information be the fact that health professionals are well aware of the misery that intolerance of homosexuality creates?

Mr. Brazier: The job of health authorities clearly relates to the health of the nation. Producing a video encouraging 13 and 14-year-olds to experiment with sex, heterosexual and homosexual, does not make an obvious contribution to the health of the nation. But the only point that I am trying to make is this: no one can seriously argue that section 28 is a dead letter or an irrelevance when organisations not covered by it are producing such material, while, on the whole, organisations covered by it—education authorities—are not. It is clearly making a difference.

The Minister for Local Government and the Regions (Ms Hilary Armstrong): The hon. Gentleman may not know that an amendment tabled to the Learning and Skills Bill covers his point. It will ensure that health authority guidance is subject to exactly the same conditions as guidance issued by the Secretary of State for Education and Employment. On that basis, the hon. Gentleman need have no further worries about repealing section 28.

Mr. Brazier: I know that you will restrain me, Mr. Deputy Speaker, if I go far down the road of debate on another Bill, but as the Minister has tempted me, let me make one point in response. As she will know, I was present for a substantial chunk of the debate on that Bill, during which the efforts of a number of Opposition Members to include a specific commendation of marriage were voted down. Given the overwhelming evidence that monogamy, abstinence and marriage are the best foundations for the rearing of children—that was the context of the debate, but the same applies in a number of other contexts—I am not entirely convinced by what she has said. *[Interruption.]* Labour Members may laugh, but as they know very well, the rules of order do not allow us to proceed much further with a debate on another Bill. I merely say that many people would have liked their children to be told, during debates on sex education, that marriage should have a special place when it comes to sex and the rearing of children.

My second point is that a practical issue is involved—an issue that some speakers have been unwilling to face. I refer to the balance between the framework in which teaching is given, and the need for tolerance. One issue has featured a great deal in the media over the past fortnight. It has been dealt with rather flippantly, but I am the first to say that it is a serious issue. Obesity is a significant cause of bullying in schools. The bullying of fat children is probably the most common form of bullying in schools. It is repulsive, as is every other form of bullying. Some excessively thin or anorexic children are also bullied and are subject to unpleasant jibes and names such as "beanpole".

Would any hon. Member seriously suggest, however, that overweight children should not be warned of the medical dangers of being overweight? If their condition results from a medical condition, should not they be pointed towards doctors? *[Interruption.]* I heard some lengthy speeches from hon. Members opposed to the new clause and did not intervene, and I hope that they in turn will hear me out.

Is it seriously suggested that pupils should not be warned of the dangers of obesity? However, given the attitude developing among some health professionals, I wonder whether teachers would not be actively discouraged from telling pupils about the considerable medical dangers posed by homosexual practices.

Labour Members who oppose the new clause talk about intolerance. Would they tolerate teachers sharing with pupils information about the medical dangers involved in homosexuality?

Dr. Harris: Many questions arise from what the hon. Gentleman has just said, but will he clarify what he considers the serious medical dangers of lesbianism to be?

Mr. Brazier: I am not an expert on the medical dangers of lesbianism, but the medical dangers of sex between men are a subject on which the hon. Gentleman has heard me speak before. As a doctor, he must know many of them. For instance, more than half the cases of HIV in this country involve the relatively small proportion of people who are practising homosexuals. The dangers also include a range of bowel disorders, and blood disorders. Some of the damage caused by male homosexual practices can be caused by protected sex as well as by unprotected sex. However, I do not want to go further down that road.

As I said earlier, in a physical context a contrast must be drawn between tolerance and teaching children the full facts. However, a wider moral argument underlies the debate. It is worth sharing with the House some of the comments made by major religious leaders in this country. The Chief Rabbi, Dr. Jonathan Sacks, has stated:

> I can never forget as a Jew that homosexuals were sent to Auschwitz just as Jews were. Therefore if our society has become more tolerant that is a good thing. However, the current proposal is based on a fundamental confusion between tolerance and moral judgment. There is a real danger that the abolition of section 28 will lead to the promotion of a homosexual lifestyle as morally equivalent to marriage.

The general secretary of the Muslim Council of Britain stated:

> Our objection is that a small and unrepresentative pressure group appears to have seized control of the government and is attempting to change the law in order to thrust on our children—and on the children of the rest of society—lifestyles and values which most people reject.

The Anglican Bishop of Liverpool, the Rev. James Jones, said that section 28

> seeks to prevent the promotion of a gay lifestyle as a moral equivalent to heterosexual marriage. It recognises that education is a formative experience and has a unique role in the development of not just individual pupils but of society as a whole.

Ann Keen: Will the hon. Gentleman give way?

Mr. Brazier: I am not giving way again.

Ann Keen: Will the hon. Gentleman give way on that point?

Mr. Brazier: I did not seek to intervene on the hon. Lady when she was speaking. I have given way four times already, and I am drawing my remarks to a close.

Ann Keen: Will the hon. Gentleman give way?

Mr. Deputy Speaker: Order. The hon. Gentleman is not going to give way.

5.15 pm

Mr. Brazier: The quote from the bishop continues:

> Governments, both Conservative and New Labour, put the family at the heart of a stable society. Section 28 is the logical out-working of that policy in the education system.

I will not quote Cardinal Winning, as it is widely known that I am a Catholic and people would say that obviously I would agree with him. However, there we have the testimony of three very important religious leaders.

It seems to me, to quote the hon. Member for Bath (Mr. Foster), who has left the Chamber, that to call the video that my hon. Friend the Member for Meriden described at some length merely unhelpful is the understatement of the year. It is quite wrong that such material should be produced and it is quite right that it is illegal for education authorities to produce it. I support the retention of section 28.

Mr. Borrow: I have two brief points to make before my main argument. I was somewhat bemused by the comments of the hon. Member for Canterbury (Mr. Brazier) and his concern for the health of gay men, in view of the situation in Glasgow, where section 28 has resulted in health work with gay men not being undertaken. I wish that some of the opponents of the repeal of section 28 would decide whether they are concerned about the health of gay men or whether they are as hostile to gay men as many of their attitudes and comments would indicate.

Secondly, the hon. Gentleman gave a list of religious leaders. I wish to pay tribute to Alan Chesters, the Bishop of Blackburn. He has done tremendous work in the other

[Mr. Borrow]

place in working with the Government to introduce guidelines on this issue. To indicate that the Anglican bishops in the other place unanimously wish to retain section 28 is quite untrue. Many Anglican bishops support the Government on this issue and I am pleased at the line being taken by my own bishop.

When clause 28 was being debated in the late 1980s, I was a newly elected member of Preston borough council. I remember a debate on the clause to which I contributed. A number of points were made as we looked forward to what would happen when the clause was implemented. First, the measure mentioned the promotion of sexuality several times. The presumption was that it was possible to turn someone who was heterosexual into someone who was attracted to, and wanted relationships with, someone of the same sex. I have yet to meet anybody who knew of such a case or had come across an example.

There seems to be a myth about the promotion of homosexuality. One of the dividing lines on the issue is between those who believe that section 28 will create more gay men and women through the promotion of homosexuality and those who look at the reality and accept that people's sexuality is something that they discover as they grow up and over which they have no control. They do have control over how they develop relationships, having discovered their sexuality, but that is a different issue.

The second part of the measure that I remember debating all those years ago said that a local authority shall not promote the teaching in any maintained school of the acceptability of homosexuality as a pretended family relationship.

This afternoon, we have heard that section 28 no longer applies to schools. However, I remember comments made by a retired school teacher when it did apply to schools. She had spent all her working life teaching in high schools. She bitterly opposed the introduction of section 28 because she felt that it would inhibit teachers when they counselled and worked with pupils. When pupils express doubt about their sexuality to a teacher, the last thing they need is legislation that prevents a teacher from saying that to be gay is okay, and that people who grow up and find that they are gay and enter a same-sex relationship are perfectly good and decent. Over the years, teachers have felt inhibited about making such comments.

Moreover, there have been problems because of bullying. The section makes it difficult to tackle bullying. It is not just a matter of telling people to stop bullying; they need to be told why it is wrong to bully and that the person who is being bullied is just as good as they are. When legislation states that gay relationships are unacceptable, how can a teacher stop a class of children bullying one of their number? The teacher cannot tell them that it is perfectly all right for people to be gay. That was one of the key issues when the section was introduced.

I accept that the point no longer applies to the education system, because sex education and the problem of bullying are no longer covered by section 28. Proposals in the Learning and Skills Bill remove such matters from measures controlling local government. I am thus puzzled as to why the Opposition want to reintroduce such a provision on education when it has no place in education.

Part of section 28 will remain if the Tories get their way. It relates to whether a local authority can undertake measures that promote homosexuality. There have been no legal judgments on cases arising from section 28. I suspect that one of the reasons why no such case has completed its passage through the courts is the difficulty of deciding whether it is possible to promote homosexuality at all. Although there are still some people who believe that is possible, most rational people do not.

Local authorities—including Corby, Glasgow and Cardiff—are using section 28 to justify not giving support and funding to organisations in their area that assist gay and lesbian people, or are used by them. The point is simple. When I was a local authority leader, I approved grants to voluntary organisations that helped groups with a particular religious, local or other interest. Section 28 is being used to deny grants and support to community-based organisations serving the needs of gays and lesbians.

There are gay men and women in every constituency. Surely their local authorities should have the power—unfettered by section 28—to give services, either directly or through other organisations, to members of the gay community in their constituencies. However, under section 28 and given the ambiguity of the word "promotion", they are prevented from doing that.

Over the past 12 years, most local authorities have ignored section 28 when it has come to supporting gay and lesbian groups in their areas. However, because of the work of the Christian Institute and other organisations, local authorities are backing away from giving services and support to gay and lesbian people. That goes against everything that the House should stand for. It promotes division, homophobia and exclusion. If there is one thing that we in this place should be about it is promoting tolerance, equality and inclusion. I urge hon. Members to oppose the new clause and the amendments.

Mr. Peter Luff (Mid-Worcestershire): This has been a surprisingly good debate, given the passions that the subject often arouses. I want to join virtually every Conservative Member who has spoken in paying tribute to the hon. Member for Morecambe and Lunesdale (Miss Smith) for a very brave and convincing speech, which I for one admired.

Although I did not agree with the conclusions of the hon. Member for Brentford and Isleworth (Ann Keen), I was grateful for what she said about everyone in the Chamber—I count myself among them—being united in the desire to build a fair and tolerant society in which minority rights are respected and protected unless there are overwhelming reasons to the contrary. However, we must recognise that it is our duty to reflect the views held by people outside the House. In that regard, it is right to recognise something that has not yet been articulated in the debate: that many people whom we represent are not of the view that homosexuality is morally equivalent to heterosexuality. Even though they hold that view, they abhor discrimination against homosexuals.

That point was developed helpfully by my hon. Friend the Member for Canterbury (Mr. Brazier) when he quoted religious leaders. When he quoted a Muslim leader, I was alarmed to hear a rather derogatory remark from someone on the Liberal Benches about the tolerance of that religion. That is worrying. We should keep clear and open minds about the views of all the religions in this country. We should listen to the divided Anglican Church—yes, it is divided—and to the other Churches that have a coherent and clear view.

The only jarring note struck in the debate was the earlier suggestion that those Conservative and Labour Members who support the retention of section 28 are in some sense homophobic or party to the incitement of acts of terrorism against the homosexual community. I fundamentally and completely reject that view.

As the hon. Member for Morecambe and Lunesdale made clear, this is, in one sense, a narrow debate. It is about the use of taxpayers' money to promote a particular ideology or point of view. It is not about the rights or wrongs of homosexuality, but about what the state does with its resources.

Last week, I received in my postbag a letter from a doctor in my constituency who has written to the Prime Minister to express her opposition to the scrapping of section 28, and I shall be interested to see the reply that the Prime Minister sends. The letter certainly reflects the overwhelming support in my constituency for the retention of section 28. At no stage in the eight years that I have been a Member of Parliament has a head teacher expressed concern about its operation in relation to his or her school's anti-bullying policy. The Government are slaying a dragon of their own imagination to appeal to a small cosmopolitan elite; the problem does not exist. I totally reject the arguments that have been made about bullying.

The doctor in my constituency has worked with sex offenders in prisons and helped to initiate a group in Worcester to support the child victims of sexual abuse. She says:

> I do have a little knowledge of the subject.

She describes herself as

> a lifelong supporter of the Labour party . . . a parent, a doctor and a Christian.

The letter helpfully refers to the point that we are debating.

It is unfortunate that the literature that causes such concern and that has been quoted by Conservative Members often goes into unnecessarily graphic detail. The letter says:

> I have seen a variety of leaflets and promotional literature originating from gay rights groups, some of which are in receipt of grants from their local authorities, which have already been issued to schools despite the existence of Section 28 as it stands at present. This material not only encourages children very frankly to experiment with a homosexual lifestyle to "determine their sexual orientation" at a time when they are very vulnerable and impressionable.

That is the important point. Children are, at a certain stage in the development of their sexuality, vulnerable and impressionable.

Mr. Oliver Heald (North-East Hertfordshire) *rose—*

Mr. Borrow *rose—*

5.30 pm

Mr. Luff: I shall give way first to my hon. Friend and then to the hon. Member for South Ribble (Mr. Borrow).

Mr. Heald: Many of the representations that I have received in favour of retaining section 28 have been from mothers with sons, who feel worried about the change. Does my hon. Friend agree with my impression that the mothers of Britain are saying no to the proposed change?

Ms Debra Shipley (Stourbridge): Rubbish.

Ms Sally Keeble (Northampton, North): Rubbish.

Mr. Deputy Speaker: Order. The hon. Ladies should not get so excited.

Mr. Luff: I hear the cries of "rubbish", which you rightly rebuked, Mr. Deputy Speaker, from two people on the Government Benches whom I know to be mothers. All I can say is that they are in a minority of mothers and my hon. Friend the Member for North-East Hertfordshire (Mr. Heald) is right.

Before I give way to the hon. Member for South Ribble, I shall develop the point on which I think he wanted to intervene. I was quoting the doctor who said that young people can be vulnerable and impressionable. I think that the hon. Gentleman said that it is irrational to say that one can promote homosexuality. I disagree with him; it is possible to promote anything, including homosexuality.

Mr. Borrow: I know that the hon. Gentleman is not quoting his own words, but what does he understand by the term "homosexual lifestyle" in the letter that he has read out?

Mr. Luff: I do not want to be drawn into detail—this debate has been mercifully free of details—but I would have thought that the phrase is self-explanatory. I do not understand how I can expand the point. It is a life style lived by homosexuals, with the practices of homosexuals. It seems self-explanatory. I am at a loss to understand what further explanation I can give. The subject matter is well known on both sides of the House.

Dr. Harris: Is the hon. Gentleman at all troubled by the fact that no respected group of medical opinion accepts the view that a sexuality can be promoted, just as femaleness cannot be promoted? Is he at all put off his stride by the fact that organisations such as the National Society for the Prevention of Cruelty to Children, the National Children's Bureau and the Royal College of Nursing are all campaigning for the abolition of section 28 because of the damage that it does to the welfare of children?

Mr. Luff: The representative bodies may take that view, but I know many medics in my constituency, including the doctor whom I am quoting, who profoundly disagree. It is common for representative bodies to be out of step with ordinary members. If anything, the hon. Gentleman's point encourages me in my viewpoint.

The third question that we must ask is: what are the risks of repealing section 28? I and many hon. Members take a view about the importance of promoting conventional family life, and believe that promoting homosexuality risks undermining it. As I have explained, we believe that young children can be impressionable and open to pressures at the wrong time in their lives.

I happen to believe that there is too much pressure on young people, whatever their sexuality, to engage in early sexual experimentation—homosexual or heterosexual.

[Mr. Luff]

Indeed, in the previous Parliament, I led a discussion from the Government Benches on a Bill to control the outrageous nature of teenage magazines for girls. I received great support on both sides of the House, for which I was grateful. We should be reluctant to promote anything that encourages excessive sexual experimentation.

My constituent, the doctor, says:

> Repeal would open the door, not just to the very proper factual and unbiased teaching about homosexuality which should form part of a sex education programme, but to this very overt encouragement—

that is, encouragement to experiment.

> More importantly still, has the likelihood of this access to children being used by covert paedophiles been fully thought through? I ask this as someone who has spent time working in prison with sex offenders. Surely we would all wish to protect our children from this kind of risk?
>
> I doubt very much whether adequate procedures to prevent such exploitation could ever be guaranteed.

Ann Keen: Will the hon. Gentleman please clarify whether he is suggesting that sex offenders come under the category of homosexuals? That is certainly the impression that he is giving, and I am sure that he would not wish to do so.

Mr. Luff: No, of course I would not wish to give that impression. I am citing a consequence feared by a doctor who has worked in prisons with sex offenders. However, I am grateful for the hon. Lady's clarification.

Finally, my constituent raises a fundamental objection that goes to the heart of section 28 and the debate. She says:

> We should be very wary of using public funds to promote any kind of ideology, whatever its origin, but especially one where the targeted group is so young and vulnerable.

That is the heart of the argument. All forms of discrimination are abhorrent. We do not have to promote Islam or Judaism to urge tolerance and understanding of Muslims and Jews. We do not have to promote homosexuality to fight prejudice, intolerance and bullying. All bullying in schools is abhorrent, whether on the grounds of race, obesity—as my hon. Friend the Member for Canterbury said—wearing glasses, having red hair, being too clever or sexual orientation. Keeping section 28 would not be a bully's charter: it is misleading to argue that it would. The House should vote for the continuation of the section with absolute confidence.

Mr. Patrick Hall: The argument for section 28 and its retention, which the previous Government made in 1988, rests on the contention that homosexuality was being promoted deliberately among young children in schools. Of course, if that were true, I would agree that section 28 had a purpose. That contention has only one flaw: there was no evidence then that homosexuality was being promoted in schools, and there is no evidence now.

Let me deal briefly with a matter that has been raised mostly by Conservative Members today, but which has been raised by others in previous debates in this House and in the other place. It is claimed that an illegal and irresponsible way has been found to get pro-homosexual materials into schools in order to corrupt impressionable young children. Many who wish to retain section 28 have claimed, usually in the media, that if it were removed, a floodgate would be opened and such promotional material would re-emerge.

I believe that that material has never been promoted in schools. The whole thing was brought about by the Conservative Government setting up a false target to generate populist acclaim. They wanted to create an enemy, shoot it down and claim that they were doing a good job. That technique is well known and well tried in politics, and does a great deal of harm because it hurts people.

Mr. Desmond Swayne (New Forest, West): Did the hon. Gentleman visit the exhibition laid on by Lady Young in a Committee Room earlier this year? I assure him that that material exists and, if it exists in such quantities, I presume that there is an intention to use it.

Mr. Hall: I did not visit the exhibition. However, what I am about to say may deal with some of the matters that may have been in the exhibition.

From the work that I have done, it appears that two kinds of material have been referred to in debates here and in the media in the last few months. One is a group of videos prepared by the Terrence Higgins Trust to promote safe sex among gay men. I have not viewed any of that material, but I understand that it is sexually explicit and is specifically designed for adults. It is not used in schools and, given the considerably reduced incidence in the spread of HIV and AIDS compared with forecasts a decade or so ago, it is probable that such materials have been successful.

The other group of material that has been alluded to includes, as we heard today, the teachers' pack and video "Beyond a Phase", prepared by the Avon health authority. The video is subtitled "Talking about Gay and Lesbian Relationships" and the accompanying document is subtitled "A Practical Guide to Challenging Homophobia in Schools". That material has been prepared for teachers; it is not for promotion among children. I have a copy of the document and, like the hon. Member for Meriden (Mrs. Spelman), I have watched the video. She and I have totally different interpretations of that video, and I think that it is necessary to state on the record that there is a different view of it.

In my opinion, that 14-minute film is humane, thought provoking and socially responsible. Of course, as the hon. Member for Bath (Mr. Foster) said, it could have been done better, but it has been misrepresented. It presents young people, whom I believe to be between the ages of 13 and 16, talking honestly and openly about discovering their sexuality. Many of them say that they have discovered their homosexuality. They talk about the pain, confusion, unhappiness and loneliness of realising that their sexuality places them in a small minority imprisoned by social prejudice. They talk about the bullying, harassment and abuse that they have received from some people. They explain how all that interferes with their studies and their ability to form friendships and relationships. Those children are speaking for themselves, and they offer insights into the fear and ignorance that presents them as unnatural and dehumanised.

At the very end of the film, one young person comments that he had thought about experimenting with boys and girls to discover his real feelings. That comment has been mentioned several times today; it has been mentioned in another place and in the press. It has deliberately been inaccurately reported as characterising the purpose of the whole film as advocating experimentation for all. Having seen the video, I know that that is a mischievous travesty of the truth.

I am sure that my right hon. Friend the Minister of State will refer to the Government guidance for schools on sex and relationship education, which has already been referred to. Having seen the principles that the Department for Education and Employment set out some months ago, I believe that the approach that has been adopted is mature, balanced and caring. There is an urgent need for open information on these matters and for clearer, better sex education in this country.

We have not performed well in that respect, as is suggested by the fact that Britain has the highest rate of teenage pregnancy in the European Union and the evidence that children are becoming sexually active too young. Evidence from countries where there is more effective sex education shows that there has been an accompanying reduction in early sexual activity and that there are far fewer teenage pregnancies.

Mr. David Prior (North Norfolk): Will the hon. Gentleman give way?

Mr. Hall: No, I do not have time.

Section 28, or section 2A as it is now called, gets in the way of the serious, necessary task of educating, bringing up and guiding all our children. It is born of prejudice; it seeks to perpetuate prejudice, and it has no place in a decent society.

Ms Armstrong: This has been an interesting debate. It is always difficult to have a reasoned and measured debate on this issue in the House. Among those participating in the debate, only the hon. Member for Canterbury (Mr. Brazier) and myself were present in the House in 1988 when clause 28 was added to a local government Bill. Because it was added to such a Bill, it seems perfectly logical to repeal it in another local government Bill. In my reading of those early debates and my memory of the feeling in the House at the time there was a lot of bigotry and prejudice driving the decision to include clause 28 in that Bill. That meant that, whatever the detail of the clause and the Bill, people thought at the time that the measure was homophobic, and that has had an effect.

5.45 pm

We have heard about bullying from hon. Members on both sides of the argument. The hon. Member for Eastbourne (Mr. Waterson) asked whether we think that section 28 should be repealed because it is not important, or because it has had such a strong effect. In a sense, the answer is both. The hon. Member for Bath (Mr. Foster) made it clear that section 28 should not have had an effect on the way in which teachers deal with bullying that is driven by homophobia. It should have had no effect on how children are treated in schools, but, for too many, it has had a very damaging effect on them as individuals.

Section 28 has bred the feeling that it is all right to have a go at homosexuals. None of us in the House has condoned that view today. Deciding whether that happens is inevitably a matter of judgment, but the evidence that has been quoted by my hon. Friends the Members for South Ribble (Mr. Borrow) and for Brentford and Isleworth (Ann Keen) and by the hon. Member for Bath should at least be sufficient to make us all think about the actual effect of section 28, whatever its intention or whatever we read into its wording. If it has affected some people in a way that we say is intolerable, we must ask whether it is good legislation and whether it should exist.

The Government have made it absolutely clear that we do not think that section 28 is good legislation and that we are committed to the repeal of section 2A of the Local Government Act 1986, as it is properly called. We believe that the official Opposition are attempting to reinstate a flawed and offensive provision. Those in favour of its retention have argued that children are at risk, and I suspect that that argument has been used in most of the letters that hon. Members have received in support of its retention. Indeed, the hon. Member for Meriden (Mrs. Spelman) has used that argument. However, the framework that the Government have put in place makes it absolutely clear to everyone, especially to those of us in the House, that the provision can have no effect on children in schools.

The arguments about how the previous Government dealt with such matters have been made, while ignoring the real changes that have taken place in the relationship between schools and local education authorities since the original legislation was passed. Given the safeguards that we are introducing under the Learning and Skills Bill and through our guidance on sex and relationship education, that argument is dishonest. It is clear that children in schools will be protected by the framework that we shall put in place under the Learning and Skills Bill.

Children are be protected from anything that local authorities or health authorities might seek to do in schools because we have placed the responsibility firmly on teachers and school governors. We have made it clear that LEAs have no power to determine sex education in schools. The Learning and Skills Bill states that bullying is unacceptable in any form—whether it is racial, the result of a pupil's appearance or related to sexual orientation.

Concern was expressed that by removing the measure we are saying that the promotion of homosexuality is all right. Local authorities are governed by Acts of Parliament, which make clear what they are able and not able to do, and the promotion of homosexuality is not within their scope anyway so that argument also falls. Some people say, "Local authorities and schools should not highlight any form of sexuality." I understand where they are coming from, but the problem is that homosexuality is a form of sexuality that has attracted bigotry and prejudice and highlighting it through section 28 has legitimised bigotry and prejudice in a way that no one in the House would tolerate. Therefore, the Government are determined to press ahead.

We do not want the House to promote bigotry and intolerance. We want to support everyone, recognising and celebrating difference and diversity while making sure that none of us has any truck with intolerance and bigotry. I hope that the House will vote in such way tonight.

Mr. Waterson: I do not want to revisit the arguments—I agree with my hon. Friends; this has been

[Mr. Waterson]

a good debate, marred only by the early intervention of the hon. Member for Exeter (Mr. Bradshaw)—nor do I want to review all the speeches, although in their way they were classics on the subject, whichever side of the argument they supported. One cannot help but feel that the debate will not get an inch of coverage anywhere in the outside world, although it deserves coverage as the arguments have been put in an exemplary fashion. With no disrespect to other hon. Members who participated, I must single out the hon. Member for Morecambe and Lunesdale (Miss Smith), who made a speech of great courage and conviction, in equal measure. She deserves to be congratulated on that.

We still strongly believe that the Government are wrong: they have embarked on a course that could end in disaster in terms of lack of public support and that sends entirely the wrong message to schools and local authorities. We say that much more in sorrow than in anger, but in the hope and conviction that their lordships—who, as I said earlier, are often much more in tune with the popular mood than are the Government—will reinstate section 28 and, indeed, the amendment that forms part of the new clause.

I am conscious that the House would like a clear-cut vote on the central issue—section 28, or section 2A as it has been called. Although I shall press amendment No. 7 to a vote, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Amendment proposed: No. 7, in page 74, line 2, leave out clause 98.—*[Mr. Waterson.]*

Question put, That the amendment be made:—

The House divided: Ayes 133, Noes 305.

Division No. 253] **[5.54 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, Peter *(Hexham)*
Beggs, Roy
Benton, Joe
Bercow, John
Beresford, Sir Paul
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Breed, Colin
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Butterfill, John
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Duncan Smith, Iain
Evans, Nigel
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Gale, Roger
Garnier, Edward
Gibb, Nick
Gillan, Mrs Cheryl
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heald, Oliver
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lewis, Dr Julian *(New Forest E)*
Lidington, David
Lilley, Rt Hon Peter
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
Ottaway, Richard
Paice, James
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Sayeed, Jonathan
Shephard, Rt Hon Mrs Gillian
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Thompson, William
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Keith Simpson and
Mrs. Eleanor Laing.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Baker, Norman
Ballard, Jackie
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Benn, Hilary *(Leeds C)*
Benn, Rt Hon Tony *(Chesterfield)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm *(Gordon)*
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Butler, Mrs Christine
Byers, Rt Hon Stephen
Cable, Dr Vincent
Caborn, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Caplin, Ivor
Caton, Martin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann
Cook, Rt Hon Robin *(Livingston)*
Cooper, Yvette
Corbyn, Jeremy

Cotter, Brian
Cousins, Jim
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Denham, John
Dismore, Andrew
Donohoe, Brian H
Doran, Frank
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul
Foster, Don *(Bath)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
George, Andrew *(St Ives)*
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hill, Keith
Hinchliffe, David
Hodge, Ms Margaret
Hoon, Rt Hon Geoffrey
Hopkins, Kelvin
Howarth, George *(Knowsley N)*
Howells, Dr Kim
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Humble, Mrs Joan
Hutton, John
Iddon, Dr Brian
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Martyn *(Clwyd S)*
Jowell, Rt Hon Ms Tessa
Kaufman, Rt Hon Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Keetch, Paul
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kennedy, Jane *(Wavertree)*
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Ladyman, Dr Stephen
Lammy, David
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Maclennan, Rt Hon Robert
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
Oaten, Mark
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Rapson, Syd
Reed, Andrew *(Loughborough)*
Rendel, David
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Ruane, Chris
Ruddock, Joan
Ryan, Ms Joan
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stoate, Dr Howard
Strang, Rt Hon Dr Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
White, Brian
Whitehead, Dr Alan
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Mrs Betty *(Conwy)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike
Woodward, Shaun
Woolas, Phil
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Kevin Hughes and
Mr. Jim Dowd.

Question accordingly negatived.

Clause 100

WALES

Amendment made: No. 192, in page 74, line 40, at end insert—

'(3) Any reference in Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 to an Act which is amended by this Act is to be treated as referring to that Act as amended by this Act.

(4) Subsection (3) does not affect the power to make further Orders varying or omitting that reference.'.—*[Mr. Robert Ainsworth.]*

Schedule 4

MINOR AND CONSEQUENTIAL AMENDMENTS

Amendments made: No. 203, in page 87, line 33, at end insert—

'. In section 86 of that Act (declaration by local authority of vacancy in office in certain cases), in subsection (1)(b) after "1998" there is inserted "or section 76 of the Local Government Act 2000".

. In section 87(1) of that Act (date of casual vacancies)—

(a) after paragraph (e) there is inserted—

"(ee) in the case of a disqualification under section 76 of the Local Government Act 2000, on the expiration of the ordinary period allowed for making an appeal or application with respect to the relevant decision under that section or, if an appeal or application is made, on the date on which that appeal or application is finally disposed of or abandoned or fails by reason of non-prosecution thereof;",

(b) in paragraph (f), for "(e)" there is substituted "(ee)".

No. 204, in page 89, line 25, at end insert—

'( ) After that subsection there is inserted—

"(8A) Any reference in this section to the duties of a monitoring officer imposed by this section, or to the duties of a monitoring officer under this section, shall include a reference to the functions which are conferred on a monitoring officer by virtue of Part III of the Local Government Act 2000.".' —*[Mr. Robert Ainsworth.]*

Schedule 5

Repeals

Amendment made: No. 205, in page 90, line 31, column 3, at end insert—

'In section 100D(2), "of the list, or".—*[Mr. Robert Ainsworth.]*

Clause 102

Commencement

Amendment made: No. 211, in page 75, line 40, leave out subsections (5) and (6) and insert—

'( ) The Secretary of State may by order provide—

( ) for paragraphs 17 and 18 of Schedule 3 to come into force before the time appointed by subsection (4),

( ) for paragraph 26 of Schedule 4 to come into force before the time appointed by that subsection,

( ) for any of the provisions of Part III of this Act so far as they relate to police authorities in Wales to come into force before the time appointed by that subsection, or

( ) for any of the other provisions mentioned in that subsection to come into force in relation to England before the time appointed by that subsection.

( ) The National Assembly for Wales may by order provide—

( ) for paragraph 26 of Schedule 4 to come into force before the time appointed by subsection (4), or

( ) for any of the other provisions mentioned in that subsection to come into force in relation to Wales before the time appointed by that subsection.'.—*[Mr. Robert Ainsworth.]*

Clause 103

Short title and extent

Amendments made: No. 193, in page 76, line 9, leave out "This section and".

No. 194, in page 76, line 10, at beginning insert "This section". —*[Mr. Robert Ainsworth.]*

Order for Third Reading read.

6.7 pm

Ms Armstrong: I beg to move, That the Bill be now read the Third time.

I am delighted that we can move to Third Reading. We had a good day's debate yesterday. My preference would be that we had spent as long on other parts of the Bill as we have just spent on section 28, but we knew that the House wanted to debate that at some length.

The Bill has passed through extensive debate in Committee as well as on Report yesterday and today, following its Second Reading in the House before Easter. I am grateful to the hon. Members who have participated in all stages of consideration of the Bill for their constructive contributions and enduring interest in such an important subject.

Those who have had an opportunity to read the report of the Committee stage will have noticed the great conversion of the official Opposition to local government. They are no longer threatening to get rid of it entirely; they want to embrace local government. We heard positive statements in Committee, which were endorsed by the Leader of the official Opposition last week. Last night, however, the right hon. Gentleman had a go at local education authorities—the education function being an important part of local government—so I am a little confused.

The Bill and the Local Government Act 1999 are designed to improve local communities and the lives of local people in England and Wales.

All our debates and discussions on the Bill have shown that we can now say, in a way that we could not during the previous Administration, that the majority of hon. Members believe that local government has an important part to play in a modern society. Whatever our differences on how that should be achieved, most of us have that goal in common. That has been reflected in the spirit of co-operation and partnership in which most of our discussions have been conducted. I hope that that approach will be reflected further in the way that the legislation is implemented locally. That is the intention of the Bill, which rests on local partnership, local accountability and opportunities for local people to have a better say in how their councils are run and what they do.

With the coming together of this Bill and the previous Local Government Act, we begin to see an opportunity for local government to be much more accountable, to be able to develop much better services and service delivery, and to involve local people in discussion on how to do that most effectively, in the knowledge of who is taking decisions and how those people can be held to account. Local government now has a framework which will allow it to be re-established, not simply as something that politicians think is important, but so that local people know that it changes and considerably enhances their opportunities and quality of life.

The Bill's passage through the House has provoked lively debate around the key issues, which we discussed again yesterday. Hon. Members have taken the opportunity to refine, clarify and generally improve some of the main provisions. The Government have listened to the points raised, and we have now made more far-reaching changes to strengthen and clarify the Bill, as we promised in Committee. I am happy to report that we now have a strong, robust and rigorous Bill.

Effective local government is a vital part of the fabric of the dynamic, democratic, fair and inclusive society that people want to see.

Dr. Norman A. Godman (Greenock and Inverclyde): I apologise for being absent earlier, but I was on Northern

Ireland business, as they say. Will my right hon. Friend confirm that, in relation to the dismantling of the infamous section 28, the Bill is entirely compatible with the legislation passed by the Scottish Parliament some three or four weeks ago?

Ms Armstrong: I can confirm that the Bill repeals section 28. That is no longer part of Britain's legislative framework. In that sense, the Bill is compatible with legislation passed in Scotland. The Bill requires further confirmation in the Lords, but I am determined that we will see a dynamic, democratic, fair and inclusive society, with local government at its heart. That is vital to securing the quality of life that people deserve and have a right to expect. The Bill, as amended, will put local government back at the heart of local communities, giving to local authorities and the local people whom they serve the rights and responsibilities that fit this age, this century.

As I have said, linking all those features gives local government a strength to which, in some areas, it has not yet woken up. The power to respond to the economic, environmental and social needs of a local authority's area, linked to the duty to prepare community plans, will radically change the way in which local government works, and ensure that local people feel that local government is working with them on their behalf in a way that has not been possible in recent years.

I thank hon. Members for their contributions and commend the Bill to the House.

6.15 pm

Mr. Waterson: I was about to say that this is the last time that we shall debate the Bill in this House, but on reflection, I would not bank on it. I echo the Minister in expressing my gratitude to all members of the Committee, who approached the matter constructively and worked hard, even if, in the view of my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), it was a paltry 40 hours of our lives. In particular, I thank my hon. Friend the Member for East Worthing and Shoreham (Mr. Loughton), who worked hard with me and my incredibly heavyweight Back Benchers, my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) and my hon. Friend the Member for Mole Valley (Sir P. Beresford), both of whom brought enormous experience to the Committee's deliberations.

I recognise all our old friends in the Minister's speech. With the exception of holistic, they were all there—modernisation, partnership, accountability, inclusive, dynamic. That is the new Labour-speak which we have all learned to get used to in Committee.

The Minister talked about lively debate, but I suspect that that was unconscious humour. No matter how lively the debate was in Committee, it was as nothing compared with the lively debate on the Government Back Benches and in Labour local government.

The Minister said that the Government had listened. Let us be charitable and assume that she has indeed listened to all representations, not just those from the official Opposition, the Liberal Democrats—on a good day—the Labour campaign for open local government, and so on. She may well have listened, but she has hardly taken a blind bit of notice of anything that any of us have said to her. There have been a few minor concessions, for which we are duly grateful, but nothing of any great substance, at least in this House.

When the Minister talked about a strong, robust and rigorous Bill, I assumed that she was talking about some other Bill. I am almost embarrassed at the Heath Robinson nature of the Bill that we are sending to their Lordships. I hope that they can make some sense of it.

I thought that the Minister was being slightly optimistic, although I know that it is in her nature, when she talked about confirmation by their Lordships. That may be pitching it a bit high, but I shall return to that.

I should have thought that some Labour Members might be a little disturbed by the Minister's suggestion that the Bill puts local government back at the heart of local communities. Any number of Labour Members have served on their local councils with distinction, some, with distinction or otherwise, as leaders of their local councils, all of whom would probably resent the characterisation that, up until now, when this brilliant modernisation agenda burst upon an unsuspecting world, they were not at the heart of their local community. That is a gross calumny on local councillors throughout Britain, of all political parties and of none, who have for many years worked for their local communities, often with minimal reward—certainly not reward of the dimensions of that accorded to some Labour leaders around the country under the modernisation agenda.

Even if the Minister is not listening to me, I have genuine sympathy with her. This has been a difficult few weeks for the Government, not least for the Department of the Environment, Transport and the Regions. The so-called modernisation policy is coming apart in the Minister's hands. Labour Back Benchers are queueing up to rubbish the Bill, and it has fewer and fewer supporters in local government.

The Government have had a bad few weeks. The only ray of sunshine is provided by the fact that Ken Follett, unlike Bernie Ecclestone, is not asking for his money back—as far as I know. Labour Back Benchers have attacked the Government; for example, the hon. Member for Reading, West (Mr. Salter) spoke of self-inflicted wounds and uncertainty and confusion about section 28. His lack of faith in the Government's direction is surprising, because I understand that he has been appointed to Labour's parliamentary campaign team. He obviously brings to his new role a healthy scepticism about the entire project. The right hon. Member for Chesterfield (Mr. Benn) likened the Government to a mediaeval monarchy. A range of luvvies, Government supporters and millionaires are queueing up to complain about the course of events.

The Government suffered massive losses in local government in May—hardly a ringing endorsement of their policies in local government or centrally.

Mr. Deputy Speaker: Order. I am usually able to give Front-Bench spokesmen a little leeway, but we must talk about the content of the Bill. We are considering Third Reading.

Mr. Waterson: Certainly, Mr. Deputy Speaker. It is important to note that when issues arising from the Bill were discussed last week in Bournemouth at the Local Government Association conference, my right hon. Friend

[Mr. Waterson]

the Member for Richmond, Yorks (Mr. Hague) and I had good receptions, but the Minister received the Women's Institute treatment and was slow hand-clapped.

Ms Armstrong: I had a good reception.

Mr. Waterson: I can only suppose that it was good compared with her reception by the Labour group at the Local Government Association conference.

The Bill remains an embarrassing shambles. The Minister referred to the wonderful new power that local authorities are to receive. We broadly welcome that, and our approach to it in Committee was constructive, as I am sure that the Minister will concede. However, the fundamental problem remains: there is no cash to go with it. The Government, who have already cut funding for many councils, are providing no extra money.

Ms Armstrong: I do not want to interrupt, but the hon. Gentleman should not mislead the House. Does he accept that the previous Government cut local government funding in real terms by 4.3 per cent. in the three years before the general election, whereas in the three years after that election we increased local government funding in real terms by 6.8 per cent.? I should not like the hon. Gentleman to mislead the House.

Mr. Waterson: No, I would not wish to do that. However, perhaps the Minister will explain why my constituents are paying 8 per cent. more council tax this year than last year. We can all bandy figures about, but people, especially in rural areas and shire counties, are feeling the pinch under the Government.

I allowed the Minister to intervene because I believed that she would deal with my point about the new power. Despite her protestations in Committee, there is no new money to back it up. Not only will the Government refuse to grant more money to accompany the power, but they have made it crystal clear in the House of Commons and the House of Lords that councils that try to raise extra cash to support the new power will fall foul of the capping regime. We still have such a regime.

We broadly welcome changes to the system of standards and conduct. The Committee, to a man and woman, welcomed the abolition of surcharging, which everyone in local government views as a blunt instrument. Although we made detailed points about the actual provisions, we welcome the changes that the Bill outlines.

Let us consider the provisions that apply to elections. The Government have a bizarre notion that the solution to historically declining turnouts in local elections is to make people vote more often—that an annual opportunity to vote for every council will somehow make electors more enthusiastic about voting. At the same time, the Government are tinkering again with the voting system for directly elected mayors and proposing the same system as was used in the London mayoral elections. Despite the bally-hoo, the turnout for that election was only 33 per cent.—compared to an average 30 per cent. in local government elections—and there was a greater proportion of spoilt ballot papers than usual.

Structures, and the Government's insistence on imposing their blueprint on local government throughout the country, constituted the biggest issue on which we spent the most time. I repeat that discussing even three options is pretty rich, because for the majority of councils, the only realistic option is a cabinet system with an executive/scrutiny split to replace the current committee system. The Government have the incredible notion that, by tinkering with local government systems and structures which are, on the whole, of little interest to the residents of any council area, they will somehow increase public confidence in local government, improve turnouts and, to employ a phrase that the Minister used often, improve quality of life. That simply will not happen. The only way to achieve that is by returning more powers to local government and thus ensuring that those elected make genuine choices for their community. That will make people keener to go out and vote.

The Minister did not mention her so-called fourth option. That is just as well. I believe that the hon. Member for Torbay (Mr. Sanders)—it may have been someone else—dubbed it "option 3A". That is probably overstating the case. The so-called fourth option that the Government have devised is nothing of the sort. It simply requires councils to make proposals for an executive; the Secretary of State will decide whether they can proceed. The option will apply to a group of councils, not individual councills. Surely Ministers realise that there is no great enthusiasm in local government for the structures that the Government want to impose, but enormous support for the current committee system or some variation on, or updated version of, it. I do not understand why Ministers are burying their heads in the sand.

We had a good, substantial debate about secrecy yesterday. I simply reiterate our position, which has never changed from start to finish of our proceedings. Under successive Conservative Governments, beginning with a private Member's Bill introduced by Margaret Thatcher, we established a code that ensured the rights of the public and the media to attend and get details of council and committee meetings. It would be simple for the Government to say that those rules should apply to local government cabinet meetings. Yet pushed this way and that by the official Opposition, the Liberal Democrats, newspaper editors, the media generally and their rebellious Back Benchers, Ministers have evolved a complex, bureaucratic system for dealing with cabinet meetings. It is unnecessary and confusing, and it will probably be difficult to police. The system is not even complete. Only last Monday, the Government sent out draft regulations for consultation in a panic because of the pressure that was being brought to bear on them.

We have evidence of the success of the Government's policy on directly elected mayors. It has been a great success in London. The Government ended up with the wrong candidate, and the wrong candidate won the election. Any rational Government would have piloted the idea somewhere, but this Government chose London for the pilot scheme. I do not need to rub in the extent of the failure of that experiment.

There is a bigger debate still about the future of local government, which is beyond the ambit of the Bill but is still relevant. That is the question of "Front Line First"—how local government is to be funded and whether the Government intend to try to avoid using local government structures wherever possible.

I hope that it will be helpful to the House—

Mr. Don Foster: The hon. Gentleman is on the issue of "Front Line First" and whether local authorities are to be bypassed. Given his intervention in my speech earlier this evening, will he clarify whether I was right in ascribing to the leader of the Conservative party that party's intention significantly to remove the current powers of local education authorities?

Mr. Waterson: The hon. Gentleman is now putting to me a rather different point. He talked about our abolishing local education authorities, and I am happy to reiterate that we have no intention of doing so. However, we intend to redefine their role. I do not think that any LEA should feel secure in having any future under the Government's plans once they are unveiled.

I will not be inviting my right hon. and hon. Friends to vote against Third Reading. As I have made clear, there are some sensible provisions in the Bill which we would not like to see lost. The Bill still needs amending in some significant ways, and I shall return to that. To use the words of the hon. Member for Blaenau Gwent (Mr. Smith), who spoke yesterday, this is a centralising Government when it comes to local government. To use also the words of the hon. Member for Hayes and Harlington (Mr. McDonnell), the Government have a contempt for local government.

To return to the meeting of the Local Government Association in Bournemouth last week, we had the non-appearance of the Deputy Prime Minister, although I understand that he found time to go to the British soaps awards. We had a panel discussion involving the hon. Member for Torbay. *[Interruption.]* The Minister for Local Government and the Regions asks from a sedentary position about the whereabouts of my hon. Friend the Member for Tunbridge Wells (Mr. Norman). The answer is that he was at Bournemouth. The right hon. Lady probably did not notice because she was being slow hand-clapped by the audience.

As I have said, we had a panel discussion, at which I was present on behalf of my party, as the hon. Member for Torbay was for his. No Minister of senior or junior rank was produced by the Government. The Department of the Environment, Transport and the Regions may be short of funds from the Treasury, but it is not short of Ministers. I do not want to embarrass the Minister too much because she experienced the slow hand-clapping of the audience.

The fact is that the Government have wholly lost the plot on local government matters. They are obsessed with their notions, which have less and less to do with the real world and more and more to do with the liberal elite of which we spoke earlier.

The Bill will go to the House of Lords. I hope and expect that their Lordships will stand firm on the two crucial issues of section 28 and the so-called fourth option. That is a real option and choice for local government. We can only guess what will happen first. Will there be two substantial U-turns by the Government on the Bill—~~or~~ the loss of the Bill—or will there be an invitation to London's Mayor to rejoin the Labour party?

6.33 pm

Mr. Adrian Sanders (Torbay): I shall be as quick as possible because I am aware that time is running out. I reiterate that the reforms set out in the Bill are not new ideas. They originated in 1991 in the consultation paper on the internal management of local authorities. However, the reforms are revolutionary as regards the way in which local councils will operate in future and take decisions. They will replace the traditional committee system with a cabinet scrutiny split.

Early experiments have not been a great success. There have been examples of decisions being taken in secret and of small cabals taking decisions. Some local newspapers have been up in arms because they have not been able to get information. We took the Minister's assurance in Committee that that was because the Bill was, obviously, not on the statute book. Those things should not occur when, as is to be hoped, the Bill takes its place on the statute book. Time will tell.

There has been welcome movement by the Government during the Bill's passage. There has been a relaxation of the narrow, prescribed structures that were set out originally. There has been an important concession on freedom of information. There has been clarification on pensions. There has been protection for councillors serving on outside bodies.

My hon. Friend the Member for Bath (Mr. Foster) and I were pleased to serve in Committee and to have contributed constructively, I believe, to the Bill's passage. It is not the Bill that we would have drafted in the first place. The freedoms that local councils need are not necessarily in the Bill, although there is some movement towards that. However, we are pleased about the power of competence in terms of economic, environmental and social well-being. In a sense, we are probably closer to the sort of local government that we would want to see, even if there is not the absolute power of competence and financial freedom that we would wish the Bill to have.

We await the Government's intentions on finance as well as the comprehensive spending review. Some of the remarks of the hon. Member for Eastbourne (Mr. Waterson) were correct. Many new duties have gone to local government, but whether these moves will be a success will depend on whether local government has the necessary funds. It does not necessarily have the necessary fund-raising powers to make things happen. In conclusion, we will not impede the Bill's progress at this stage.

6.36 pm

Mr. Patrick Hall: I am pleased to make a short contribution to the debate, both as a Member who considered the Bill in Committee and as a former councillor on Bedfordshire county council. I found the experience of both informative and generally enjoyable. One position lasted eight years and the other 40 hours, as has been mentioned several times. Having gone through all that, I remain a strong supporter of local government. I hold it in high esteem because I believe it to be an essential part of a civilised society and a healthy democracy. That is where I come from with regard to the Bill and the reform of local government.

Local councils have served the country well for about 120 years. They have changed many times during that period. My approach to the Bill and to local government reform is that we should add to and improve what we already have. I am convinced, having been involved in the passage of the Bill, that we will reform local government in a progressive direction.

I do not share the reluctance of some to let go of the committee system. When I first served as a councillor some years ago, everything was done through committees

[Mr. Patrick Hall]

and the full council. I quickly came to appreciate—as a social services spokesperson, I became part of the system—that the real decisions were often taken outside open and formal meetings. They were taken usually by leaders, sometimes alone with chief officers, and often through private party group meetings. They were whipped through committee, often with very little member participation. I see no need for anyone to feel threatened by the proposed executive scrutiny structure.

The hon. Member for Eastbourne (Mr. Waterson) referred more than once in Committee and on the Floor of the House to arrangements [illegible] Bedfordshire country council. Perhaps he did so because he knows that Bedfordshire is a very good place and that I represent part of it. Also, he knows that the council is controlled by the Conservatives with a majority of one. However, it has an all-party executive and a scrutiny committee. That committee is chaired by a senior Labour councillor, and the system seems to work. I understand on good authority that some Conservative back-bench councillors are becoming annoyed about the prominence that the Labour councillor who chairs the scrutiny committee enjoys on the full council. That might be a sign that scrutiny can work. I do not see it as a second-class function to be conducted by second-class councillors. It is an integral part of the process.

The movement that the Government have made on the openness of meetings and access to information is genuine and welcome. It was rather churlish of the hon. Member for Eastbourne, today and yesterday, to criticise the Government for listening to Members. He spent a good deal of time introducing amendments, and when improvements are accepted, he seems to think them not good enough.

The changes that have been put together and presented by the Government prove not only that hon. Members have been doing their job on the Bill, but that the Government are doing their job. I have no doubt that we are creating the means for local councils to do their job in all the years ahead.

6.40 pm

Mr. Mark Fisher (Stoke-on-Trent, Central): I am grateful to you, Mr. Deputy Speaker, for calling me and for the way in which the Government have moved in the past 24 hours, particularly on openness in local government. They have clarified some issues, not least when the Minister reassured us last night that decisions that are made collectively in a council's executive should be in public, even if the decisions that arise out of them are made by an individual member.

That is important. My constituents do not mind so much where the decision is made, but they want to see open discussion of the closure of an old people's homes, the new level of rents, or the opening hours of a public library—important things that touch their lives. The Minister has clarified that; it is very welcome and I am grateful.

I am grateful for and welcome the Minister's remarks on Third Reading, which I took as positive remarks, about local government and local authorities. In my experience, local authorities have not felt over the past 20 years that central Government really believed in them, or were on their side. That has been as true since the last election as it was before it. However, with those remarks by the Minister, let us hope that the Bill is the start of a new relationship between central Government and local authorities—a new, much more positive relationship. I fear, however, that the Government will need to look again at the speed at which they are moving on local government in relation to housing and education. Until those things are clarified, local authorities will not feel that the Government believe that they can deliver and do a good job within the new structure that they are forming by means of the Bill.

Local authorities are, of course, variable, as are local councillors. Many are far from perfect, but local democracy is essential for the government of this country. People want to know whom they are electing and who is making decisions, and they want those people to be accountable to them. However good services are through agencies, that is not the same as having locally elected people making decisions at a local level. With that underpinning the new Bill, and the Minister's positive remarks about the future of local government, many of us will be happy to see how the Bill works, particularly if it will be the start of a new and more positive relationship between central and local government.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

London Local Authorities Bill *[Lords]*

As amended in the Committee, considered.

Clause 25

CINEMAS

Amendment made: No. 1, in page 28, line 1, leave out "(7)" and insert "(6A)".—*[Ms Buck.]*

Clause 41

APPEALS UNDER PART V

Amendments made: No. 2, in page 44, line 26, leave out "this section" and insert "subsection (1) above".

No. 3, in page 44, line 31, at end insert—

'(3) An appeal by either party against the decision of the magistrates' court under this section may be made to the Crown Court.'.

No. 4, in page 44, line 32, after first "court" insert—

'or to the Crown Court'.—*[Ms Buck.]*

Clause 43

SEIZURE UNDER PART V

Amendment made: No. 5, in page 45, line 4, after "street" insert—

'to which this Part of this Act applies'.—*[Ms Buck.]*

Clause 44

DESIGNATING RESOLUTIONS UNDER PART V

Amendments made: No. 6, in page 46, line 25, leave out "designating".

No. 7, in page 46, line 27, leave out from second "a" to "shall" in line 28 and insert "resolution, the resolution".

No. 8, in page 46, line 32, leave out "under this section".—*[Ms Buck.]*

Clause 48

BUS LANES

Amendments made: No. 9, in page 48, line 40, at beginning insert—

'Section 4 (Penalty charge notices under Part II) of and'.

No. 10, in page 48, line 42, leave out "is" and insert "are".—*[Ms Buck.]*

Schedule 2

AMENDMENTS TO SCHEDULE 1 (ENFORCEMENT NOTICES, ETC., UNDER PART II (BUS LANES) OF THIS ACT) TO THE LONDON LOCAL AUTHORITIES ACT 1996

Amendments made: No. 11, in page 63, line 2, after "TO" insert—

'SECTION 4 (PENALTY CHARGE NOTICES UNDER PART II) OF AND'.

No. 12, in page 63, line 3, at end insert—

'A1. In subsection (2) of section 4, after "with respect to a vehicle" the words ", by the owner of the vehicle," are inserted.'.

No. 13, in page 63, line 12, leave out "thereto".

No. 14, in page 63, line 12, after "notice" insert "or".

No. 15, in page 63, line 20, leave out "4" and insert "(4)".

No. 16, in page 63, line 21, leave out from "out" to end of line 22.

No. 17, in page 63, line 22, at end insert—

'(e) after sub-paragraph (4)(b) insert ";or";

(f) the following sub-paragraph is substituted for sub-paragraph (4)(c)—

> "(c) that at the time the alleged breach of such order or regulations took place the person who was in control of the vehicle was in control of the vehicle without the consent or the owner.";'.

No. 18, in page 63, line 23, leave out "(4)(c),".

No. 19, in page 63, line 33, after "11" insert "of Schedule 1".—*[Ms Buck.]*

Order for Third Reading read.

6.44 pm

Ms Karen Buck (Regent's Park and Kensington, North): I beg to move, That the Bill be now read the Third time.

May I spend a few minutes explaining a little about the Bill? I shall seek to be brief.

Although the Bill is technically promoted by Westminster city council, the Association of London Government has played a key role in promoting and steering the legislation through on behalf of all the boroughs, except the London borough of Barnet, which, for its own reasons, chose not to participate in the promotion of the Bill. However, Barnet has since written to the ALG to say that, when a further Bill is promoted, it would like the provisions of the current Bill to be applied to Barnet. As a result, I can say that the Bill is unanimously supported by the London boroughs.

The Bill has been given full and proper consideration in both Houses. In the House of Lords, there was a debate on Second Reading—which is uncommon for private Bills these days. Because there were petitions against the Bill, it was considered by a Select Committee. The Bill was also considered in detail by the Unopposed Bills Committee in the House of Lords. Reports on the Bill were submitted by the Home Office and by the Department of the Environment, Transport and the Regions. In this House, petitions were again deposited against the Bill, so it was considered in detail by a Select Committee. The Bill was unopposed on Second Reading. The Bill has therefore received intensive scrutiny from both Houses.

The Bill is what is generally known as a general powers Bill, in the sense that it deals with a number of subjects. Its provisions have been through a variety of different guises. Since the Bill's inception in 1996, a number of clauses have been dropped from the Bill following objections that have been taken on board and carefully considered by the promoters.

It was thought at one point that the Bill could deal with issues such as prostitutes' cards in London telephone boxes and laws relating to alcohol licensing and the licensing of buskers. In short, the Bill could simply have been summarised as the "sex, drugs and rock and roll" Bill, which would have been, had I been in a position to sponsor it, the summit of my parliamentary career. Alas,

[Ms Karen Buck]

the provisions concerning cards in telephone boxes never came to pass, although the Government will soon introduce proposals on that.

The provisions that remain deal with parking, public health, licensing, busking, bus lane offences and some miscellaneous matters. I will go through them in the order in which they appear in the Bill.

Part II deals with parking. Under the Road Traffic Act 1991, except in certain areas such as the Whitehall security area and red routes, the London boroughs exercise powers of parking enforcement and control. The councils have already added to their parking powers by virtue of the London Local Authorities Act 1995.

The parking provisions in part II include provisions enabling the councils to serve penalty charge notices on offenders on the basis of evidence provided by cameras; enabling them to serve penalty charge notices where a parking attendant has been prevented from doing so; enabling the service of penalty charge notices to take place by fax or e-mail; and giving the councils powers of entry into vehicles that have been impounded where they contain things that may cause danger. There are a number of other technical provisions.

Part III deals with public health. It enhances the powers of councils' environmental health departments by extending various parts of the existing statutory waste collection regime. It also enables the local authorities to require owners of certain private courtyards and, if necessary, adjoining owners to keep the area clear of refuse.

In the main, the provisions of part IV are technical and consist of a number of amendments to the existing statutory licensing regime in subject areas such as public entertainment, cinemas and theatres.

Part V is concerned with the licensing of buskers. As some of my hon. Friends have raised concerns about part V, I shall spend a few minutes explaining the thinking behind it. First, I should point out that the Bill does not in any way seek to abolish busking in London. As a great fan of busking, I am pleased that that is the case. In fact, I think that the Bill will enhance the ability of buskers to perform and the opportunity for their music and entertainment to be enjoyed by Londoners, while dealing with a small area of nuisance. Part V enables each council to introduce a licensing regime to control busking on the highway and on open spaces controlled by them. The Bill does not, therefore, apply to the London underground, for which separate provision is, I believe, being made.

It should be noted that there are safeguards in the Bill governing the circumstances under which the councils may apply part V. Clause 33 provides that the council may pass a resolution if it wishes to apply the licensing regime to any part of its area. The crucial safeguard is contained in subsection (2), which provides:

> The council shall not pass a resolution under this section in respect of any part of their area unless they have reason to believe that

there is a problem as a result of busking, including

> (a) undue interference with or inconvenience to or risk to safety of persons using a street
>
> (b) nuisance to the occupiers of property in or in the vicinity of a street in that part of their area.

The clause goes on to provide that the council must publicise the passing of a resolution by advertising in a local newspaper. Therefore, the council must have reason to believe that a problem is being caused by buskers in the first place. No doubt the receipt of complaints from local residents and businesses will play a large part in the council's thinking.

The second important point to note is that councils can target certain areas and apply the licensing regime to those areas. Westminster city council has said that there are at present only two areas where there is sufficient concern to adopt the licensing provisions: Leicester square and certain parts of Covent Garden.

Mr. Edward Davey (Kingston and Surbiton): Will a local authority's decision to designate an area as a problem area, thus requiring the licensing regime for buskers, be reviewed at a future date?

Ms Buck: If the provisions are not applied properly and are not based on a genuine complaint or concern about nuisance, it will be possible to take the local authority to court and to challenge the decision. That is the bottom line, but no doubt local authorities will want to keep the situation under general review. I cannot tell the hon. Gentleman whether the legislation contains other provisions, but there is that legal provision as a bottom line safeguard.

Evidence was given to the Select Committee by officers from Westminster city council and from the council of the royal borough of Kingston upon Thames about the number of complaints that have been received. There are more than 900 a year in Westminster—there are residents in Leicester square and in a large number of properties in Covent Garden. Thoroughfares such as Leicester square can become extremely crowded, and the problem is often exacerbated by the presence of buskers, and more so by their audiences.

It is important to note that in areas where part V does not apply—that is, the majority of areas—a licence will not be required for busking. That does not mean that buskers outside the licensing area can make as much noise as they like, because they will still be subject to the general law on nuisance and obstruction of the highway.

Mr. John McDonnell (Hayes and Harlington): If there is already legislation in force that enables local authorities and others to take action against noise nuisance, why is the Bill required?

Ms Buck: The difficulty is enforcement. The powers exist, but there are complications with regard to enforcement, which the provisions of the Bill will make easier. It will reduce the pressure on local authorities.

Mr. McDonnell: Could my hon. Friend describe those complications?

Ms Buck: I was coming to that. Part of the problem is that local authorities will have to serve an abatement notice on the person responsible for the noise, and later on prosecute the same person for a breach of the abatement notice in exactly the same location. That is impractical and difficult for a local authority to implement. I hope that that satisfies my hon. Friend.

Two buskers in particular—Mike Kay and Jeremy Helm—have opposed the Bill and continue to oppose it. Both petitioned against the Bill. They deposited their petition outside the time limits imposed by Standing Orders, but the Select Committee on Standing Orders allowed it to stand. Once their petition was allowed to stand, it gave Mr. Kay and Mr. Helm the right to appear before a Select Committee, which they did using their performing names of, respectively, Bongo Mike and Extremely Frank Jeremy.

The Select Committee sat for over a day and examined in detail the promoters' case in favour of part V and the two petitioners' case against the Bill. The Select Committee decided that the Bill should be amended in favour of the petitioners to tighten up the wording on the circumstances under which the council can decide whether to apply part V to one of its areas, and the way in which the councils advertise meetings at which they resolve to make individual streets subject to the licensing requirements.

It should perhaps be noted that no other petitions were presented against the Bill by buskers, and there appears to have been no other adverse comment made by buskers about the Bill. In fact, Westminster city council has received a petition signed by a number of buskers supporting the provisions of the Bill.

Part V should not be seen as an attempt by the councils to ban busking. They recognise that buskers contribute to the environment and wish to encourage them. Part V is merely an attempt to control some of the problems that are caused by a few buskers in specific areas.

Part VI contains a few miscellaneous clauses that cannot be categorised in parts I to V, and includes provisions amending the current law on dangerous structures and the service of certain notices under the Highways Act 1980. Local authorities whose area includes royal parks will be able to make a charge to the Crown for any advice given on health and safety and crowd control measures required for open air concerts.

The Bill also contains amendments to certain provisions of the London Local Authorities Act 1995, which provide councils with the power to enforce bus lane controls. For the past year, four London boroughs and the City of London have been using CCTV cameras to enforce bus lane offences as part of a pilot project. However, it has very recently become apparent that the existing legislation does not make it clear who should pay a penalty charge notice when the owner and the driver of the vehicle are not the same person. Any motorist who has already paid his ticket has admitted his liability and no refund will be made.

However, given that ambiguity, any motorist who from now on challenges his liability will automatically win his case. In order to resolve the problem, the main thrust of the amendments in the Bill is to ensure that the owner of the vehicle is liable for a bus lane infringement, not the driver.

Mr. Robert Syms (Poole): Am I to understand that if the 50,000 people in London who have been given tickets that they have paid applied, they could get the fine paid back by the local authority?

Ms Buck: That is not the situation. An offence has clearly been committed, and people have accepted liability by paying. The problem is that local authorities do not have the enforcement powers under current legislation to deal with people who dispute their liability to pay. I hope that the amendment will close that loophole, which arose from a drafting error, and will clarify the situation.

Mr. Edward Davey: Will the hon. Lady give way?

Ms Buck: I have almost finished, but I shall give way to the hon. Gentleman.

Mr. Davey: I want to support what the hon. Lady said in reply to the hon. Member for Poole (Mr. Syms). Surely the motorists were admitting guilt when they paid their fine. Does she agree that Conservative Councillor Daniel Moylan, the vice-chairman of the Association of London Government transport and environment committee, was misleading people and being irresponsible when he suggested that councils should not have been able to collect these fines?

Ms Buck: Yes, I wholly agree with the hon. Gentleman. It is slightly perverse for a member of the Conservative party to endorse the actions of people who park illegally in bus lanes. All of us have a common interest in ensuring that the bus lane system operates properly, and that those people who are clearly in breach of the law have to face the penalties available under the legislation.

I urge the House to support the Bill, which the London boroughs and the Association of London Government believe is in the interests of London and Londoners. The Bill has been subjected to a great deal of scrutiny by both Houses. It first commenced its parliamentary stages in 1996, and I ask that it now be passed.

6.57 pm

Mr. McDonnell: I shall be relatively brief. A number of hon. Members have blocked this Bill in the past, but they are on other parliamentary duties this evening—I mention my hon. Friends the Members for Thurrock (Mr. Mackinlay) and for Leyton and Wanstead (Mr. Cohen).

Anxieties were caused by the part of the Bill that refers to busking. However, I shall first deal with the issue of bus lanes. I feel culpable, as I was the secretary of the Association of London Authorities during that period, and then the chief executive of the Association of London Government. In mitigation, I must point out that when the legislation was proposed in 1996 I proposed that the ALG, and not the London borough of Westminster, should lead on it. Unfortunately, the leaders of the London boroughs defeated me, and Westminster led. If it had been the ALG, I am sure that we would not be in this mess, but that is an aside.

I want to deal with some of the detail of the legislation as regards busking. I shall not vote against the Bill, but some hon. Members want a message to be sent to the local authorities to ensure that they are not over-zealous in the prosecution of this legislation, so that we do not undermine people's basic human right to sing in the street.

[Mr. McDonnell]

I am interested in the detail of the legislation, especially clause 32, which exempts

> music performed as an incident of a religious meeting, procession or service.

I take it that that is the Salvation Army clause. Does that mean that if a busker is singing "Abide with me" he or she will not be prosecuted? If it relates to demonstrations of a processional nature, such as the May day rallies of the London Labour party and the trade union movement, when music is performed and donations are collected for various striking causes, I hope that they will also be exempted under the legislation.

How is the existence of "a nuisance" to be determined under the legislation? I am not sure that previous private legislation can guide us on that. What type of evidence will have to be collected to establish the existence of a nuisance? Clause 35 provides not only that a council may license a person, but that it may impose

> "such terms and conditions and . . . such restrictions as may be so specified.

Obviously, those impositions may relate to the nature of "a nuisance". However, is it reasonable to impose terms, conditions and restrictions in relation to, for example, the nature of the music? Is clause 35 the Des O'Connor clause? Can we have busking without Des O'Connor? If that is the Bill's effect, we may well support it as we have never done before.

Clause 36 states that there will be a fee to cover administrative and other costs. How will that fee be determined? Will it be decided in a vote of a particular committee or of the full council? Will it be checked for reasonableness by someone who is independent of the local authority?

Clause 37 provides that the applicant can be refused a licence if he is

> reasonably regarded as not being a fit and proper person to hold a licence.

In other licensing legislation, such as that regulating the sale of alcohol, "a fit and proper person" is a clearly defined term.

Ms Buck: The licensing regime would permit such a person quite freely to perform outside the licensed area, provided that he or she did not fall foul of other provisions such as those prohibiting obstruction of pavements. The regime would therefore not place undue restrictions on people in the circumstances that my hon. Friend describes.

Mr. McDonnell: The legislation would enable the local authority not only to define the area, but to say that, within that area, it will not grant a licence to a particular person whom it believes to be not fit and proper.

I appreciate the need for that type of provision in the regulation of activities such as the sale of alcohol. Such a provision is entirely understandable in that case, because alcohol is a dangerous substance that could be distributed widely by those who are not fit and proper people and who are seeking to attain dubious objectives. But who is not a fit and proper person to play the tuba? Does such an instrument become a dangerous implement in the hands of some people, but not in the hands of others?

Perhaps we need to address the issue of how we define a fit and proper person, especially as we may be setting a precedent. The issue of the definition of "nuisance" is a thread running through the Bill, and I believe that it could be setting us up for future legal action.

I resent another intrusion on people's basic human rights. I accept that the Bill, as amended today, will be passed. However, I am also sure that it will result in an appeal to the magistrates courts and, subsequently, the Crown court. I believe that we are establishing a costly bureaucratic procedure to deal with a matter about which there has been only a limited number of complaints.

What worries me most is that we shall be handing over to a police constable, an officer of the council or even a contractor the opportunity to halt someone who is playing a musical instrument, to arrest him, and, if he continues playing, to take his musical instrument. In various designated licensed parts of London, we are about to see battles involving officers and contractors wrestling instruments from buskers. There will be the turbulence of the trombone in some parts of central London, and the battle of the bass guitar in others. Do we really envisage the legislation resulting in physical force being used to rip instruments from the hands of buskers?

Perhaps we shall hear of a police constable appearing in the witness box and explaining that, "As I was proceeding in a northerly direction through Leicester square, I happened to hear the tune of a trombone. I immediately arrested it." The legislation will make the situation even worse than that. If the arrested busker cannot pay the fine, the instrument gets it. The instrument will be detained at Her Majesty's pleasure. Subsequently, the instrument will either be melted down or sent away for a period of detention, possibly—I would probably support this—at a school in the London borough of Hillingdon, perhaps in my constituency.

I simply feel that the Bill goes a step too far in extending a bureaucratic procedure to deal with a fairly natural activity. Although I shall not be voting against the Bill, I believe that the London boroughs will have to use it with a relatively light hand. As previous London authorities legislation may have been used to the disadvantage of individual Londoners, I think we need to send that message to the boroughs very clearly.

My hon. Friend the Member for Thurrock would be concerned if I did not make the point that the Bill is another piece of private legislation that has not been certified by a Minister as complying with the Human Rights Act 1998. Parliamentary procedure provides that private legislation does not require such a statement. I am sure that my hon. Friend would want me to say, as many hon. Members have said before, that this type of private legislation should be fully subject to the provisions of the 1998 Act and that it should require that statement.

7.6 pm

Mr. Davey: I welcome the vast majority of the Bill's provisions, which I believe will assist in the daily workings of London's local authorities. It will help to ensure that London's local authorities can do their job—as parking authorities, street-cleaning authorities and licensing authorities—without being impeded by legal loopholes.

The Bill will assist London's local authorities in many ways. It will enable local authorities to use remote cameras for parking enforcement. We are all aware that, in these days of tough budgets for local authorities, parking wardens and certainly police officers cannot be everywhere to ensure the enforcement of parking regulations. It has become increasingly difficult to ensure the enforcement of regulations meant to deter those who park illegally, hinder proper traffic flow and make residents' lives a misery. CCTV cameras seem to be a very sensible way of applying modern technology to a very modern problem, and I very much welcome that provision.

The Bill will also enable local authority contractors or employees to issue penalty charge notices by post if they have been unable to affix a notice to the vehicle. Parking attendants are often faced with various obstacles in performing their duties. Although parking offences may seem to be a relatively minor civil matter, it is ludicrous that parking attendants should not have an alternative way of issuing notices to those who perpetrate them. It is a sensible provision.

The Bill's provisions on bus lanes are particularly welcome. Like the hon. Members for Hayes and Harlington (Mr. McDonnell) and for Regent's Park and Kensington, North (Ms Buck), I spent many happy hours as a member of the Standing Committee considering the Greater London Authority Act 1999, where we debated many transport issues.

Mr. McDonnell: Happy hours?

Mr. Davey: For me, listening to my hon. Friend the Member for Southwark, North and Bermondsey (Mr. Hughes), those were particularly happy hours. His insightful analysis of London local government, of the need for improvement in London government and of the Bill's proposals on London government made them happy hours indeed.

When we were having those discussions, we very much focused on transport and on the legislation's provision for a new body entitled Transport for London. That is now established and working. Its main responsibilities at the moment—before the signing of the public-private partnership contracts, after which the responsibility for the London underground will be transferred to it—are various highways and the operation of London buses. One of the major problems that has faced London buses for many years has been the enforcement of bus lanes. It seems ludicrous to many people who have fought long and hard to improve transport in the capital that the recent case has prevented bus lanes from taking on their strategic importance in the life of this city. Bus lanes can encourage people back on to buses by making them a reliable and fast means of transport.

I welcome the fact that amendment No. 12 was passed without opposition, as will those who run Transport for London. Without that amendment, much of the work that they are about to carry out would be severely hindered. I had thought, before I read the remarks of a Conservative councillor on the ALG, that that important amendment had all-party support and I am pleased that the Conservatives in the House did not oppose it. That would have gone against the spirit of the cross-party consensus and the need to get London moving. The amendment even had the support of an *Evening Standard* editorial, so it really is a consensus measure.

The Bill contains many commendable powers. However, I regret that one matter was not dealt with in the Bill and I hope that the Government will think carefully about it, because it relates—

Mr. Deputy Speaker: Order. I can give clear guidance to the hon. Gentleman that on Third Reading he may talk only about what is in the Bill.

Mr. Davey: Thank you, Mr. Deputy Speaker. I feared that you might bring me to order on that point.

The hon. Member for Hayes and Harlington mentioned his concerns about the licensing of buskers. When I heard about the new power, I shared many of his concerns. The royal borough of Kingston, along with the London borough of Westminster, asked for the change, so I inquired why it had made those representations. I am reliably informed that serious problems have been experienced in parts of Kingston town centre, which is a busy shopping area. There are large crowds on Saturday mornings outside the Bentalls centre in Claremont street and, occasionally, buskers get in the way. That is not to say that busking is not welcomed by people who shop in Kingston town centre. I have often seen large crowds gathering round both musical and performing arts buskers, enjoying the entertainment. That is welcome because it creates a happy, relaxed atmosphere in the centre of Kingston. *[Interruption.]* I shall not pursue the sedentary comment by the Whip, tempting though that might be.

Although some buskers abuse their right to perform freely on the streets, such cases are few and far between.

Mr. McDonnell: I agree that that concern exists, but other powers are available for use in such cases, including those dealing with obstruction. If too much leeway is given in legislation—for example, as it was in legislation on the distribution of leaflets some years ago—it can be misused. Several of my constituents were arrested three months ago for handing out animal rights leaflets under legislation rushed through the House some years ago.

Mr. Davey: I share some of the hon. Gentleman's concerns. Some amendments have improved the legislation, especially following the Select Committee hearings mentioned by the hon. Member for Regent's Park and Kensington, North. I hope that London local authorities will think carefully before they use the new powers and will keep any use under regular review. If buskers know that the powers exist and that local authorities can step in, the Bill might assist self-regulation. I hope so.

I also hope that London authorities do not set up large bureaucracies to go over the top in using the powers. I hesitate to develop this train of thought, but I can imagine local authorities holding events to determine the quality of buskers. If local authorities decide to license certain areas for certain times, they will have to restrict the number of licences, and one hopes that they will not set up casting arrangements to decide the distribution of the busking licences.

I hope that London local authorities will use the powers sparingly, because busking is an honourable tradition, which is enjoyed by many people. Traditionally, people have had the right to entertain their fellow citizens on the streets. Arts budgets are being squeezed, but buskers,

[Mr. Davey]

of their own free will, go out and entertain. It would be regrettable if the Bill were to reduce busking. That is not its intention, although we need to ensure that busking is undertaken responsibly. We shall see whether the measure helps to solve the problems experienced in Kingston.

I shall share with the House how the Bill will work in the royal borough of Kingston. We have been fortunate to benefit from the establishment of a town centre manager and Kingston Town Centre Ltd., which work to improve the quality of the town centre for shoppers, businesses and those who work in Kingston. Dr. Julie Grail, the chief executive of the organisation, works closely in partnership with the retailers—the organisation is funded by many of them—and the local authority. She supports the Bill as she feels that it could serve a useful purpose, and she does not want to see it being abused by the local authority. She has worked closely with the retailers and the local authority, so she is well placed to give a practical view of the need for the powers.

I could deal with many other issues, but I hope that at least one more Member wishes to speak.

Let me make one final point, about street cleaning. The Bill gives London local authorities stronger powers to require alleyways to be kept clean. That has proved a great problem in the royal borough of Kingston upon Thames, which the Deputy Prime Minister described as a leafy borough. It is true that it contains many trees, that gulleys are blocked when they shed their leaves, and that the streets need to be cleaned at such times; but the Deputy Prime Minister was wrong to imply that, because the borough is leafy, it is homogeneously wealthy. I have made that point many times. Anyway, given that cars are often parked on the streets for a long time, cleansing contractors may not be able to ensure that all the leaves are swept up and all the gulleys are cleared.

The measure is welcome, as I can attest on the basis of practical experience—again, in Kingston. In the summer of 1999, three freak storms in Kingston gave rise to a lot of flooding. It was an example of "microclimate": the flood was intensive in one area, but not in adjacent areas. It was a remarkable meteorological event, and the fact that it occurred three times was particularly remarkable. The event is relevant to the issue of street cleaning. Because some of the gulleys in the borough had not been cleaned for some time, the flood was severely aggravated and many people's homes and property were damaged as a result.

The powers conferred by the Bill will enable bodies such as the borough to ensure that that does not happen again. I have been given 250 pieces of case work, and 500 people have written to me about the floods that they experienced that summer. I think that those people will be particularly pleased about the new powers, and will feel reassured about Kingston council's ability, under the Bill, to fulfil its role—a role that it takes seriously—in keeping alleyways free of leaves and excess rubbish.

Let me say again how much the Liberal Democrats support the Bill. We believe that it will strengthen local government in the capital and help the 32 London boroughs to do the job that their citizens elect them to do. The tasks involved are often basic, everyday tasks: regulating parking, regulating street cleaning, licensing, and so on. They could be described as mundane. However, when I knock on doors in my constituency—in Chessington, New Malden, Tolworth, Berrylands, Surbiton, Kingston and Worcester Park—I find that people raise those basic issues. Members of Parliament often expect people to raise issues involving the health service, the police or education, but in my experience of knocking on doors, most people want to talk about parking and street cleaning.

I welcome the powers in the Bill, and hope that it will be given a Third Reading.

Question put and agreed to.

Bill read the Third time, and passed, with amendments.

Moor Lane School

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

7.25 pm

Mr. Edward Davey (Kingston and Surbiton): I want to tell the House about a school that the Office for Standards in Education said was not improving, but the result of whose standard assessment tests—published yesterday—show remarkable and significant improvement.

I want to tell the House about a school to which Ofsted inspectors did serious damage after a visit lasting just five hours, but whose science SATs have improved by 40 per cent. in the past year: 85 per cent. of pupils in year 6 have attained level 4 or above, as opposed to 61 per cent. In that context, it is at or above the national average. In the past year alone there has been a 7 per cent. improvement in English SATs results: the proportion of pupils attaining level 4 or above has risen from 67 per cent. to 72 per cent.

Many schools throughout the country will not have agreed with the report and recommendations of their Ofsted inspectors, but in most cases it is likely that the inspectors' judgments were right. I will not contend tonight that there is anything wrong with a system of independent external inspection that seeks to raise standards in our schools; such a system is vital, and will inevitably mean that some schools are deemed to need special measures. But it is another matter to argue that the current Ofsted system is perfect and cannot be improved, and that Ofsted always gets it right. I believe that Ofsted must be reformed. There is mounting evidence for that, not least from last summer's report by our own Select Committee on Education and Employment, which investigated Ofsted in detail.

It is because I have more, and recent, evidence of the need for Ofsted reform that I requested the debate. As I hope to show, the inspectors got it wrong in the case of the recent Ofsted visit to Moor Lane junior school in Chessington. Perhaps worse, the process by which they got it wrong was itself seriously flawed. What was the result of Ofsted's mistakes? A shattering of staff morale, leading to the resignation of the six teachers who were not already due to leave.

The school will weather the storm. We are all determined that it will. It has great support from the community and from parents. The local education authority, rated by Ofsted itself as a "well-run authority", has already stepped in to protect the children's education from next September. I want to place on record my total confidence in the seconded head teacher, Mr. Tim Rome; I also want to reassure parents of my belief that Moor Lane was, is and will be a good school to which they can entrust their children's education. The purpose of the debate, however, is to share the lessons of the Moor Lane experience with the Minister, and those lessons suggest to me that a number of specific reforms are needed of Ofsted and its processes. I hope that, as a result of this debate, Ofsted will be seen to have been held to account for its mistaken processes, and that the school can put what has happened behind it.

As the Minister will know, there is a history to the case. It begins with the first Ofsted report, in 1995—a very positive report. The inspector said:

> Moor Lane School has many very good features and offers an outstanding atmosphere for learning. The school has worked hard to improve its provision and is beginning to reap the rewards.

The Minister may be concerned to learn that the chief inspector, Mr. Chris Woodhead, said recently on television that Moor Lane should have pulled its socks up following the 1995 report. He did not appear to know that his own inspectors had been very positive about the school. Although the 1995 report identified areas needing improvement, as most reports do, it was largely very complimentary. It does Ofsted's reputation no good when the chief inspector is so ill informed, and shoots from the hip.

The trouble really started with the April 1999 Ofsted inspection. It originally recommended special measures for the school, but its conclusion was contested both by the local education authority and by the school. Her Majesty's inspectorate upheld the appeal, so the report recorded only "serious weaknesses". Moreover, Ofsted also partially upheld the school's view that the April 1999 inspection had not been conducted properly. At the time, I wrote to the chief inspector to express my concern that the original Ofsted report had got it wrong and had undermined the school. I only wish that I had pursued the matter even further at the time.

It is not surprising that the inspectorate and senior managers in Ofsted were worried by the 1999 report. Two extracts from the report show its inconsistencies. Paragraph 82 stated:

> On the basis of all the available evidence, including teachers' planning and the work in pupils' books, the overall quality of teaching in relation to the provision for English is unsatisfactory.

Paragraph 83 stated that

> the overall quality of teaching in literacy hour sessions is good. It is at least satisfactory in nine-tenths of lessons and is good or better in almost half the lessons.

That is rather inconsistent.

What happened after the report was published and the appeals against it had been heard? The school and the LEA got cracking and got down to work. Action plans were drawn up, and close monitoring was instituted. Kingston's chief inspector is Patrick Leeson, an excellent and highly regarded specialist, and he took a hands-on approach. A new chair of governors, John Heaman—a councillor and a former chair of education in the royal borough of Kingston upon Thames—was elected. Mr. Heaman is the former head of a teacher training school, with 28 years of experience in training teachers. In all, the LEA and the school took the April 1999 report—the one that said that the school had serious weaknesses—very seriously.

The House should know that the LEA believed that the school was making good progress after the April 1999 inspection. Neither it nor the school was complacent. It believed that the school still had some genuine weaknesses, but all parties considered that major improvements had been achieved.

The December 1999 LEA report on the school judged that 86 per cent. of the teaching was satisfactory. In March 2000, the LEA judged that more than 30 per cent. of the teaching was good, with weaker teachers performing satisfactorily. In terms of attainment, the LEA inspectors

[Mr. Edward Davey]

reported that there was evidence of improvement in English, mathematics and science in years 5 and 6. Yesterday's SATs results appear to bear out that view.

What did the Ofsted inspectors find in their May progress report visit? Officially, we do not know, as the written report has yet to be finalised and published. However, we know the main findings, as the inspectors gave an oral feedback to staff directly after the visit that precipitated the resignations. The inspectors' overall judgment was that the school required special measures.

The detail of some of the inspectors' oral feedback is interesting, as a report from the LEA to the Kingston council cabinet shows. The feedback suggested that there had been some improvement in standards, but that the school's attainments remained too low. That was not borne out by the SATs results. It revealed that 16 lessons were observed, of which seven were good, four satisfactory, and five unsatisfactory. It continued:

> All 12 class teachers were observed at least once and some twice during one afternoon and one morning.

That is hardly a rigorous process.

The report went on:

> In unsatisfactory lessons: teacher expectations were too low, tasks were not suitably differentiated, and pace was slow.

It is worth bearing in mind the fact that the school has above-average special educational needs. Its special education unit—Skylab—achieves tremendous results. The school does not have low expectations of its pupils. As to task differentiation, it is hard to comment at this juncture, but it is clear from the oral feedback that special measures were not justified.

Only five lessons were found to be unsatisfactory. The finding that special measures were needed contradicted the views of the LEA inspectors, the SATs examiners, and parents. Three obvious questions arise in connection with the Ofsted visit and report. They suggest that there is a need to reform the process by which the snapshot inspections—the brief progress reports—are made.

First, why did Ofsted not wait until after the SATs results were available and use them to cross-check its findings? That would have required a wait of only a few weeks, and would have saved Ofsted from getting egg on its face. If SATs results are expected in a short time, the Ofsted process ought to require that they be taken into account.

Secondly, why did Ofsted not refer back to the LEA, which had been working closely with the school in a concentrated and focused way for months? The Minister might say that Ofsted is not supposed to refer to the LEA about an inspection, as inspections are supposed to be independent and external. That is true, yet we are talking not about a full-blown inspection but about an extremely brief visit. It is possible that the Ofsted inspectors found five unsatisfactory lessons, but surely they should have sought corroborative data before pressing the nuclear button of "special measures". Such data would have backed up the limited information that they acquired for their findings.

I know that the Minister is not as anti-LEA as the leader of the Conservative party, and I am sure that she believes that LEAs have a role with regard to inspection. The staff at Kingston LEA knew the school very well. More significantly, from Ofsted's point of view, the LEA had worked well with Ofsted in the past. Kingston education authority has gone out of its way—and will do so again—to co-operate with Ofsted, and to work constructively with its inspectors. It is an LEA that Ofsted can trust.

As I said earlier, an Ofsted inspection of Kingston LEA a few years ago found it to be well run and one of the best in the country. Improvements have been made since then, so why did the inspectors not talk to the education authority? I strongly believe that Ofsted must reform the way in which it works. When inspectors make a brief visit and monitor lessons for only five hours, Ofsted ought to refer to other sources for corroboration.

My third question has to do with statistics. In a full-blown inspection, many lessons are monitored so that a representative sample can be used in a well-informed report. However, in an inspection that lasts only a morning and afternoon, only a tiny sampling exercise is possible. If the inspectors were familiar with statistics theory, they did not apply simple mathematics to their techniques and conclusions. It is remarkable that they should call for special measures after finding unsatisfactory five of the 16 lessons that they monitored.

Of course there are practical constraints on the time that can be spent on progress report visits, and on the number of lessons that can be monitored. However, should that not suggest that inspectors apply much greater caution and recognise the limitations of the inspection process? I hope that inspectors exercise rather more caution in future, especially with regard to brief progress reports.

There is a fourth reform that I should like to be made to the Ofsted process. Inspectors need to be more sensitive to the morale of teachers. It serves no purpose if Ofsted undermines morale. It certainly does not help children's education, or lead to higher standards.

The teachers at Moor Lane school had been working very hard, none more so than head teacher Jane Wright. She and her staff are dedicated, committed and caring, and they have the confidence of the community. Jane Wright announced her retirement before the Ofsted visit, and I believe that she can retire with her head held high. However, I do not consider that Ofsted recognised her work, or the genuine achievements revealed in yesterday's SATs results.

I am delighted that last summer's report by the Select Committee on Education and Employment suggested that Ofsted should do more when reporting inspection results, and that it should have a more "professional dialogue" with staff. I would go further, and say that Ofsted should have a more developmental role in terms of its links with, and feedback to, schools. It should not merely light the blue touchpaper and walk away; it must get involved with schools in post-report work. That would earn it greater respect and acknowledgement among the teaching profession.

I have concentrated on the direct lessons from Moor Lane school's experience with Ofsted. In the time that remains, I want to look briefly at some wider reforms that I consider should be made. To do so, I shall lean heavily on the work of the Select Committee.

The first reform is about accountability. I have received many letters and e-mails from parents who are dismayed with Ofsted and the way that it has undermined the school. Invariably, they ask to whom Ofsted is accountable. From its report, it is clear that the Select Committee believes that Ofsted is not accountable enough.

Although it is difficult to hold Ofsted and its individual inspectors to account for every individual report, the overall performance—the quality of inspectors, the processes involved in compiling reports, and so on—is a legitimate matter for the House. The Government should turn their mind to the question of how the inspectors can be inspected.

A key question for many people at Moor Lane—and, I am sure, at many other schools—is: who is guarding the guardians? Recommendations 49 to 59 of the Select Committee report contain many suggestions, such as an annual debate, preceded by evidence from Her Majesty's chief inspector to the Select Committee, annual meetings between the Select Committee and the chief inspector, confirmatory hearings for the appointment of the chief inspector, and quinquennial reviews of Ofsted. Those all seem sensible proposals. They would keep Ofsted in check and ensure that it was inspected, and that it improved.

I hope that the Minister does not think this is too controversial, but I wish to put on record my concern at the way in which Her Majesty's chief inspector reacted to the inspection report and the press accounts of it. Mr. Woodhead clearly did not do his homework well enough; he made inaccurate remarks about the history of the school. He has allowed the flawed system of progress reports to continue. In this case, the system has hit Moor Lane, but it may hit other schools if it continues. I think that Chris Woodhead should apologise to Moor Lane school, and I hope that when he reads this debate, he will feel that that is the right thing to do.

I wish to end on a note of praise for the school—praise for the teachers, the head teacher, the governors, parents and children for the way in which they have withstood a great deal of pressure following the April 1999 report. They have also had the media spotlight on them, and they have conducted themselves very well, in a mature way. They are determined to pull together with the local education authority and the Ofsted inspectors, when they arrive in September, to make sure that the quality of education at Moor Lane school continues to improve from what is already quite a high level.

This is a good school—the SATs results yesterday showed that. I pay tribute to all those in the school and the local education authority who made that possible.

7.42 pm

The Parliamentary Under-Secretary of State for Education and Employment (Jacqui Smith): I congratulate the hon. Member for Kingston and Surbiton (Mr. Davey) on securing this Adjournment debate on an issue that is obviously important to his constituency and, as he has pointed out, important in terms of the Government's objective of raising standards for all our children.

I was pleased that the hon. Gentleman acknowledged the Government's commitment to inspection as part of their strategy for raising standards in schools. Inspection provides a periodic external check on each school, helping to tackle under-performance and develop plans for improvement. Parents value inspection reports highly because of the inspectors' independence.

I speak with some understanding of Ofsted, having been on the receiving end of an Ofsted inspection before I was elected to Parliament. Observation of lessons is not designed to criticise teachers unjustly. Evaluation of the quality and impact of teaching is central to inspection. The evaluation of teaching is fundamental to the quality of education provided to pupils.

Moor Lane junior school was inspected by registered inspectors in October 1995, and the resulting report clearly set out the key issues for action. As the hon. Gentleman said, points of action always come out of Ofsted reports. However, in April 1999, registered inspectors visited again and found that, in their view, very little action had been taken on the key issues. Making use of the safeguard provided in law, Her Majesty's inspectors gathered additional evidence, and the need for special measures was not corroborated, although they confirmed that the school had serious weaknesses.

The school lodged a complaint about the conduct of the April 1999 inspection, which was partially upheld by Ofsted. Ofsted agreed that there had been an over-emphasis, in drafting, on the negative statements in the report but, importantly, that did not result in any change in the report. It was made quite clear to the school and all concerned that serious weaknesses existed.

Inspectors judged that at Moor Lane junior school one third of the teaching was less than satisfactory. Standards were below average in English, maths and science. I know that the hon. Gentleman would not tolerate low standards for our children, and the Government certainly do not. Children at this school deserve a better deal.

In the monitoring visit in May 2000, Her Majesty's inspectors decided that the school had made no improvement and was failing to give its pupils an acceptable standard of education. We cannot allow a school that has been told that it has serious weaknesses to make no improvements. Action must be taken.

The hon. Gentleman asked whether it was possible to make such judgments on the basis of a brief inspection. In fact, the final monitoring visit in May 2000 was subsequent to the two previous visits—it was part of a programme of visits. Also, the criteria for deciding whether a school requires special measures are specified in law—that is, that the school is failing, or is likely to fail, to give its pupils an acceptable standard of education. That definition is explained in Ofsted's framework for school inspections and the accompanying guidance handbook for inspectors.

Whatever the type of inspection, the judgment that a school requires special measures is made only when there is an adequate evidence base to support it. In addition, the decision that a school requires special measures is a matter for Her Majesty's inspectors' professional judgment. Ministers, local education authorities—even very well-intentioned constituency Members of Parliament—cannot, and should not, intervene. The most important thing is that the standard of education at Moor Lane junior school and others in special measures improves as quickly as possible and that that improvement is sustainable. We must not fail these pupils.

I appreciate what the hon. Gentleman said about improvements in key stage 2 results this year. However, the 1999 Moor Lane key stage 2 results were for English 67 per cent. at level 4, for science 61 per cent. and for maths 52 per cent. That compares with a national average

[Jacqui Smith]

of 75 per cent. for English, 84 per cent. for science and 73 per cent. for maths in similar schools. I was pleased to hear that it looks as though this year's results are an improvement in English and science, and I hope that the maths results are equally good.

Moor Lane junior must now embed and sustain that improvement.

Mr. Davey: Will the Minister reflect on the fact that the yesterday's SATs results showed a large improvement, particularly in science? That must surely bring into question the findings of the Ofsted visit in May.

Jacqui Smith: As I pointed out, it is a professional decision for inspectors, based on the programme of visits that I have outlined, to determine whether a school should go into special measures. I ask the hon. Gentleman to reflect on the fact that the task of raising standards for our children should not and cannot be put off because people do not believe that there is sufficient evidence. Decisions have to be taken, and they have to be taken in a way that will support improvements in schools.

We recognise that inspections cause pressure, and we are working with the chief inspector to do what we can to keep that to a minimum. For example, we have shortened the notice period before inspections to avoid the lengthy build-up of pressure that teachers have told us is damaging. Ofsted's guidance for inspectors contains firm advice on the need to minimise stress for teachers.

To respond to the hon. Gentleman's concern that changes and improvements be made in Ofsted's operation, there will be increased feedback to teachers and head teachers about teaching quality, together with improved training for inspectors, new powers for Her Majesty's chief inspector to remove incompetent inspectors and strengthened complaints procedures, including final review by an external adjudicator.

It is not the fault of Ofsted, however, that a school finds that it is failing. In this case, it is the failure effectively to remedy the weaknesses identified by inspectors over the past five years that has resulted in the situation in which the school now finds itself. Many hundreds of primary and junior schools in England have been judged by inspectors to have serious weaknesses, or to be in need of special measures. None of them will have welcomed those judgments, but they have mostly tackled the problems and turned their schools around.

This is the first time that a large proportion of staff have refused to accept the judgment and resigned. It is regrettable that many of them did so before seeing the detail in the report. As the hon. Gentleman mentioned, it has yet to be published. I understand that the head and deputy resigned before the inspection took place, and that Kingston upon Thames local education authority acted fast to ensure that a new head teacher and deputy head were appointed for this September. What matters now is that Kingston LEA and the governing body are able to appoint a new team of talented and dedicated professionals to meet the challenges ahead and to make Moor Lane junior school a better place for both pupils and staff. That is already under way; three senior teachers have been appointed and further interviews will be held next week.

It is clear that to challenge and support our schools in raising standards, the Government need to engage in a range of measures. Such measures do not only involve Ofsted, although more than 1,000 schools have been given early warning that standards are slipping by being put into the serious weaknesses category by Ofsted. The vast majority—nearly 90 per cent.—act immediately to put things right. Those that show no improvement after a year, when HMI or additional inspectors pay a monitoring visit, are rightly placed under special measures.

Each school is responsible for providing the high standards that will allow its pupils to achieve their full potential. LEAs play a vital role, through challenge and support, in helping schools to raise standards. However, schools are responsible for their own improvement, although LEAs play a critical role in supporting governing bodies and head teachers in their efforts.

In the case of Moor Lane junior school, Kingston LEA provided much support for the school. It appointed additional governors when the school was put into the serious weakness category; and gave financial advice in response to the criticisms in the April 1999 report that procedures for financial planning were poor and that the school provided unsatisfactory value for money. The LEA provided monitoring of and challenge to target setting. However, the LEA and the school must work together on such matters and it is judged that the effect of the extra resources has yet to have a sustained impact on standards in the school.

Mr. Davey: I share the Minister's praise of the LEA. It behaved well both before and after the events. However, surely that shows that, as Ofsted carried out a short inspection and could monitor only 16 lessons, it should have referred back to the LEA before giving the verbal briefing that special measures would be recommended.

Jacqui Smith: There is a conflict between my statement as to the importance of an independent inspection regime and what the hon. Gentleman asks for. We need to recognise the independence of Ofsted. That is part of its value, and one of the reasons that parents value its inspections.

It is important to recognise that Ofsted plays only a part in what we need to do to raise standards. For example, LEAs and schools have access to the standards fund school improvement grant. The grant will support expenditure of more than £290 million in 2000–01, enabling schools and LEAs to support activity to raise standards.

Our policy to tackle failing schools is working. The number of such schools is falling and the average turnaround speed is faster; it stands at 18 months for schools coming under special measures since May 1997. That is down from 25 months for schools coming under special measures between 1993 and April 1997. Recent figures show that more than one third of primary and special schools turn around in 18 months or less. We are considering ways of strengthening our approach—for example, by increasing the rigour with which we challenge LEAs to identify and intervene in schools at risk at an early stage.

We are passionate about improving the education of pupils in under-performing schools, and have taken decisive action to tackle failure in our schools. Independent inspection is a key part of that. However, other Government action is crucial. We know that many schools are striving against the odds to improve—often with success. However, that success must be true for all schools if we are to ensure that all young people, whatever their background, can fulfil their potential.

I give my best wishes to the parents, the new staff and the governors of Moor Lane junior school for a sustained improvement in standards. That is what the hon. Gentleman and the Government want, not only for the children of Moor Lane junior school, but for all our children.

Question put and agreed to.

Adjourned accordingly at four minutes to Eight o'clock.

House of Commons

Thursday 6 July 2000

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

MERSEY TUNNELS BILL *(BY ORDER)*

Order for Second Reading read.

To be read a Second time on Thursday 13 July.

Oral Answers to Questions

EDUCATION AND EMPLOYMENT

The Secretary of State was asked—

Further Education

1. **Mr. David Ruffley** (Bury St. Edmunds): If he will make a statement on the funding of further education. [127920]

The Secretary of State for Education and Employment (Mr. David Blunkett): I announced last November that there would be an additional £365 million for the further education sector next year. That is a real-terms increase of 7.7 per cent., the largest single increase that the further education sector has ever received. It will bring the total to £3.9 billion.

Mr. Ruffley: Is the Secretary of State aware of the grave concern of many FE colleges, including my own, the West Suffolk college in Bury St. Edmunds, which feel badly let down by the performance of the Further Education Funding Council this year? Is the right hon. Gentleman aware that many colleges have not yet even received clear indicative allocations of their basic funding? Is he aware that agreements relating to Learn Direct, adult growth programmes and the standards fund have not yet been completed in advance of the new financial year in August?

When will the Secretary of State get a grip? Will he undertake to make sure that the Learning and Skills Council that is to take over from the FEFC performs better and behaves in an efficient manner, so that FE colleges are not subjected to the delays and confusion which are marring further education at present?

Mr. Blunkett: I shall certainly make sure that the Learning and Skills Council acts effectively to pull together the further education and training and enterprise funding and to deliver it with high quality and effective management. We are pleased that Bryan Sanderson has agreed to be the chair of the new Learning and Skills Council and that Nick Reilly, the managing director of Vauxhall, has agreed to be the new chairman of the adult learning inspectorate. I am certain that, between them, they will ensure that the quality and improvements that we seek will be achieved. If there is a particular problem at Bury St. Edmunds, I shall be happy to look into it with my colleagues and to make sure that the college gets the information that it needs.

Mr. Barry Sheerman (Huddersfield): May I inform my right hon. Friend that many of the FE colleges that I visit as Chairman of the Select Committee tell me that the Government have indeed got a grip on funding? There are still some complaints about efficiency savings and the need to find another 1 per cent. this year to pay for the pay rises, so it is not all sweetness and light in the FE sector, but there is a widespread feeling that we are moving in the right direction. I rarely agree with the hon. Member for Bury St. Edmunds (Mr. Ruffley), but is my right hon. Friend aware that serious concern has been expressed about the running of the FEFC? I, too, welcome the appointment of Bryan Sanderson and, perhaps, the start of a new page in the history of further education, which the Government have initiated.

Mr. Blunkett: We have had a proud record of avoiding some of the difficulties inherent in parts of the private sector with regard to training in further education, but as my hon. Friend knows, we have taken draconian steps to tackle inefficiency and the quality of provision in colleges. We are pleased that this year we have managed to get 45 colleges out of category C in relation to their financial management. That is an important achievement, but there is much still to do. That is why we have been rigorous in tackling failure wherever it occurs.

Mr. Tim Boswell (Daventry): Although any increase in funding is welcome—provided that it is a real increase, not a smoke-and-mirrors type of increase—there is still concern in further education colleges because they cannot pay lecturers competitive rates, particularly in market-related sectors such as business and computing. It is extremely difficult for them to recruit and deliver in those areas. Can the Secretary of State explain to the House why, despite his claims to have a grip on the situation, and his projections of a rapid increase of 700,000 in further education enrolments over two years, the actual turnout can best be described as flat-lining on a base, and is in fact genteelly declining under his stewardship?

Mr. Blunkett: It was the Conservatives who did away with demand-led expenditure, which led to a dramatic fall in the number of students recruited to further education. We have—we make no apology for this—combed out the inappropriate franchising, which led to what can only be described as a complete fiddle of the numbers in further education. The 1 per cent. drop in full-time equivalent students will be reversed as we put £240 million next year into improving and increasing access.

The measure of what we are doing is our commitment to the standards taskforce agenda, which is about a massive expansion in the sector, but also underlining it with quality. We have a challenge: to meet the skills needs of tomorrow. When I speak this afternoon at the skills festival in Birmingham. I shall underpin that by giving a clear commitment to the expansion and status of vocational education, including the introduction of a vocational GCSE.

Mr. Ian Pearson (Dudley, South): I welcome the extra funding for further education, which is widening opportunities and participation, but will my right hon. Friend consider a quid pro quo: removing the cap on student numbers at some of our best universities providing that they agree to increased participation by those from socially disadvantaged backgrounds?

Mr. Blunkett: We are involved with the Higher Education Funding Council in the direction of resources for next year, particularly the additional cash that will be available specifically for improving access. I welcome the steps that have been taken by Mansfield college in Oxford, and others, and we are keen specifically to target further education, tertiary and sixth form colleges, a neglected area in terms of university access, to ensure that their best students can be recruited to those universities.

Selection

2. **Mr. Christopher Chope** (Christchurch): What his policy is on selection in schools. [127921]

The Parliamentary Under-Secretary of State for Education and Employment (Jacqui Smith): It is a matter for local parents to decide whether or not local grammar schools continue to use selective admissions. The admissions code of practice gives schools guidance on other issues and it is for the schools adjudicator to resolve disputes where they arise, including on issues of partial selection.

Mr. Chope: That is not a very satisfactory answer from the Minister. Why is it the Government's policy to force popular schools to select pupils on the basis of whether their parents can afford to move into their catchment area? That is one of the most pernicious aspects of the Government's selection policy. Would it not be much fairer to allow school boards to decide for themselves their own admissions criteria?

Jacqui Smith: There we have an outrider for the Leader of the Opposition's speech this week, asking us to create a sort of free-for-all in admissions policies—presumably that would be what the Opposition wants—which would presumably also apply to primary schools, whose governing bodies would also have the right to select. Are we now to see the nightmare vision of primary moderns in our system—not just a return to the 11-plus, but a 4-plus for our children?

Mr. Christopher Leslie (Shipley): Is my hon. Friend aware that, following the interview by the shadow Education Secretary on Channel 4's "Powerhouse" yesterday, many schools in my constituency are extremely worried, particularly primary schools, that they will have to consider selection by academic ability, and that many of them will be left as part of a second-rate tier of schools? What on earth can we do to avoid that threat posed by the Conservative proposals?

Jacqui Smith: My hon. Friend raises a matter of considerable concern among parents. It is important that we continue with the planned situation, which gives parents the chance, where possible, to choose, but also, through the admissions forum, provides much more certainty about what will happen. The key point about our proposals, by contrast with those of the Opposition, is that it is not possible to allow both parents and schools to choose. Our emphasis is that, wherever possible, parents need to be able to express a preference, not that schools should have the right to weed out children whom they do not want, thereby depriving parents of their choices.

Mr. John Bercow (Buckingham): Given that the hon. Lady is in review mode, will she confirm one thing that she will not do and three things that she will? Will she promise to do nothing to make it easier to abolish a grammar school, promise to limit petitions to one every five years, promise to allow grammar school parents the right to vote in all ballots, and promise to adopt the Conservative policy of making every school a free school—free to select its pupils, free to choose its term times, free to manage its budget, free to arrange its transport, free to enforce its discipline and free to run its own affairs?

Jacqui Smith: I think that I lost count of the questions as we went through them. The key matter is that we made it clear that, where grammar schools exist, parents will decide the future of their selective admission arrangements. We have extensively debated concerns about balloting arrangements. We have no plans to review the threshold. We have no plans to take away the right of parents to decide on the future of selective admission arrangements, which is what the Opposition's proposals would do.

Access Funds

3. **Mr. Paul Goggins** (Wythenshawe and Sale, East): If he will make a statement on access funds in further education. [127922]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Malcolm Wicks): Access funds provide help with transport, course and living costs. They are available to students of 16 and over in schools and colleges. Access funds have been increased from £9 million in 1997-98 to £63 million this year.

Mr. Goggins: I thank my hon. Friend for his answer. At City college, Manchester, where I am a member of the governing body, access funds increased from £96,000 two years ago to more than £700,000 in the current year. I warmly welcome the Government's strong commitment to extending student support and widening participation; but what action is my hon. Friend taking to ensure that further education colleges are held firmly to account for the way in which they distribute the new funds?

Mr. Wicks: That is an important point. As the fund increases, we need to be rigorous about its allocation.

The National Audit Office has considered arrangements centrally and has found them to be acceptable. Our departmental auditors are working with the Further Education Funding Council to ensure that arrangements for managing and allocating funds at college level—considerable funds, now—are robust. As with any social security system, if I may put it that way, we must ensure that those in need get these funds and not those who know how to work the system.

Miss Anne McIntosh (Vale of York): Does the Minister share my concern at the cut in Government spending on further and higher education by removing student grants? Will he apologise to those students who are now not able to go into further and higher education? Will he apologise also for failing to meet the Government's pledge of increasing expenditure on education as a proportion of GDP?

Mr. Wicks: I would share the hon. Lady's concern if for one moment what she suggests were true. We are proud that we have introduced record funding for further education and extra funding for university education. It is important in both sectors that we enable more of our young people, and older citizens, too, to benefit from further and higher education, and that we do not sacrifice quality when we go for quantity. That is what we are doing, and that is our policy.

Foundation Degrees

4. **Mr. Keith Darvill** (Upminster): If he will make a statement on foundation degrees. [127923]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Malcolm Wicks): Foundation degrees will offer a new vocationally focused route into higher education and employment. They will equip students with the specialist technical knowledge and employability skills needed in our new economy and contribute to wider participation by attracting many people who do not enter higher education.

Mr. Darvill: I am grateful for that reply. Does my hon. Friend agree that foundation degrees provide an excellent opportunity to link higher education and employers more effectively so that we can meet the new high levels of skills needs? Does he agree also that it is typical of the Opposition's contempt for vocational learning that they oppose foundation degrees?

Mr. Wicks: One of the great challenges for the Government is achieving a better interface and overlap between the academic and the vocational. The foundation degree is part of that strategy. The skills taskforce has told us that we are short of people at associate professional and technician level. The foundation degree will be an attractive route for many people, some of whom will have completed modern apprenticeships to get into university.

Mr. Phil Willis (Harrogate and Knaresborough): We strongly support the foundation degree principle and its vocational basis. There is a niche in the market for such a degree. However, there is an inconsistency in the Government's thinking, in that the funding will be provided by the Higher Education Funding Council rather than the Learning and Skills Council. Is it not a slight on our further education colleges that they cannot bid directly to run foundation degrees, which would form part of their core market? The ability to bid directly would be preferable to depending on crumbs from the rich man's table to deliver the programmes. When the Minister and the Secretary of State attend the festival in Birmingham today, will they review the position and try to ensure that there is a seamless progression between further education and higher education, to avoid creating needless barriers?

Mr. Wicks: As the hon. Gentleman knows, many further education institutions provide higher education through partnerships with universities. We expect them to play a role in future. The hon. Gentleman also knows that we are keen to establish close links between the university sector nationally and the new Learning and Skills Council. We shall do that. Even more importantly, we need to build on relationships between universities and the wider community. That means close links with local learning and skills councils.

Specialist Schools

5. **Mrs. Betty Williams** (Conwy): What plans the Government have to extend the specialist schools programme. [127924]

The Secretary of State for Education and Employment (Mr. David Blunkett): With the additional 55 specialist schools that were announced on 20 June, there will be a total of 534 such schools by September. That compares with the 181 specialist schools that we inherited in 1997. We have, of course, altered the funding to ensure collaboration with the cluster of schools in the area, and developed the programme so that it reaches out into the local community.

Mrs. Williams: I thank my right hon. Friend for that answer. In view of proposals that the Conservative party recently announced, will my right hon. Friend tell the House whether he believes that it is sensible or indeed possible to expand specialist schools without granting them targeted extra resources?

Mr. Blunkett: Specialist schools have specific additional resources to share with neighbouring schools and to develop the core specialism on which their designation is based. If Conservative party proposals were adopted—bearing in mind that half the resources they mentioned involved double counting—and we did away with the standards fund and specific resources, we would not be able to fund and match-fund the specialist school programme. As with much else that was announced on Tuesday, Conservative policy would unravel a programme that has been highly successful in raising the standard and quality of education in schools, and in contributing to the education programme in their communities.

Mr. Patrick McLoughlin (West Derbyshire): The Secretary of State talks about opportunity for all; what has he to say to people who do not live in an area that has a specialist school?

Mr. Blunkett: I say that, with collaboration, including the use of information and communication technology, we are now able—and when we reach our target of 800 specialist schools in the next three years, will be even better able—to ensure that those schools reach out and provide the additional specialism in the locality where it is needed. For example, we are developing the sports college programme. Sports co-ordinators, who will work with primary and secondary schools in an area, will be attached to it to provide not only a targeted specialism, but the ability to draw in the wider community of schools and the neighbourhood, thus enabling them to develop and enjoy expertise.

Charlotte Atkins (Staffordshire, Moorlands): Is my right hon. Friend aware of the considerable success of Clough Hall technology school, which he visited some years ago, in my constituency? It has been successful not only in exam results but in other ways. I welcome the different approach to specialist schools that the Government have adopted. It means that each school has to share its resources with the community and with other schools. That contrasts with the previous Government's approach, which meant that every specialist school could take all the resources for itself, without sharing them with the community. The new approach has meant that Clough Hall shares resources with Maryhill high school, with the community, and with after-school clubs.

Will my right hon. Friend consider joint approaches by individual schools in regard to the according of specialist status? This sharing approach—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Lady is supposed to be asking a question, not making a speech.

Mr. Blunkett: We are happy to consider joint approaches. In fact, we have already done so, and were pleased to announce not only the joining of schools that have faced particular challenges, but the joining of schools with different emphases. There is, for instance, an interesting joint proposal for specialist status from a grammar school and a secondary modern, which will unite their endeavours to raise standards rather than divide both schools and pupils.

Mrs. Theresa May (Maidenhead): Yet again, the Government are changing their line on free schools. We have had spin line number five, six or seven from the Secretary of State today. The only double counting on education funding comes from this Government, who claimed that there was an extra £19 billion for schools when there was less than £6 billion.

Does the Secretary of State accept that last year the average percentage of pupils gaining five or more GCSE grades between A and C in specialist schools improved by two thirds as much again as in other schools? Does he also accept that, of the top 100 schools in terms of GCSE results, nearly half were former grant-maintained schools and about a quarter more were church schools?

Mr. Blunkett: Of course I accept the statistics about specialist schools. With the London school of economics and Leeds university, we sponsored the research that the hon. Lady has used. We are pleased about what has happened, because we have emphasised the need to build the confidence of teachers, and that of schools generally, in their ability to concentrate on and subsequently develop from a specialism. That is why we are dramatically increasing the number of specialist schools.

Let me say how pleased I am that the hon. Lady has made it here this morning. Given the bruising that she got on Tuesday's "Newsnight", and the complaint submitted by her party to the BBC that she cannot really take it, I feared that she would not turn up.

Mrs. May: The real problem is that this Government cannot take the truth of what they are doing in education. Specialisation—a separate ethos, and freedom for schools—has been shown to raise standards to the benefit of children. Today, we see the head of a rural primary school taking a £10,000 pay cut to become a lorry driver, because he is fed up with the mountain of bureaucracy. Should not the lorry be taking away the paperwork, not the head teacher? Is it not time that the Government got off the back of schools, trusted teachers and parents, and set schools free to raise standards?

Mr. Blunkett: Under the proposals announced by the Leader of the Opposition on Tuesday, all head teachers would have to become drivers, because under those proposals the transport provided by their authorities would be withdrawn.

Literacy and Numeracy

6. **Mr. David Watts** (St. Helens, North): What steps the Government have taken to improve standards of literacy and numeracy in schools. [127925]

The Parliamentary Under-Secretary of State for Education and Employment (Jacqui Smith): The national literacy and numeracy strategies, supported this year by funding of £200 million, have transformed the quality of teaching, and raised standards in primary schools. In the 1999 key stage 2 tests, the number of 11-year-olds achieving the expected level for their age increased by six percentage points for English, and by 10 percentage points for mathematics.

Mr. Watts: The Government's initiative in St. Helens is improving the level of attainment of most children, and is very welcome. What does my hon. Friend think would happen if we implemented the Tories' proposals, and sacked all those involved in that important initiative?

Jacqui Smith: I, too, congratulate both the teachers and the support staff who have been involved in the raising of standards in St. Helens.

My hon. Friend has raised an important point. Much of the success of the national literacy and numeracy strategies has been due to local support from experts in training, and teachers who have been able to promote the better teaching of reading, writing and mathematics. They have been funded through the standards fund, which was described by the Leader of the Opposition as "a gimmicky grant." I do not think that those children or the parents who are benefiting from the higher standards in our schools think that it is gimmicky to support local education authorities and schools to teach our children to read, to write and to add up better than they did under the previous Government.

Mr. George Stevenson (Stoke-on-Trent, South): Will my hon. Friend join me in congratulating the head, the staff, the pupils and the parents at Western Coyney infants school in my constituency, which has just been awarded beacon status? They have an excellent record on literacy and numeracy. Is not that award even more commendable owing to the fact that the school does not select its pupils and is in the middle of one of the most socially and economically deprived areas in my constituency? Does it not show the success and determination of the Government in raising standards?

Jacqui Smith: I certainly join my hon. Friend in congratulating the teachers, the children and the governors at that school, because it is clear that the standards that we are seeing in literacy and numeracy have been achieved because of the commitment and enthusiasm of teachers and of those who support them in LEAs, and by the Government's commitment to ensuring that we raise standards. The work has been done at school level and many congratulations are due to those who have done it.

Computers for Teachers

7. **Mr. David Amess** (Southend, West): What recent representations he has received about computers for teachers. [127926]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Michael Wills): We have received a significant number of representations about late payment of claims and many thank-yous for the scheme, the first ever to give teachers real help to buy a computer for their own use. However, all delays are a matter of regret. As soon as I became aware that delays were taking place, we took urgent action to remove them. More than 90 per cent. of eligible claims have now been paid. The remainder will be paid in the next few days, subject only to their eligibility.

Mr. Amess: Will the Minister now admit that the computers for schools scheme has been incompetently managed? Will he explain to my constituent, Mrs. Day, who is one of the 10 per cent. of teachers who took up the scheme, how £15 can adequately compensate her for her wait, which was five months, and for the money that she had to borrow to pay her child's university tuition fees? How much has the scheme cost? How many £15 compensation payments will he make? Will he reassure the House that the new assessment scheme, which has been taken up by 80 per cent. of teachers, will not be incompetently managed?

Mr. Wills: I can assure the hon. Gentleman on all those points. May I go through them one by one? If he had read his correspondence, he would have the answers to most of his questions already. As he well knows, as soon as the matter was brought to my personal attention, I acted on behalf of his constituents. If he goes back to the correspondence and reads it, he will receive the answers to a lot of his questions.

I repeat our regret that there have been delays, but we have got a grip on the problem—there are no further delays. In answer to the hon. Gentleman's question about the number of payments, we are not yet in a position to tell him that. *[Interruption.]* The reason why we are not yet in a position to answer that question is simply that the priority, as I am sure he will agree, is to get the small minority of remaining claims paid.

I ask Conservative Members to bear one thing in mind: it is the first ever such scheme. If I were a teacher, I would far rather wait a few weeks to get £500 from a Labour Government than 18 years to get absolutely nothing from a Tory Government.

New Deal (Over-50s)

8. **Ms Hazel Blears** (Salford): What assessment he has made of the effectiveness of new deal pilot schemes for people aged over 50 years. [127927]

The Parliamentary Under-Secretary of State for Education and Employment (Ms Margaret Hodge): New deal 50-plus was widely welcomed in the nine pilot areas. A total of 1,050 people were helped into work through the package of support that it offered. More detailed evaluation findings will be published from later this month. As my hon. Friend knows, the Prime Minister launched the programme nationally in April.

Ms Blears: I thank my hon. Friend for that reply. Is she aware that, in the Manchester and Salford city pride new deal area, we have got more than 200 people into work in the past six months? They include Mary, who had not worked for 13 years, who got a job as a sales assistant at Boots the Chemists, and whose life has changed dramatically—she has made new friends and is earning a decent income for the first time in years; and George, who is now a manager on £30,000 a year in Manchester through the new deal programme. Those opportunities would be destroyed by the Conservative party.

We must be aware, however, that many people over 50 need extra help to get into work. Will the Government ensure that the extra support for young people to prepare them for work will also be available to people over 50 who want the chance of a fresh start and hope for the future with the Labour Government?

Ms Hodge: The answer to the second part of my hon. Friend's question is a simple yes, we are aware of the additional requirements. The answer to the first part of the question is that I congratulate those of her constituents who have successfully found work. Since the scheme went national, every week so far, 600 people over 50 on voluntary schemes have been helped into work by the new deal 50-plus.

Mr. Desmond Swayne (New Forest, West): Given that there are just short of 3 million people over 50 but under retirement age who are not working, half of whom have not worked for five years, why have the Government skewed their policy frivolously to waste resources on the new deal to so little effect, while that cohort have been denied the resources that they require?

Ms Hodge: It is an outrage for a Conservative Member to dare to stand in the Chamber and talk about the number of over-50s out of work. In the 20 years before we came into government, the number of over-50s in work decreased from 84 per cent, in about 1979, to 66 per cent. when we came into office. That was the legacy that we inherited. The sums that we are spending on adults in the new deal overall are similar to those that we are spending on young people. We do not want to consign anyone to the dustbin of unemployment.

Small Schools

9. **Mr. Michael Clapham** (Barnsley, West and Penistone): If he will make a statement on the small schools support fund. [127928]

The Parliamentary Under-Secretary of State for Education and Employment (Ms Margaret Hodge): We are spending £40 million on the small schools support fund from September 2000 to 31 March 2001. We want to encourage schools to pilot new ways of working with others. I hope that the pilots will benefit schools in two ways: first, to help them to identify more efficient and cost-effective ways of working, through sharing and collaborating with others; and secondly, to raise their standards even further.

Mr. Clapham: I thank my hon. Friend for that answer. She will be aware that between 1993 and 1997, during the Tory Administration, 450 schools closed. In my constituency, that affected the four villages of Hood Green, Hazel Head, Crane Moor and Crow Edge. Can she say how the new support system for small schools will halt the Tory trend of closing rural schools, and what types of benefits that support will bring back to the rural community?

Ms Hodge: This Government have reduced the closure rate for rural schools from 30 to four each year. We have done that by investing in and deliberately supporting rural schools in their efforts to stay open. In my hon. Friend's local education authority, if not in his constituency, 37 nursery, primary, special and secondary schools and referral units will be supported by the small schools budget. It is up to them to find the most appropriate way of maintaining themselves, whether that is through information technology, additional staff development or the sharing of facilities.

Access to Higher Education

10. **Helen Jones** (Warrington, North): What steps he is taking to improve access to higher education for students from lower socio-economic groups; and if he will make a statement. [127929]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Malcolm Wicks): Our concern is clear: all those who have ability should have access to universities, including the top ones. We are tackling that in a number of ways. Through the Higher Education Funding Council, for example, we are providing £24 million in respect of students from disadvantaged backgrounds, which recognises the extra work in recruiting and retaining students from that group. The Higher Education Funding Council will be developing that work.

Helen Jones: I am grateful to my hon. Friend for that reply. Does he agree that as almost 66 per cent. of students who achieve three grade As at A-level come from schools in the state sector, it is time that some of our leading universities looked seriously at the way in which they set out to attract those youngsters, and at their admissions procedures, to ensure that they are fair and really based on merit, rather than on the schools that people went to. Does he agree that it is scandalous for the Opposition to defend the privileges of the few rather than ensuring that all our youngsters have a proper chance to develop their full potential?

Mr. Wicks: We should certainly acknowledge the fact that many comprehensive schools now enable very bright youngsters to get first-class A-level results, and we should pay tribute to the comprehensive system. We are now working with universities, including Oxford university, through summer schools and the rest, to ensure that children from disadvantaged backgrounds have access to university. As for the Opposition, by their interests they shall be judged. Today they have spoken about selection, grammar schools and elitism. Our interests are rather different. We are concerned with all children, all schools and fair access to universities.

Mr. Nick St. Aubyn (Guildford): It was the Chancellor of the Exchequer who spoke about elitism in universities. That was his obsession and no one else's. What has the Minister to say about the evidence that the vice-chancellor of Oxford university gave the Select Committee on Education and Employment yesterday, when he said that the Chancellor's attack was ill informed and might have damaged Oxford's efforts to attract the greatest possible number of the brightest and best, wherever they come from?

Mr. Wicks: Oxford university's own working paper on the subject many months ago recognised the problem that, for different reasons, many able boys and girls from state schools, who have good A-levels, are not getting into our top universities. Now, instead of just having a row about it, we must move on to remedy the situation, and that is what we are doing. I predict that in future more able boys and girls from state schools will go to our top universities. That will be the test, and I am confident that we will succeed.

Valerie Davey (Bristol, West): Does my hon. Friend agree that the Chancellor's introduction of education maintenance allowances for 16 to 18-year-olds will probably be the best legacy of this Government's first term, as it will enable more young people from lower socio-economic groups to get into university? Will the Department encourage the Treasury to extend that scheme universally?

Mr. Wicks: Yes. We thank the Chancellor for many things, not least for funding the education maintenance allowance schemes. The schemes are already successful and more people from disadvantaged backgrounds are staying on in further education after the age of 16. That will help us to ensure that those bright boys and girls have a fair chance of getting into university. We are motivated by the values of equality; the lot opposite are more concerned about elitism.

Dr. Evan Harris (Oxford, West and Abingdon): Is the Minister aware of evidence given to the Select Committee by the Universities and Colleges Admission Service, the Higher Education Funding Council, the Sutton trust, the Independent Schools Association and universities, suggesting that a barrier that prevents people from less well represented areas and poorer backgrounds from applying to universities is fear of debt? Can he explain to the House how the removal of maintenance grants from the poorest students helps them to access higher education? Is not the student support scheme that he introduced making students from poorer backgrounds still poorer, and will that not be the legacy of this Government that people remember?

Mr. Wicks: I think that the answer to that long question is no. We are introducing opportunity bursaries so that students from poor backgrounds have an opportunity to go to university; 40 per cent. of university students do not pay tuition fees, and the number will increase. The student finance system is fair. We are increasing the number of our young people who go to university, while maintaining quality. Under the previous Administration, unit funding per student declined. We will not tolerate that. We are maintaining quality as well as quantity. There was a time when the Liberal party attacked elitism rather than defending it.

Plessington Catholic High School

11. **Mr. Ben Chapman** (Wirral, South): If he will make a statement on the community learning centre being established at Plessington catholic high school technology college. [127930]

The Parliamentary Under-Secretary of State for Education and Employment (Jacqui Smith): Plessington Catholic high school will become a beacon school in September 2000. It has submitted an expression of interest under the Government's ICT learning centres initiative. The Government office for the north west will work with the school and give it a preliminary assessment by the end of July, so that it can work up a full application by 6 October 2000.

Mr. Chapman: Does my hon. Friend agree that schools such as Plessington have high standards in information technology and communication skills, which can help materially in raising standards? Will she join me in congratulating Plessington on the work it is doing in the context of the community learning sector, in partnership with business, to make those skills and technologies available to people who would not previously have had access to them?

Jacqui Smith: Yes; I am especially pleased that Plessington school will benefit from the beacon schools initiative, which will give it some £32,000 a year on average to share its expertise, which lies especially in using information and communication technology to improve learning, and will also give it the opportunity—as my hon. Friend points out—to work imaginatively with local businesses to ensure that they can deliver locally the national objective of sharing good practice between schools and opening up opportunities in our communities through the use of information and communication technology, for the widest possible learning to take place.

Class Sizes

12. **Mr. James Gray** (North Wiltshire): If he will make a statement on the average size of secondary school classes. [127931]

The Parliamentary Under-Secretary of State for Education and Employment (Jacqui Smith): The average size of classes in secondary schools is 22.0—[Hon. Members: "That is 22."]—about five lower than in primary schools. If head teachers spent the extra funding that they received in the Budget on teachers, the pupil-teacher ratio could be reduced by 0.4. In addition, since January 1998 we have already reduced by 300,000 the number of children in infant classes of more than 30 pupils.

Mr. Gray: Will the Minister join me in congratulating the excellent Wootton Bassett comprehensive school in my constituency, which came top of the A-level league tables last year, and is just about to start a new PFI scheme for a new school, brought in by the Conservative-controlled Wiltshire county council? Will she also admit to an error in her answer? The average class size today is 22.02, not 22.0, as she said. The figure of 22.0 applied last year. Will she agree that that compares disgracefully with the 21.66 average class size when the Government came to power? They committed themselves to reducing the average class size, but it has gone up, which is making it more difficult for ordinary comprehensive schools across England to compete with Wootton Bassett.

Jacqui Smith: I am always willing to congratulate schools on achieving high standards, and I am willing to do so today—but the hon. Gentleman is wrong. Average class sizes have fallen and primary class sizes have fallen, but there has been a 0.1 per cent. increase in secondary class sizes in the past year. That is a trend that has been going on since 1988. As I have already pointed out, we are delivering on our pledge, which was to reduce class sizes for five, six and seven-year-olds—a pledge that means 12,000 additional places in popular schools and £5.8 million for Wiltshire to support that initiative. We said that we would do that, and we are delivering.

Of course, the situation in secondary schools is slightly different. Head teachers should be allowed to use the extra money that we are putting into secondary schools and decide how they organise their classes. I am sure that if he visits secondary and primary schools, the hon. Gentleman understands that. We pledged to reduce primary class sizes and we are doing that—and we are reducing class sizes overall as well.

Mr. James Clappison (Hertsmere): Would not the class size pledge have been seen in a different light in 1997 if it had been known that while some class sizes would go down, others would go up? Is not the plain fact—irrespective of the Minister's selective use of statistics—that class sizes today are higher for seven to 11-year-olds, and for secondary schoolchildren, than they were in 1997? If we include all schools, as we were invited to do by the Under-Secretary of State, the hon. Member for Croydon, North (Mr. Wicks), the pupil-teacher ratio is the same as it was in 1997. In three years the Government have delivered nothing. We have had three years of all spin and no substance. If we look at the whole picture, we see that the Government have failed to deliver.

Jacqui Smith: The hon. Gentleman is wrong. In the past year, average class sizes have fallen for key stages 1 and 2, in primary schools, and overall. We have to judge the matter in the light of the Leader of the Opposition's pledge to do away with other "gimmicky" money—the money that we are putting in to reduce class sizes for children aged five, six and seven. We said at the election that we would do that, and we are delivering on that pledge. The Tories would take that money away if they ever got into power.

New Deal

13. **Mr. Graham Brady** (Altrincham and Sale, West): What assessment he has made of the effectiveness of the new deal programme. [127932]

The Minister for Employment, Welfare to Work and Equal Opportunities (Ms Tessa Jowell): The new deal is one of the most comprehensively evaluated programmes ever. We have used the evidence to help us develop our strategy for continuously improving the new deal, and to build on its success still further. I announced further measures to achieve that earlier this week.

Mr. Brady: I thank the Minister for her reply, light on detail though it was. She will recall that she told the Select Committee on Education and Employment on 17 May that the new deal for young people had so far cost the taxpayer £611 million. She said that that equated to a cost of just under £4,000 per job created. Will she confirm that she arrived at that figure only by including some jobs that lasted for less than a day, and others that lasted for less than 13 weeks? Did she not also include jobs that are subsidised, and choose to disregard the Government's own estimate that 60 per cent. of people going into jobs through the new deal would have got those jobs in any case?

Taking all those matters into account, will she confirm that the true figure is closer to £11,000 per sustained, unsubsidised job? Will she at least accept that the true cost is much higher than £4,000 per job, if the 60 per cent. dead weight is taken into account?

Ms Jowell: I would like to offer the hon. Gentleman one of the numeracy classes that we announced this week would be available for young people entering the new deal. The Tories seem to have taken an incomplete lesson from Mark Twain, who said:

> Get your facts first, and then you can distort them as you please.

What are the facts about the new deal? It is a fact that by any measure, unemployment has fallen among young people and older people, with the greatest fall among the new deal client group. It is a fact that the independent National Institute of Economic and Social Research showed that the new deal has had a significant and positive impact on youth unemployment, and is close to being self-financing. It is a fact that the new deal would not exist under a Tory Government. The Tories do not want a better new deal—they want no new deal for young people.

Literacy Tests

14. **Fiona Mactaggart** (Slough): If he will make a statement on progress towards his target of 80 per cent. of pupils achieving level 4 in literacy tests at key stage 2. [127933]

The Secretary of State for Education and Employment (Mr. David Blunkett): We inherited a situation in which 56 per cent. of 11-year-olds had reached the acceptable level of ability at reading and writing. Last year, we achieved 71 per cent. of children reaching level 4 at that age. We were very pleased to find an even bigger increase in the reading skills of youngsters of that age.

We face a problem with writing skills, which I highlighted when the statistics were announced last September. We have set about that problem this year, and have recruited the help of a range of outside organisations and individuals—including the poet laureate—to inspire and encourage young people to learn to write more effectively.

Fiona Mactaggart: I thank my right hon. Friend for that reply, and invite him to join me in congratulating the pupils and teachers of Slough. Just after I was elected, only 58 per cent. of children there were reaching level 4 and above at key stage 2, but last year the proportion had risen to 68 per cent. I am confident that the figure will continue to improve in the coming year.

My right hon. Friend identified the teaching of writing, which has also been identified in a recent Ofsted report. It is clear that our focus on reading, given the national year of reading and the energy put into reading in the literacy hour, has delivered results, and we must focus on improving the teaching of writing. The Leader of the Opposition announced plans to cut—among all the other cuts—the number of those who are responsible for training primary teachers to deliver the teaching of writing and the literacy hour. If such a policy were implemented, could the ambitious plans to improve the quality of the teaching of writing in primary schools be delivered? If we got rid of those trainers, would we be able to reach the target—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Lady is making a speech. We have heard the question.

Mr. Blunkett: I congratulate the heads and teachers working so hard with pupils in Slough, and hope that we see substantial further improvement in the youngsters' results from the end of May. This year, through the standards fund, we are putting £200 million into the literacy and numeracy programmes. That involves the employment of 300 co-ordinators throughout the country, working with schools on the programme and reinforcing the use of phonics, grammar and spelling. If those resources, those co-ordinators and that work with the schools were to be withdrawn, the Conservatives would take us back to the position we inherited in 1997. The previous Government evangelised and pleaded, but they did nothing to raise standards.

Mr. David Tredinnick (Bosworth): Will the Secretary of State admit that the rate of improvement has been no greater during the Government's term of office than it was under the previous Government? [HON. MEMBERS: "Not true."] By how much have literacy standards at key stage 3 improved over the past two years, and by how much did they improve in the previous two years?

Mr. Blunkett: I have just spelled out that there was a 15-point improvement in literacy, from 56 to 71 per cent. I do not recall the exact figures for the years between 1994 and 1997, but there certainly was not an improvement from 41 to 56 per cent. If there had been, we would have adopted the policy that Opposition Members were then following—which was to do sod all. [HON. MEMBERS: "Oh!"]

Mr. Deputy Speaker: Order. I hope that the right hon. Gentleman will—

Mr. Blunkett: I immediately apologise. That was entirely unparliamentary language, and I have corrected myself.

Mr. Deputy Speaker: Order. I am grateful to the Secretary of State that, on prompting, he corrected himself.

Internet

15. **Mr. Paul Flynn** (Newport, West): What measures he is taking to increase knowledge of the internet among those in full-time education. [127934]

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Michael Wills): We have provided an improved and strengthened curriculum in information and communication technology, better advice to teachers—including a £230 million teacher training programme—and an unprecedented increase in equipment and resources to schools. The pupil-computer ratio in primary schools has reduced from 1:18 to 1:13, and internet access has improved dramatically—62 per cent. of primary schools are now connected to the internet, compared with only one in six in 1997.

Mr. Flynn: Is the internet not a wonderful new resource for those in full-time education, enabling them to research their work in greater depth and breadth than was possible using traditional means? Is it not also a marvellous new way in which those in education can publish their own creative work to a huge audience? Would it not give a marvellous impetus if the Government added to the great work that they have done in that area by holding a competition to encourage schools that produce excellent work, and publishing that work on the Department's website?

Mr. Wills: I thank my hon. Friend. I agree that these technologies provide unprecedented opportunities for children to improve their education. We are already seeing evidence that they are driving up standards. I welcome my hon. Friend's suggestion, which will form part of our continuing review aimed at improving the national grid for learning.

Dr. Julian Lewis (New Forest, East): Does the Minister accept that the delivery of education via the internet is subject to the same restrictions as other forms of education so far as partisan propaganda is concerned? In particular, does he realise that the Education Act 1986, which said that politically controversial subjects must be treated even-handedly, is being blatantly disregarded by the No. 10 website? I have in my hand an internet printout of an interview in which the Minister for Europe answers questions from schoolchildren on European unification. It is totally one-sided propaganda, with no indication of the arguments against the case.

Mr. Deputy Speaker: Order. Time is passing, and the hon. Gentleman must ask his question.

Mr. Wills: To be honest, Mr. Deputy Speaker, I was rather lost as the hon. Gentleman put out his own propaganda. He has fundamentally missed the point of new technologies. Use of the internet to deliver the curriculum fundamentally drives up standards. That is why we are investing so much money in it. It is a shame that the hon. Gentleman does not recognise the opportunities that it offers.

Business of the House

12.30 pm

Sir George Young (North-West Hampshire): May I ask the Leader of the House to give us the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): The business for next week will be as follows:

MONDAY 10 JULY—Proceedings on the Consolidated Fund (Appropriation) Bill.

Consideration of Lords amendments to the Terrorism Bill.

The Chairman of Ways and Means is expected to name opposed private business for consideration at 7 o'clock.

TUESDAY 11 JULY—Consideration of a timetable motion relating to the Police (Northern Ireland) Bill.

Followed by remaining stages of the Police (Northern Ireland) Bill.

WEDNESDAY 12 JULY—Remaining stages of the Care Standards Bill *[Lords]*.

THURSDAY 13 JULY—Opposition Day [17th Allotted Day].

Until about 4 o'clock there will be a debate entitled "Government Neglect of the Crisis in Agriculture".

Followed by a debate entitled "The Relationship between Parliament and the Executive". Both debates will arise on Opposition motions.

FRIDAY 14 JULY—Subject to further discussions through the usual channels, the House may sit to consider Government legislation.

The provisional business for the following week will be:

MONDAY 17 JULY—Consideration of Lords Amendments to the Utilities Bill.

Consideration of Lords Amendments to the Postal Services Bill.

TUESDAY 18 JULY—Progress on remaining stages of the Finance Bill.

WEDNESDAY 19 JULY—Conclusion of remaining stages of the Finance Bill.

THURSDAY 20 JULY—Consideration of Lords Amendments which may be received to the Government Resources and Accounts Bill.

FRIDAY 21 JULY—Private Members' Bills.

The House may also be asked to consider any Lords messages which may be received.

The House will also wish to know that on Wednesday 12 July there will be a debate on European Document No: 8795/00 and COM(00)268, relating to financial assistance to the Western Balkans and an unnumbered explanatory memorandum relating to the preliminary draft budget of the European Communities for 2001 in European Standing Committee B.

Details of the relevant documents will be given in the *Official Report*.

[Wednesday 12 July 2000:

European Standing Committee B—Relevant European Union Documents: (a) 8795/00;(b) COM(00)268, Financial assistance to the Western Balkans and revision of the financial perspective. (c) Unnumbered EM submitted by HMT dated 27 June 2000, Preliminary Draft Budget 2001. Relevant European Scrutiny Committee Report: HC 23-xxiii (1999-2000).]

Sir George Young: The House is grateful for next week's business and for that indication of the following week's business.

In view of the worrying position in Northern Ireland now that troops are back on the streets, may we have an undertaking that the House will be kept informed of developments there?

The House is still owed a debate on procurement for the armed forces, which is made more urgent by today's National Audit Office report of an average four-year delay on major weapons and a £3 billion overspend. With our armed forces being asked to do more for less, that debate is urgent.

Will the Chancellor of the Exchequer make an announcement on the comprehensive spending review during the next two weeks? If so, when? The statement is as important as the Budget, and the House would welcome details of the date and confirmation that there will be a full day's debate in Government time before we rise for the summer.

Will the Leader of the House clarify the position for Friday next week? Does it require a resolution of the House if we are to sit on that day? If so, when will that resolution be taken? If the day is earmarked for the football hooligans Bill, when will the draft Bill be published? Do the Government intend to take all stages of the Bill in one day, in normal time and with a guillotine? We should certainly resist that. In view of the importance of the Bill, which we support in principle, and given the congestion in the Government's programme, would it not be better to sit beyond the planned date of rising or abandon some other piece of legislation?

Finally, can we have an early debate on the damaging proposals of the Select Committee on the Modernisation of the House of Commons, which risk further undermining and bypassing the House of Commons?

Mrs. Beckett: I undertake to draw the right hon. Gentleman's remarks to the attention of my right hon. Friend the Secretary of State for Northern Ireland. The Government endeavour to keep the House informed on such matters; I know that my right hon. Friend will want to do so, should that become necessary.

The right hon. Gentleman will know that we have accepted the fact that there will need to be a debate on defence procurement. I am not sure whether the NAO report makes that more urgent, as—if I recall the matter correctly—the NAO was looking back at the disasters in the procurement of defence equipment under the previous Government. That does not exactly suggest that dealing with the report is urgent, although I accept that it is important and will require scrutiny in the House.

I anticipate that there will be an announcement on the spending review before the recess, although I am not yet able to give the right hon. Gentleman a firm date; we shall do so as soon as possible.

The right hon. Gentleman is right to point out that a resolution would be needed, were the House to choose to sit on Friday 14 July. That would, of course, be a decision for the House. He is also right to identify the fact that the possibility of such a sitting has been raised because of a possible Bill on football hooliganism. I understand that it is hoped to publish a draft Bill, or to have one available soon—perhaps tomorrow, but certainly in the quite near future. He will know that my right hon. Friend the Home Secretary has already indicated to the House that he wants to hold the widest consultation on any proposals.

As to the notion that this matter shows, in some way, confusion in the Government's programme—

Mr. Douglas Hogg (Sleaford and North Hykeham): All stages?

Mrs. Beckett: That will be a matter for discussion.

As for the Government's programme, I have repeatedly reminded the right hon. Member for North-West Hampshire (Sir G. Young) that the number of Bills in train during this Session is almost identical to the number put through by the Conservative Government, in which he served, at a similar stage of the previous Session. Indeed, as one looks back over the years of Conservative Governments—especially during the 1980s—the programmes of legislation that they put through were substantially heavier than that currently being undertaken by the Labour Government.

The notion that the Government should abandon some other piece of legislation casts into sharp focus the progress of the present discussions with the Opposition on such issues. The shadow Home Secretary—not for the first time—comes to the Dispatch Box demanding that action be taken and offering Opposition co-operation, but follows that with constant back-pedalling after the discovery that they cannot deliver. That seems to be the position on the issue—it is one that we have been in on several occasions in the past. The fact that opposition commitments are given that the right hon. Lady apparently cannot substantiate is a matter for them; it certainly does not provide grounds for the Government to start ditching parts of their programme.

With regard to the proposals made by the Modernisation Committee, I cannot refute strongly enough the notion that they would in any way damage or undermine the ability of the House to scrutinise Government business. The proposals will provide a basis whereby there can be a reasonable—indeed, better—division of responsibility between Government and Opposition, because the Opposition would have more control over how the available time would be used. There is no suggestion that the time need be reduced. The proposals provide a framework in which decisions could be taken at a sensible time, and not at 3 o'clock in the morning.

Mr. Hilary Benn (Leeds, Central): As my right hon. Friend may be aware, earlier this week, a British citizen, Mr. David Chell, was sentenced to death in Malaysia on charges of drugs smuggling, which he denies. Given the Government's principled opposition to the use of the death penalty in all circumstances, could my right hon. Friend find time for a statement on the steps that the Government are taking to offer Mr. Chell support to save his life?

Mrs. Beckett: I understand the concern expressed by my hon. Friend. I fear that I cannot undertake to find time for a statement on the case in the near future, although I shall certainly draw it to the attention of my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs. Foreign Office questions will be held during the week after next, by which time the position may be a little clearer. In the interim, my hon. Friend might try to raise the matter in Westminster Hall.

Mr. Paul Tyler (North Cornwall): Does the Leader of the House recognise that the proposed football hooliganism legislation raises serious issues, and will require careful examination. Members on both sides of the House have already said that we do not want to follow the pattern of the Dangerous Dogs Act 1989 and have the dangerous yobs Act passed at such speed that we do not take all the considerations fully into account. Will the right hon. Lady give us a clear assurance that it is the Government's intention to try to obtain an agreed programme motion for the discussion of this legislation?

In that connection, may I warmly welcome the report of the Modernisation Committee and ask the Leader of the House to give appropriate credit to some of the authors of the ideas that it contains? Does she recall that it was the right hon. Member for East Devon (Sir P. Emery) who, in his capacity as Chairman of the Procedure Committee, was the pioneer of the ideas that are contained in that report?

I wonder whether the Leader of the House has also had an opportunity to read a slim little pamphlet, called "Mr. Blair's Poodle", by the hon. Member for Chichester (Mr. Tyrie), in which he promotes the very ideas for programming motions in the House to which the Modernisation Committee has now given the force of its own recommendations? Does she accept that, at long last, many members of the Conservative party recognise that the proper role of Opposition is to give effective scrutiny to the Government's legislation, rather than simply to waste time in the middle of the night?

Mrs. Beckett: I cannot recall whether the hon. Gentleman was able to be in his place for the Home Secretary's statement, but I am sure that he knows that the Home Secretary did make it plain that he understood fully and shared the view that any proposals that came forward would require to be most carefully examined. I assure the hon. Gentleman that the Government recognise that.

The hon. Gentleman asked me for an assurance that the Government would seek an agreed programme motion, and I can give him that assurance. We are seeking agreement; indeed, I would go further and say that the Government are seeking, if at all possible, to get an agreed Bill. If it is not possible to get such agreement, obviously that will call into question to what degree and at what pace such proposals can be proceeded with.

The hon. Gentleman then asked me about the issues that are raised in the Modernisation Committee report. I share his view that it is right and proper that the right hon. Member for East Devon (Sir P. Emery) should receive credit for the proposals that he has advocated over many years of a long career in the House, and that the right hon. Gentleman has argued that we should take those steps.

I am afraid that I have not as yet had time to peruse the interesting pamphlet produced by the hon. Member for Chichester (Mr. Tyrie), who, as I understand it, speaks for

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the Conservative party from the Front Bench on constitutional matters. My hon. Friend the Parliamentary Secretary has read it, and tells me that it is much to be recommended. I look forward to reading it.

Mr. Peter L. Pike (Burnley): Disregarding for a moment the sad fact that, yesterday, the Tory dinosaurs on the Modernisation Committee rejected modernisation and attempts to improve the way in which we scrutinise legislation, does not the statement that my right hon. Friend has just made with regard to the business of the House for the next fortnight highlight the fact that we really should make more use of an earlier report of the Modernisation Committee with regard to carry-over legislation? Is it not time that we moved forward to a five-year Parliament which the people elect with a rolling programme of legislation, without the need for an annual Queen's Speech and state opening of Parliament, and time that Bills should be limited and have to complete all their stages within one year of their introduction?

Mrs. Beckett: I share my hon. Friend's regret that, for the first time, it was not possible to reach more of a measure of agreement on the Modernisation Committee, but that is behind us. I am conscious, too, that it was he who, in that Committee, proposed the measures for greater use of carry-over legislation from one Session into another—of course, only by agreement—that were agreed by the Modernisation Committee in an earlier report.

The issue of a five-year rolling programme, which my hon. Friend has raised today, is a further step in that direction. It has often been considered, and may well be explored again in future, not only in this forum but among the many other bodies that from time to time consider how this place works. I am also mindful of the fact that my hon. Friend, very sensibly, has also suggested that, were Parliament to move to a wider programme, there would need to be other mechanisms to ensure that legislation did not simply drag on, as a discipline both for the House and for the Government.

Mr. Tony Baldry (Banbury): The Leader of the House may know that the people of Banbury have been sending a Member to this place since the reign of Mary Tudor, and that—with the exception, I suppose, of the dark days of Charles I—never have a Government treated the House with such contempt.

We have Ministers who make statements to the media rather than to the House. The Chancellor of the Exchequer never even came to the House to announce that he was handing over to the Bank of England control of interest rates; that was something that the House learned from the media. We have a Prime Minister who has changed Prime Minister's questions from twice a week to once a week, and rarely attends the House. Now, for the Prime Minister's convenience, a book is to be placed in the Division Lobby, so that those who are too idle actually to attend the House may sign in on a Wednesday afternoon. It will be not a three-day week under this Government, but a one-day week, with the Executive treating the House and the people whom we represent with contempt.

Mrs. Beckett: I have seldom heard such nonsense, even from the hon. Gentleman. As to the suggestion that the Government in some way treat the House with contempt, may I remind him, as the statistics make quite clear, that the present Prime Minister attends Prime Minister's Question Time more frequently than did his predecessor, answers more questions and deals with more issues? Indeed, Ministers under this Government make more statements in the House than did our predecessors. Those are the facts. I know that they are loathed by the Conservative party, but they are facts.

The hon. Gentleman has perhaps slightly misunderstood our proposals. Even under this Government, it will not be possible to sign to register one's views in the Lobby without actually being present.

Ms Rosie Winterton (Doncaster, Central): Has my right hon. Friend received any indication from Home Office Ministers as to when draft legislation on the private security industry is to be produced and whether that draft legislation will include measures to curb the outrageous activities of cowboy wheel clampers, who cause havoc for motorists up and down the country?

Mrs. Beckett: I cannot give my hon. Friend an exact date for the publication of draft legislation. I am well aware that it is an issue on which she has long campaigned, and I share her view that such activities cause great annoyance to members of the public. I understand that it is hoped to publish a draft shortly, but I cannot give her a more precise date than that.

Sir Michael Spicer (West Worcestershire): Is the Leader of the House aware that a lobby is coming to Parliament this afternoon to protest against the Government's policy for the Defence Evaluation and Research Agency, particularly in the light of the report of the Select Committee on Defence on the subject and the effect that the policy will have on defence relations with America? Will she provide Government time soon to debate this important subject?

Mrs. Beckett: I fear that I cannot undertake to find Government time in the near future. The hon. Gentleman will know that, at this time of year, there is always considerable pressure on such time. I am conscious of the great interest that has been taken in the future of DERA, and the Select Committee on Defence has produced an interim report. I was not aware that a lobby was coming to Parliament, but I am sure that it will be received with great welcome by Members from both sides of the House.

Mr. David Winnick (Walsall, North): May I raise with my right hon. Friend a matter that I have mentioned to her on two previous occasions—compensation for former prisoners of war of the Japanese? Is it possible for her to consult her ministerial colleagues so that a decision—obviously, we all hope that it is a favourable one—can be made before we rise for the long summer recess at the end of July? There is overwhelming support for the view that these brave people should be compensated at long last, although that should have been done by the Japanese. I hope that my right hon. Friend will urgently examine the issue.

Mrs. Beckett: As my hon. Friend quite rightly said, he has raised the issue on a number of occasions. Indeed, he has campaigned long and hard on it and I know that that fact is widely recognised on both sides of the House. I fear that I cannot say to him with certainty that it is likely that an announcement will be made before the recess. He knows that the matter is receiving careful consideration, but I certainly undertake to draw his concerns and his pressure for an early announcement to my right hon. Friend the Secretary of State for Defence.

Mr. Peter Brooke (Cities of London and Westminster): May I join my right hon. Friend the Member for North-West Hampshire (Sir G. Young), the shadow Leader of the House, in seeking to dissuade the Leader of the House from any plan to have a guillotine next Friday, because it is coincidental with Bastille day—a day devoted to the release of prisoners? The coincidence might confuse both schoolchildren and criminologists.

Mrs. Beckett: I thought that the date was familiar.

Mr. Dale Campbell-Savours (Workington): Can we have a statement on Inland Revenue inquiries into the criminal actions of the imposter who secured from the Inland Revenue private information on the personal tax files of Lord Levy? In that statement, can we be assured that all the journalists from *The Sunday Times* who are connected with the story have been interviewed? Can we also be assured that the Conservative party has no connection in any way with those criminal actions?

Mrs. Beckett: I share my hon. Friend's view that no one should be amused at the notion that anyone's tax affairs can be revealed simply as the result of a telephone call. Our laws do not say that, and I would have hoped that it is not what anyone in the House would expect. It is particularly remarkable that the person who obtained that information managed to do so without noticing that Lord Levy had paid—

Mr. Campbell-Savours: Millions.

Mrs. Beckett: Well, not only millions in previous years, but, as I understand from today's report, some £25,000 in corporation tax in the year in question. Apparently, that was overlooked by the people who wrote the story to which my hon. Friend referred. I am afraid I have no knowledge of whether people at *The Sunday Times* are being interviewed about the matter, nor, indeed, whether they have any connection with the Conservative party. I would hope that it is a matter of regret to anyone in the House that people's private tax affairs were not kept private.

Mr. Roy Beggs (East Antrim): I draw the attention of the Leader of the House to early-day motion 850.

[*That this House welcomes the proposal announced in the Budget to lower VAT on women's sanitary products to 5 per cent. from 1st January 2001; agrees that women's sanitary products are not luxury consumer products; notes that continence products also classify as sanitary products and are not luxury consumer products; and calls on Her Majesty's Government to ensure that their definition of sanitary products will allow for the lowering of VAT to 5 per cent. on continence products, which are required, according to Government estimates in Good Practice in Continence Services, by up to 20 per cent. of the female population aged under 65 years, 40 per cent. of women aged over 65 years and between 7 to 10 per cent. of men aged over 65 years.*]

That early-day motion has now received the support of 113 Members, many of whom are Government Back Benchers. Does the Leader of the House agree that that level of support illustrates the concern of Members about the anomaly that will exist from January 2001, when VAT on sanitary products is reduced, rightly, to 5 per cent., while the VAT that consumers will pay on incontinence pads will stay at the standard rate? Will she ask her right hon. Friend the Chancellor to come to the House and make a statement explaining his reasoning on the matter, which, if implemented as planned, would adversely affect the quality of life of an estimated one in four women in the United Kingdom?

Mrs. Beckett: I shall draw the hon. Gentleman's remarks to the attention of my right hon. Friend the Chancellor. The hon. Gentleman will know that one reason why Chancellors in successive Governments tend to be reluctant to make such changes is that, having made a change in one area, they are pressed to make it in another. However, the hon. Gentleman makes a valid point and, as I said, I shall certainly draw it to the attention of my right hon. Friend.

Ms Julie Morgan (Cardiff, North): I, too, congratulate my right hon. Friend on the report of the Modernisation Committee, which she chairs. If adopted by the House, the report will finally end late-night sittings, which are not conducive to the making of good legislation. I urge my right hon. Friend to have a debate on the report as soon as possible, perhaps before the recess.

Mrs. Beckett: I fear that I cannot promise my hon. Friend a debate before the recess. Indeed, that would not be necessary because, as long as the House has an opportunity to consider the matter in this Session, it has an opportunity to make its own decision as a House about whether it wishes to pursue this experiment.

I am certainly grateful for my hon. Friend's remarks, and it is important that, as a House, we use the time available to us well and effectively. Of course, although we have made repeated efforts—indeed, my hon. Friend the Member for Bolsover (Mr. Skinner) has offered to conduct seminars to educate the Opposition on how to be a good Opposition—I am afraid that they are not listening yet.

Mr. Eric Forth (Bromley and Chislehurst): Can the Leader of the House arrange an urgent debate, preferably next week, on the thinking behind the Government's priorities in their legislative programme? It would appear that the Government are about to try to force on the House and the people of this country a Bill that threatens to take away some of our most ancient and precious civil liberties on the spuriously urgent grounds that the matter must be dealt with extremely quickly and without proper scrutiny or consideration.

That contrasts with the fact that, already in this Session, the Government have given great priority to Bills such as the Sea Fishing Grants (Charges) Bill, the Fur Farming (Prohibition) Bill, the Royal Parks (Trading) Bill and the Census (Amendment) Bill, to name but four. Does that not seem very odd? Before we are asked to sign away

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civil liberties on the basis of urgency, the House would appreciate knowing why the Government apparently gave greater priority to those other matters.

Mrs. Beckett: The right hon. Gentleman chides us for making it a legislative priority to bring forward proposals to deal with issues of hooliganism, particularly those associated with football. However, I remind him that, in theory at least, that is also the priority of his Front-Bench colleagues. They challenged the Government to introduce legislation on that point and, indeed, offered the support of the Conservative party. The right hon. Gentleman has just made it plain why their words on the matter are not worth much.

As to why the Government chose to give greater priority to the Bills that the right hon. Gentleman mentioned, I recognise that they are matters with which he apparently has some quarrel, but he should know that, in fishing communities, the need to tackle the problems that had arisen with the sea fishing grants regime was of considerable importance. That may not matter much in Bromley, but there are many parts of the UK where it matters very much indeed. Similarly, there was great concern about those who were affected by the anomalies that required correction by the Royal Parks (Trading) Bill, which received a great deal of support from other Conservative Members.

As to whether those Bills should be a priority in terms of the time that they are given in the legislative programme, I share the right hon. Gentleman's view that they are relatively minor matters, but we believe that they make necessary improvements and they have to be passed. I agree with him that they should not have detained the House for a great deal of time, but the fact that they did is entirely down to him and his colleagues.

Mr. Jeremy Corbyn (Islington, North): May I take the Leader of the House back to the Modernisation Committee and its proposals? When we finally get round to debating them, would she welcome amendments to bring under parliamentary control and scrutiny the operation of the royal prerogative by the Prime Minister and other Ministers, to introduce a committee to scrutinise all appointments to quangos by Ministers, and to enable the House to have some say in the appointment of members of Select Committees, rather than the current arrangement whereby the Whips decide who the members should be?

Although many of us welcome any appropriate proposals that enable the public to see and understand what is happening, Parliament has an important role in asking questions and scrutinising and controlling what the Government do. Does the Leader of the House appreciate that, in modernising, we have to move forward and make the House as democratic as legislatures in many other countries?

Mrs. Beckett: Well, no. I can confidently say that I would not welcome any of my hon. Friend's proposals, for two good and simple reasons. First, they are totally outside the remit of the report to which we are referring and do not arise from the debate. Secondly, although they are obviously issues of great interest which are often discussed, ill thought out proposals would not do anybody any favours.

Miss Julie Kirkbride (Bromsgrove): Further to the questions that the right hon. Lady has already been asked about the Modernisation Committee's determination to close down the House and its democratic procedures, will she tell the House exactly how she plans to proceed with the measures? Will she be offering the House a free vote on them in this Session or the next? Will she be offering any vote on them at all, so that we will know whether they are likely to go ahead? Will she explain to my constituents how it can possibly be democratic for the House to vote only once a week on important matters that affect their lives?

Mrs. Beckett: From what the hon. Lady says, I doubt whether she has read the report. She ought to know by now that such matters are put before the House for it to decide; they are House matters and as a consequence there will be a free vote. I hope that there will be a free vote for Conservative Members as well, although I doubt it. If she is nurturing the illusion that in some way there is a diminution of democracy in the proposals, she definitely has not read the report.

Shona McIsaac (Cleethorpes): I understand that Europe is about to impose VAT on tolls in this country. Will my right hon. Friend acknowledge that that will have a devastating effect not only on people who use the Humber bridge, which already has the most expensive tolls in this country, but on those who use bridges throughout the land? The announcement is likely to be made in the recess, so will she ensure that nothing is done until we have had a statement in the next Session and, if the matter requires legislation, could she try to bury it at the bottom of the pile?

Mrs. Beckett: I freely confess to my hon. Friend that I am not aware of the time scale for such proposals, but I certainly undertake to get a reply for her from the relevant authorities. I fully understand her anxiety about the proposal and about such an extension of the operation of VAT. It strikes me that it will weaken still further the Opposition's case that we in this country face uniquely high transport charges, since so much traffic elsewhere in the European Union is on toll roads.

Mr. Michael Jack (Fylde): Will the proposed football hooligan Bill be drawn widely enough to take into account other forms of anti-social behaviour abroad? Many of my constituents do not like lager louts in Benidorm performing acts of holiday hooliganism. Equally, those who have seen hooliganism on airliners might think that legislative attention should also be given to such people. Will the Bill be drawn widely enough to include those aspects as well?

Mrs. Beckett: I am not sure that even my right hon. Friend the Home Secretary could draft legislation that would deal with every kind of anti-social behaviour in all circumstances, but I understand that any legislative proposal is likely to focus particularly on those who already have convictions for violence, although not necessarily for violence previously identified as being football related. That will be the key element in the Bill, but the proposals are still being considered and will be fully discussed.

Mr. Paul Flynn (Newport, West): When can we hold a debate entitled "What happened to the peace dividend?" so that we can draw attention to the new arms race in Europe and the world? The threat to world peace has been greatly exaggerated and countries that are still impoverished, such as the former communist states, are being urged to spend less on education, health and housing and more on arms. America is pushing a new missile race based on the absurd claim that it is terrified of the might of North Korea. There has been a peace dividend, but, as always, it has cascaded into the pockets of arms traders'—principally American arms traders—who constantly exaggerate the threat to world peace.

Mrs. Beckett: I have some sympathy with my hon. Friend's concern that countries, especially those whose finances are already under pressure, should not be encouraged to spend more than necessary on their defence, given that they have other priorities for the support of their people. Hon. Members on both sides of the House understand the concern that he expresses. With respect, however, it is easy to poke fun at the notion that the United States should be alarmed at the activities of much smaller countries, but those who have access to atomic weapons should be feared if they are likely to use them. That is the matter of concern. I understand my hon. Friend's anxiety that resources should not be misused, but equally, he, like all hon. Members, would want us to be properly defended.

Mr. Hogg: The right hon. Lady will know that many hon. Members are deeply concerned about the problems in prisons, such as overcrowding and other conditions. She will also know that there is apparently a proposal that Brixton prison should be transferred to the private sector, something of which I would approve. Will she consider holding an early debate on prisons and, perhaps more importantly, an annual debate thereafter on prisons, possibly to coincide with the annual report of the inspector of prisons?

Mrs. Beckett: I have a great deal of sympathy with the concern that the right hon. and learned Gentleman expresses about conditions in the Prison Service, and I understand his reference to the recent reports of particular anxieties in Brixton prison. That important issue needs to be aired, but I fear that the pressure is naturally heavily on dealing with Government legislation at this time of year. He will understand that from his own experience in government. I cannot undertake to find time for a debate on the Floor of the House, even on prisons. However, although this will not be welcome, I recommend the attractions of Westminster Hall, which provides a further opportunity to initiate debates and to scrutinise Government policy.

As for the right hon. and learned Gentleman's proposal for an annual debate, he attends business questions often enough to know that, if we accepted all the proposals for annual debates on subjects of great worth, we would never do anything else. Some Opposition Members might welcome that, but it would not be welcome to those who want legislative change.

Mrs. Linda Gilroy (Plymouth, Sutton): I warmly congratulate my right hon. Friend on the Modernisation Committee's proposals and those hon. Members on both sides of the House who have worked hard to introduce them. I note the response that she gave to the call from my hon. Friend the Member for Cardiff, North (Ms Morgan) for an early debate, which I would also welcome—but could that debate be held on a Tuesday or Wednesday as main business so that, in keeping with the spirit of the proposals, we introduce some of the education to which she referred, and, given that the proposals are about efficiency, so that those hon. Members who like to make efficient use of their time have the maximum opportunity to take part in that important debate?

Mrs. Beckett: I am grateful for my hon. Friend's remarks, and I am sure that all members of the Committee will be, because a considerable amount of work was done on those issues, although not all of it came to fruition. I undertake to bear her remarks in mind, although I cannot say at this point when the debate is likely to take place. However, I recognise the importance of holding that debate at suitable time.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am sure that we could all make more efficient use of our time if questions and answers were briefer.

Mr. Mike Hancock (Portsmouth, South): Will the right hon. Lady reconsider her response to the shadow Leader of the House, the right hon. Member for North-West Hampshire (Sir G. Young), who asked about a debate on the NAO report on defence projects? There has been no debate in the House on such a report for the past decade, although when her Government came to power, they promised substantial changes. Some of the issues discussed in the report are relevant to Government action since 1997 and I believe that a debate is long overdue. Considering that what has happened can be described as bungling bureaucratic incompetence at best, or a procurement fiasco at worst, the issue should urgently be discussed by the whole House.

Mrs. Beckett: I remind the hon. Gentleman that we have a defence procurement debate every year—although obviously the report was not previously available. I accept the importance of holding such a debate, but I cannot find time for it before the recess.

Dr. Phyllis Starkey (Milton Keynes, South-West): I add my congratulations to the Modernisation Committee on its report, which I skimmed through briefly before coming to the Chamber. I regret that Conservative members of the Committee have chosen to submit their own report, even though some of them did sterling work on previous reports, and previous Conservative members of the Committee made two important recommendations, which the Committee has brought forward.

May I press my right hon. Friend on the point about the House being given the opportunity to vote on the proposals, and seek her confirmation that such an opportunity will be

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provided this Session so that we can have a proper, efficient and effective Parliament for the next Session, which is what most of our constituents—and, I suspect, most of those of Conservative Members—desire?

Mrs. Beckett: I can assure my hon. Friend that the Government intend that the House should have an opportunity to reach a view on the proposals this Session. I share her view. I have long observed that there are those who nurture the illusion that they make sense and contribute valuably to debate in the small hours. I have never observed that to be true for the recipients.

Mr. Edward Leigh (Gainsborough): No one would accuse the right hon. Lady of having been unconcerned about civil liberties during her long and distinguished parliamentary career, but may I put it to her—I am sure that she will agree—that a fundamental tenet of civil society is that a person should be prevented from leaving his country only after a hearing in an independent court, free of the police and the Executive? If that centuries-old freedom is to be abrogated, does she agree that it would be absurd to do so just because a football match is coming up in early September? I ask her most seriously whether we can go through our normal procedures: the production of a proper consultation document to enable the police to give their views, Second Reading of the Bill in the House, debates in Committee, consideration by the Lords and reconsideration by the House. Then we would have a Bill that we could all support.

Mrs. Beckett: The hon. Gentleman makes an important point, and I shall certainly draw his remarks to the attention of my right hon. Friend the Secretary of State. He will know that the Government do not intend to proceed other than with proper scrutiny and agreement, and when the draft Bill is published he may find that some of the points that he has raised are covered. He has made an important point and the Government are mindful of it.

Mr. John Cryer (Hornchurch): May I press my right hon. Friend a bit further on the question raised by my hon. Friend the Member for Walsall, North (Mr. Winnick)? She will have seen early-day motion 900, on the compensation to be paid by the Manx Parliament to former prisoners of war of the Japanese.

[*That this House congratulates the Tynwald for its decision to make an ex gratia payment of £10,000 to residents of the Isle of Man who were either prisoners of war or internees held by Japan during the Second World War; and calls on Her Majesty's Government to make a decision on whether it will make an equivalent payment, including widows, in the UK before this House rises for the summer adjournment.*]

Will she undertake to point out to Defence Ministers that time is running short if they are to make a statement and follow the example of the Manx Parliament, as I think that they want to?

Also, when Opposition Members were asking questions, it occurred to me to ask her to remind the House who introduced the Jopling proposals—our side or theirs?

Mrs. Beckett: I take on board my hon. Friend's remarks. I note that he, too, has much pressed the claims of those who were prisoners of war of the Japanese, and I undertake to draw his remarks to the attention of my right hon. Friend the Secretary of State for Defence.

With regard to the Jopling proposals, my hon. Friend is right. They were produced by an all-party Committee, which was chaired by a distinguished member of the Conservative party. The proposals were put forward in 1991-92. My hon. Friend has correctly identified part of my own contention—that that is a direction in which the House has been moving for a considerable number of years and which, in theory, has agreement in all parts of the House. The abrogation of that understanding and agreement during this Parliament has led to the present proposals.

Mr. Stephen O'Brien (Eddisbury): In the light of the recent publication of the Government's proposals for a national waste strategy, will the Leader of the House give an undertaking that we will have an early debate on the matter, so that applications such as the one in my constituency by Minosus to deposit toxic waste down the Winsford rock-salt mine can be taken in that context, instead of the present piecemeal approach, which could be extremely damaging for the long-term future of the environment and our people?

Mrs. Beckett: I fear that I cannot undertake to find time for a debate on that in the near future. The hon. Gentleman might find time for one in Westminster Hall, and the Department of the Environment, Transport and the Regions takes questions next week.

Helen Jackson (Sheffield, Hillsborough): Will my right hon. Friend allow me to pay tribute to her important role in relation to today's Modernisation Committee report in trying to reach consensus and make that an all-party recommendation? Does she agree that the proposals for programming and better use of time in the Chamber and Westminster Hall should be read carefully by all hon. Members? Those proposals are sensible and a decision should be taken to adopt them as an experimental way forward in the next Session of Parliament.

Mrs. Beckett: I am grateful to my hon. Friend. She is right to say that I endeavour to reach agreement and consensus on such matters, building on the consensus that has existed in the House for many years, until quite recently. We should continue to try to get such an agreed way forward. If the House agrees to proceed with such an experiment, I expect that few will wish to turn the clock back.

Mr. Andrew Tyrie (Chichester): Earlier, the hon. Member for North Cornwall (Mr. Tyler) suggested that I was supporting the proposals in the Modernisation Committee's report for the programming of legislation. In fact, what I wrote in my pamphlet was that we in the House need to scrutinise power where it really lies—that is, with the Prime Minister, who hardly ever comes to the House, hardly ever votes here and hardly ever speaks here. Will the Leader of the House give urgent consideration to the possibility of a debate to find ways in which we can bring the Prime Minister nearer to the centre of our deliberations in the House?

Mrs. Beckett: No one ever suggested that the hon. Gentleman was supporting the proposals in the report.

I confidently expect that he, along with most other, and perhaps all, members of the parliamentary Conservative party, is likely to vote against the report, as I see no indication of a free vote or free thinking on the matter on their side. The hon. Member for North Cornwall (Mr. Tyler) was probably quoting his remarks that programming is not only a good and valuable way of making the best use of time, but was somewhat inevitable.

On the issue of scrutinising where power really lies, and the Prime Minister's role, I repeat to the hon. Gentleman that he should know that the Prime Minister's record of attendance in the House and his record of statements in the House are infinitely superior to those of his predecessor. It is true that there was a substantial break with precedent with regard to the number of occasions on which Prime Ministers speak in the House. It was made by the right hon. Lady Thatcher.

Several hon. Members *rose—*

Mr. Deputy Speaker: Order. We must now move on.

Points of Order

1.15 pm

Dr. Evan Harris (Oxford, West and Abingdon): On a point of order, Mr. Deputy Speaker. You and the House may be aware that yesterday there was an announcement in the press of £1 billion extra funding for science. That was also reported to be in a speech by the Chancellor, but no statement appears to have been made in the House, and no question appears to have been answered in today's *Hansard* on the matter. Should not Ministers be making such announcements to the House rather than through the media and in speeches outside the House? Questions on whether that announcement is welcome, whether there will be funding for equal opportunities in higher education, whether the unit of resource should be better funded, and other such matters could then be put directly to Ministers.

Mr. Deputy Speaker (Sir Alan Haselhurst): The Chair has received no notification of any announcement in any form to the House. I can only repeat what Madam Speaker has said on a number of occasions—that significant changes of policy should be announced to the House by one means or another.

Mr. John Bercow (Buckingham): On a point of order, Mr. Deputy Speaker. Have you had any indication from the Prime Minister or another Minister that the Government intend to return to twice-weekly Question Times, in the light of the new precedent established yesterday of the Prime Minister answering a question this week which he had failed to answer properly the previous week?

Mr. Deputy Speaker: No such notification has been received. That is not a matter for the Chair.

ESTIMATES DAY

[2ND ALLOTTED DAY]

ESTIMATES, 2000-01

Class XV1, Vote 4

HM Customs and Excise

[Relevant documents: Second Report from the Treasury Committee, Session 1999–2000, on HM Customs and Excise, HC53, and the Government's response thereto, HC442; and HM Customs and Excise Departmental Report 2000: The Government's Expenditure Plans 2000–2001 to 2001–2002, Cm 4616.

Motion made, and Question proposed,

That a further, revised sum, not exceeding £482,077,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges which will come in course of payment during the year ending on 31st March 2001 for expenditure by the Customs and Excise Department on the administration of taxation; the operation of customs and revenue controls and other Customs and Excise-related services; and payments in respect of Shipbuilder's Relief and the Customs and Excise National Museum.—[*Mr. Kevin Hughes.*]

1.16 pm

Mr. Giles Radice (North Durham): As Chairman of the Select Committee on the Treasury, not of the Sub-Committee, I shall make only a brief intervention. The hon. Member for West Worcestershire (Sir M. Spicer) is the Chairman of the Sub-Committee, so he will make the Chairman's speech. I simply wanted to act as a master of ceremonies, introducing the guests to the hosts.

The Sub-Committee was set up in 1998 to scrutinise the bodies and organisations for which Treasury Ministers are responsible. For a year now it has been well chaired by the hon. Member for West Worcestershire. This afternoon we are discussing the Sub-Committee's fourth report, the second report of this Session on HM Customs and Excise.

The Sub-Committee had five sessions of oral evidence and visited Canada to consider the merger of authorities. It has done a thorough job. There were three issues of which the Sub-Committee rightly made much. The first was whether it was desirable to merge Customs and Excise with the Inland Revenue, and the Sub-Committee concluded that it was a good idea, for three main reasons—that it would improve compliance with taxation, reduce businesses' compliance costs and reduce the Government's revenue costs.

The Government, as my hon. Friend the Paymaster General knows, rejected our proposal and defended their position of so-called closer working between the Inland Revenue and Customs and Excise. I look forward to hearing the Government justify their position. In that context, I want to mention the news yesterday, reported in the *Financial Times*, that an internal investigation ordered by the new chairman of Customs and Excise has identified losses of up to £1 billion, which apparently could be double that, in Customs and Excise's collection role. That is its core activity, on which, apparently, it has fallen down. That is another reason why the Government might reconsider their position on merger. In any case, I should like to hear something about that matter.

The Sub-Committee also investigated alcohol and tobacco smuggling. It concluded that tobacco smuggling was a much more serious problem than alcohol smuggling, in the sense that the revenue loss is much greater, and it recommended that further resources should be given to Customs and Excise to slow down and eventually stop tobacco smuggling. I congratulate the Government on accepting many of our recommendations under this heading. I understand that they have provided extra resources amounting to £209 million. I should like to know how that money will be spent. Is it new money? This is a useful occasion on which to inform the House about that.

The third main issue that the Committee considered was compliance and compliance costs. Again, the Government have accepted some of our proposals. We believe it to be important that they target reductions in compliance costs, and that there should be legislative underpinning of the so-called Sheldon doctrine. I understand that in a sense the Government have come forward with a compromise proposal, and that is a code of practice. I would like to hear about that, too.

I end by congratulating the Sub-Committee on doing extremely useful work for the House. It has demonstrated the useful work that Select Committees can do in digging away at things. Their work is useful for Parliament—that is their main purpose—and for the Government. There are some who consider that Select Committees are there to attack the Government. In fact their role is to make Government accountable, so there should be a win, win situation. It is right that Government should be investigated and made accountable. It is right also that the activities of Government should be transparent, and the report provides a good example of a Select Committee doing its work properly.

1.22 pm

Sir Michael Spicer (West Worcestershire): I feel these days that I should begin all speeches by declaring an interest, however remote or obscure it is, as president of the Association of Electricity Producers. I do not think that there will be any read-across, but I declare the interest in case there is.

I do not want my remarks to turn into a boring, self-congratulatory society debate. However, I shall return two of the compliments of the right hon. Member for North Durham (Mr. Radice). First, he is an excellent Chairman of the Select Committee on the Treasury. He is particularly good in the way that he has devolved responsibility. He allows the Treasury Sub-Committee freedom to investigate the range of departments and agencies for which the Treasury is responsible. I thank my other colleagues on the Committee, who have given a great deal of time to its work. I see some of them in the Chamber. Working on the Treasury Committee with the Sub-Committee has become almost a way of life for us.

The Sub-Committee is behind the report, and it drafted the initial report. It has taken a pretty dyspeptic view about Customs and Excise and the way in which it is run. I believe that it is fair to say that we think that, as a department, it is defensive and pretty secretive. Perhaps that is because before the Committee began its work it was unused to discussing its policies in the light of day. It is pretty unwilling to innovate. Above all, it has been unsuccessful in carrying out its policy remit, particularly its remit of closing down the revenue gap that arises from smuggling. As the right hon. Member for North Durham has suggested, this is perhaps symbolised by the revelation yesterday that Customs and Excise had lost up to £2 billion between 1995 and 1998 in unfound excise duties. That was in the period when Customs and Excise also lost around £1 billion of VAT, which, as far as I know, has not been found yet. Perhaps the Minister will tell us later that that money has been found. The loss of £1 billion in VAT is additional to the latest revelation of the £2 billion that was lost in excise duty.

Smuggling is at the centre of the problem, especially cigarette smuggling, which is not only serious but increasing greatly. In the report, we accept that various remedies may exist for the massive loss of duties, which occurs through cross-channel and other international smuggling, especially of tobacco, but also of alcohol. We found that, were duties lowered, fewer losses through smuggling would be likely. When we visited Canada, we discovered that, when the Canadian Government reduced duties, especially on tobacco, there was a reduction in smuggling.

However, we also accepted the conclusions of the Institute for Fiscal Studies, which showed that a reduction in duties would lead to a reduction in revenue. We acknowledge that the industry does not accept that conclusion. It argues that leakages occur, and that the elasticities are such that further increases in duties might lead to losses in revenue through further leakages to smugglers and negative elasticity.

There is much logic in the industry's comments. We also recognise that the Treasury has forecast a fall in revenue, which accompanies high duties, but makes no assumption about future duty levels. However, the industry's position is not based on any independent research. There is no substantive research behind the industry's conclusions. We therefore have to accept that the IFS study is the only truly independent study that has been undertaken of the effect of duties on revenue. We took that study as our evidence. That is why the Taylor report is important in that context.

There is a suspicion among those in the tobacco and alcohol industries that the Taylor report recommended a reduction in duty in response to the problem of smuggling. There is a further suspicion that the report's publication was suppressed because of that advice to the Government. The Committee was saddened by the fact that the conclusion and analysis of the Taylor report, which was forecast in the Budget last year, could not be published. The suspicion therefore lingers that the Government have on their desk recommendations to reduce duty in the context of smuggling and the general efficiency of Customs and Excise.

Mr. Oliver Letwin (West Dorset): Did the Treasury Sub-Committee seek to take evidence from Mr. Taylor, and discover his account of his recommendations in the undisclosed document?

Sir Michael Spicer: No, we did not decide to take evidence directly from Mr. Taylor. However, we pressed the Government hard to produce the papers behind the Taylor report. We received a negative response.

Mr. Letwin: My hon. Friend will realise that it is important for the House to hear the answer to my next question. Why did the Sub-Committee decide not to interview Mr. Taylor?

Sir Michael Spicer: I suppose the Sub-Committee accepted that, because the Government had commissioned the report, it was for the Government to determine whether it should be published. We certainly pressed the Government. Indeed, I shall press the Government today, as I shall return to the issue shortly. We all thought that it would have been helpful to have the report, but we also thought that, as it was a Government report, it was for the Government to decide whether to release it.

Having dealt with the question of reduction of duties, we were left with the question of how we were to address the serious and remaining problem of what to do about the increase in smuggling, and the loss of revenue, amounting to as much as billions of pounds, resulting from the current rate. We considered two possible solutions. The first was greater administrative efficiency, which led us to discuss the possibility of closer working between Departments on revenue-raising. We found that the roots of what has come to be described as closer working were planted as long ago as 1994; we also found that very little had actually happened. In fact, no proper liaison committee had been established until our Committee's interest in the subject had been made public.

We were unhappy about both the progress of closer working and the way in which the Government seemed to be setting about pursuing it in the future. In our report, we said:

> We are surprised that more thought has not been given to the evaluation of the Closer Working programme . . . We received no clear indication from Customs and Excise of how it intended the Closer Working programme to develop in future.

We concluded:

> We do not believe that the Closer Working programme will fully achieve its objectives and deliver the benefits claimed by Customs and Excise. Consequently, the option of merger requires serious consideration.

That brought us to the question of merger between the Inland Revenue and Customs and Excise. In part, we referred to Canada on that, because Canada had recently carried out precisely such a merger. We said to the Canadians, "We have two revenue-raising departments, one of which does not seem to be working particularly well. Do you think that there are arguments for merging?" We found that, in Canada, many of the worries about merging did not apply. It had worked, and we thought that there was at least a case—a case that the Government should consider—for merging the two departments. The argument would be that, given that Customs and Excise says that it is short of resources, merging the departments would make economies. More money could be used for customs purposes than is used at present, and the whole arrangement would be administered better.

Other arguments were advanced. The right hon. Member for North Durham mentioned compliance costs for industry. It has been argued that—certainly in regard to the collection of VAT—Customs and Excise is less than assiduous in allowing for the needs of business, and in making business tax collection as efficient as possible in terms of costs. The Inland Revenue undoubtedly does that; it is argued that Customs and Excise tends to be more heavy-handed. Compliance costs might therefore be another factor in favour of merging the departments.

However, the Committee was particularly interested in efficiency in the context of customs and collection. When we questioned the Minister, we learned that the

[Sir Michael Spicer]

Government had not particularly studied the Canadian example—which we had pressed them to do for some time—and that they were relying on a report produced some six years ago, under an earlier Administration, which had apparently argued against a merger. We pressed on many occasions to have the report put on the Table, but were unsuccessful. We were even prepared to look at it in confidence, but there was complete reluctance to let us look see it. As it was used constantly in evidence—it was the only real justification for not going further into the merger issue—we were extremely dissatisfied.

I must read to the House the conclusions that we reached. It was a serious matter to us. We felt that we should have been allowed to look at the report on the question of merger. We say in paragraph 22:

> It is extremely disappointing that, as the Freedom of Information Bill began its passage through Parliament, Customs and Excise refused us access to a six year old report on a matter of departmental organisation central to our present inquiry, far removed from party political controversy or national security, defence or foreign policy concerns. We entirely fail to see how the public interest could be harmed by the disclosure of this report, although, of course, the Government's case against merger of the revenue departments might easily be harmed if we were to have found that the report's analysis of the costs and benefits of merger had been inadequate or skewed against the merger option. We are led to conclude from this episode that the 1993 report would not have stood up to vigorous scrutiny by this Committee.

That was a fairly serious thing for us to say. It did not please me to have to say it, but I still hope that Customs and Excise and the Government will reconsider the matter. An argument against merger cannot be based on the findings of a report whose analysis and premises we are not allowed to see.

In trying to achieve greater efficiency in Customs and Excise, proposals have been made to introduce new technology, particularly X-ray equipment. The problem is that, in recent years, none of the three great initiatives on the matter seems to have had any positive effect. The first resulted from the 1998 alcohol and tobacco fraud review. That ended with a lot of conclusions about the need for more technology and various other proposals, focusing particularly on X-ray equipment. That stood in the open and was apparently applied, but, when we got to last year's pre-Budget report, the programme put forward as the answer to the problem was almost precisely the same as that which had been put before Parliament almost two years previously. Apparently, nothing in the meantime had happened. The smuggling had become worse in the process.

Then on 30 June, just a week ago, the Paymaster General announced that she had

> commissioned a full independent investigation into the collection of excise duties in HM Customs and Excise,

so we have had three promises of new initiatives on Customs and the way in which it collects duties. In the meantime, no one disputes that the situation is getting worse and worse.

The last Government initiative was certainly in anticipation of the latest scandal being revealed. There we have it. Once the £2 billion had been acknowledged to have been lost, the Government came up with yet another initiative, which seems similar, if not identical, to previous initiatives, which so far have failed.

That leaves us with a number of questions to ask the Government. What did the Taylor report say? They are not prepared to let us look at the actual text of any report, but we need to know. The Committee decided to leave the Government quite a lot of room for manoeuvre on the question of excise duties and their effect on smuggling; some of us even felt that we left them too much room for manoeuvre. In return, Parliament must be allowed to know the details of the Taylor report.

Has there been—or will there be—proper consideration of the merger issue? Specifically, will the Government think again about why Parliament should not be allowed to see a six-year-old report on which they seem to be basing the entirety of their case for not considering the merger issue further?

There have recently been three statements that new technology will be introduced. But why has technology not been more effective? Why have there not been greater results from a programme that has now been under way for several years? Why is the programme becoming less effective with the passing of each year?

There is also the issue of the latest scandal. If there is to be a public inquiry, when will it be established and when will it report? Given that the new scandal comes on top of what one might call previous unfortunate incidents, will the Government start to take a rather less cavalier attitude to the overall issue of smuggling and reforming Customs and Excise? Will Ministers also reconsider the Committee's suggestions—although they have already rejected most of the major ones?

1.41 pm

Mr. Jim Cousins (Newcastle upon Tyne, Central): I do not envy my hon. Friend the Paymaster General in having to address this issue. The Government's inheritance from the previous Administration on the issue was woeful. That was made clear to the Treasury Sub-Committee in the evidence presented to us in our examination of Customs and Excise. It is quite clear that Customs and Excise have long been badly led and managed, badly resourced and badly organised. It is also clear that there are not sufficient resources for it to do the job that it wants to do and should do.

Nevertheless, I acknowledge the heroic work with VAT and excise duty, being done by many people in the front line of Customs and Excise. The House should pay tribute to the excellent work being done daily by them in a desperate and heroic attempt to stem a tidal wave of abuse that they are not properly equipped and organised to deal with. The House should try to address that issue in this debate.

We must deal with some very serious abuses affecting our communities and striking at the heart of public confidence in some key aspects of the machinery of government. If we cannot stem the rising tide of tobacco and alcohol smuggling, the very integrity of Government policy will be put at risk. Thousands of legitimate jobs and businesses are being put at risk by those growing abuses. We should not overlook the similar problem in the collection of value added tax. VAT evasion and growth in the informal economy also are endangering legitimate jobs and businesses. The Sub-Committee has attempted to address that overall issue.

The Sub-Committee clearly formed the view that the abuses that I have described are real and increasing, and that they are probably more extensive than Customs and

Excise were at that time prepared to tell us. I think that the Sub-Committee's instinct on that matter has been proved by subsequent events to be entirely correct.

Secondly, the Treasury Sub-Committee realised that wholly new demands were being placed upon Customs and Excise, particularly around the growth of electronic commerce and the problems of identifying businesses and tracking commercial activity for the purposes of excise and VAT control and enforcement.

Thirdly, the report drew attention to some massive and quite deep-rooted organisational failures and inefficiencies and the lack of resources available to Customs and Excise either to deal with the growing number of abuses or to confront the need to expand their efforts and organisation to deal with new areas of commerce and the new demands.

Since the Treasury Sub-Committee reported, at least four major inquiries have either reported with reference to Customs and Excise or are about to do so. They include Lord Grabiner's report on the informal economy, particularly VAT abuse, and the report of his honour Gerald Butler on his inquiry into the case of Regina v. Doran, the so-called "Operation Steeler" case, which threw considerable doubt on the internal effectiveness and good order of Customs and Excise as an investigating and prosecuting organisation. The Government responded to the Butler inquiry by setting up a further inquiry, led by the Attorney-General, into whether Customs and Excise should properly retain their powers of prosecution.

There was also—this makes life particularly difficult for my right hon. Friend the Paymaster General this afternoon—the inquiry that she launched only last Friday as a result of information that was brought to her by the new chair of the Customs and Excise board into excise evasion, this time in respect of alcohol. This afternoon's debate provides an opportunity for my right hon. Friend to set out her objectives and those of the Government in that inquiry. I am sure that she will do that.

Although one must always show proper courtesy, respect and restraint on these occasions, I very much welcome the indication that the new chair of the Customs and Excise board will be more proactive than several members of the Sub-Committee felt that the previous leadership of the Customs and Excise board had been. That is an excellent sign, albeit that it puts my hon. Friend the Paymaster General in a difficult position this afternoon. The House will rightly expect to know a great deal more about her intentions. Much of the debate should be taken up by my hon. Friend explaining to the House how she intends to address the problems.

A number of other points should also be mentioned. First, we should consider the large scale of the abuses in respect of tobacco and alcohol. The hon. Member for West Worcestershire (Sir M. Spicer) referred to the fact that in its evidence to the Select Committee, the Tobacco Manufacturers Association, which obviously has an interest in the matter, asked for a reduction in tobacco duties as a method of controlling the abuse. I do not share that view, but the association showed evidence to the Committee that almost one in three of packets and cartons of cigarettes sold in this country were either smuggled in or re-imported after having been disguised as exports. The association attributed a total revenue loss of some £3 billion to smuggling on that scale.

The scale of the abuses is recognised in some of the court cases. A gentleman in Essex was fined £10 million by a court after being found guilty of smuggling offences, which shows that the scale of abuse is considerable. Legitimate traders are extremely concerned about the scale of abuse. I have been given a dossier of evidence by a firm which runs a cash and carry business in Essex, which reveals an extensive correspondence between the firm and the south London and Thames branch of Customs and Excise in an attempt to address obvious abuses that have come to the firm's attention, but without success.

It is a cause of concern that the ability to tackle the growing scale of abuse appears non-existent. That is partly because of the considerable cuts in staff numbers that were made by the previous Government. They reduced numbers and also disrupted some of the lines of command and control that would have been useful to contain the growing abuses. However, it is fair to point out that the latest annual report from Customs and Excise shows that the number of man-years available in the south-east—which is in the front line of our defence against excise duty abuses—in 1999-2000 was less than in the previous year. That is a matter for concern.

The Government intend to recruit almost 1,000 additional officers for Customs and Excise, but it is important that my hon. Friend the Paymaster General sets out how that will take place and on what scale. What resources and organisation will be provided to support those additional members of staff?

The Paymaster General (Dawn Primarolo): I do not intend to intervene through the debate but will give a reply at the end. However, on the specific points that my hon. Friend raises about the south-east, he will know that we now deploy staff in teams according to risk, and we move the teams around considerably. However, I understand that that is not happening in the south-east. My hon. Friend raises an important point that I may not be able to deal with in detail later. I have heard his comments and I will try to address them when I reply. I shall try to address all the specific points that hon. Members raise.

Mr. Cousins: I am grateful to my hon. Friend for saying that. I draw to her attention the fact that I had hoped to be able to say—based on the annual report from Customs and Excise—that the unsatisfactory position in the south-east in 1999-2000 would be corrected in 2000-01. Conservative Members will understand that Labour Members constantly hope for such relief, but I was not able to find it when I read the Customs and Excise report. I was filled with gloom to discover that a change in regional boundaries meant that the figures for the south-east for 2000-2001 were not available. That does not reinforce confidence among people whose businesses and jobs are at risk in the area.

One of the Committee's conclusions was that there are deficiencies in the internal organisation of Customs and Excise. Although the possibility of closer working, or even merger, with the Inland Revenue has been suggested, the people responsible for value added tax do not work sufficiently closely with the people in the excise section. In addition, the respective Inland Revenue and Customs and Excise computer systems do not talk to each other, even though huge resources have been applied to them.

[Mr. Cousins]

The internal information arrangements in Customs and Excise involve a computer system called PRISE, which the previous chairman of the Customs and Excise board assured the Committee was not relevant to increasing the efficiency of excise enforcement. Other internal information systems include CRIP, the compliance risk information project, and the analytical centres project. Considerable sums of money have been spent on both, but the Committee was unable to satisfy itself about who in Customs and Excise had access to them.

The overall picture is an extremely unhappy one. The Government must rectify that, urgently.

The Government have pledged £209 million in additional resources for Customs and Excise, and have focused particularly on the £23 million being made available for new scanners. They will greatly improve the speed, efficiency and effectiveness of excise evasion detection, and I hope that my hon. Friend the Paymaster General will clarify whether that £23 million is included in the total of £209 million, or is additional to it.

However, the first of those scanners will not become operational until November. Originally, they were being installed to deal with excise duty problems but now—after the almost incredible horror of the incident in which so many unfortunate Chinese people were trapped in a container—it is clear that they will also have to bear the burden of immigration detection. The additional resources will therefore have to cope with demands way in excess of what was forecast when they were first allocated.

Mr. David Kidney (Stafford): Would not every lorry go through fixed X-ray scanners at ports? Could not the scanners detect illegal immigrants in one lorry, and an illegal load of cigarettes or tobacco in another?

Mr. Cousins: My hon. Friend is right, of course, but he should bear in mind that using the scanners is complex. New and much larger dedicated parking areas will have to be laid out, where lorries can queue to use the scanners. Clearly, moreover, not every lorry could be scanned. Questions of intelligence, preselection and so on would therefore arise again. That only reinforces my anxiety about whether Customs and Excise is sufficiently well organised internally to be able to do the job with the greatest effectiveness.

In addition, when the scanners are put into use we shall soon hear about horrendous parking problems and delays in processing lorries and vehicles through Dover. The House had better stand ready for those complaints, because there will then be immense pressure on Customs and Excise to reduce the number of lorries that it seeks to check and scan. These are very difficult issues.

Mrs. Ann Winterton (Congleton): I have been very interested in the hon. Gentleman's remarks about the scanners that are to be introduced into our major ports. I hope that he will forgive my ignorance, but I wonder whether a solution, as far as immigration is concerned, is that lorries should pass under gantries, which can be built quite easily, and that there should be heat-seeking cameras on the top and at the sides, rather like those used by the police when they go up in helicopters to try and find people who are missing but not yet dead. Is that an over-simplistic view, or could it be carried out more simply than the complete scanning? Would it cost less and be easier to implement?

Mr. Cousins: The hon. Lady raises an issue that does not properly form part of this debate, and to attempt to respond to it is totally beyond my information. She speaks of immigration, which is the responsibility of the Home Office. I was seeking to draw the attention of the House to the fact that the scanners, which were acquired for the purposes of detecting excise duty evasion, may be given a new range of responsibilities as a result of other events. That will make life more difficult when it comes to detecting excise duty evasion.

There is considerable confusion of investigatory authorities in considering excise duty evasion. It was of interest to me that in its most recent report, the Intelligence and Security Committee drew attention to the fact that drug smugglers and other organisations with political purposes, which are often linked to trade in materials such as drugs, are switching their organisational skills into tobacco smuggling. It is closer to legality in most regimes than drugs, and the profits are as great or greater.

The Intelligence and Security Committee was extremely concerned about the lack of co-ordination of our investigation services in redeploying to meet that difficulty. We have the National Criminal Intelligence Service, the national investigation service within Customs and Excise, normal police arrangements and the activities of the security services. The Intelligence and Security Committee echoed the evidence of the Select Committee on the Treasury in its great concern about the lack of co-ordination and effectiveness between the various investigatory agencies.

The matter goes to the heart of the Butler report about the collapse of the Steeler case, in which those very issues are highlighted dramatically. The Government must, as a matter of urgency, address the confusion and lack of effectiveness on the part of the various arms of investigation. They are coming at the same problem from a number of different directions, using various techniques, resources and legal channels, and the result is not in the public's best interests.

Let me turn to closer working. The Committee discussed a merger of Inland Revenue and Customs. The House must confront the old Spanish—perhaps I should say Spanish-British—practice of having two distinct revenue collection agencies. Most modern revenue collection regimes have a single agency. Those who defend the practice of having two should justify it. It is not normal, and other revenue collection regimes have not found it the most efficient and effective model.

The Government, however, favour closer working between the Revenue and Customs. That requires us to confront long-established cultural differences between the two organisations—the main reason why people reject merger. We cannot escape the problem of having two organisations with different histories and cultures by simply avoiding the question of merger. That difficulty will have to be addressed if closer working is to be established.

There is practical evidence for that proposition. The Inland Revenue, which has historically not visited taxpayers in great numbers, has introduced a programme to increase visits. Customs and Excise, meanwhile, which has historically made many visits to those who pay VAT, is scaling back. That is an example of what closer working means, and of the difficulties involved.

The legal basis and status of investigation officers in the two organisations are hugely different. Closer working cannot overcome that. We must put investigations on a platform of common intelligence and common investigatory powers. To forestall anything that the hon. Member for West Worcestershire might say about that, I do not mean that we should always scale up the powers of the Inland Revenue to those available to Customs and Excise. We should find new, more appropriate legal powers to address issues such as electronic commerce.

The establishment of a single business register list will be an important innovation, providing an identifier and a tax collection point for Inland Revenue taxes, VAT or excise duties. The Government have launched pilots, experiments and test studies on a list, but I am far from satisfied that their approach is as well co-ordinated as it should be. Some initiatives have been taken through the Department of Trade and Industry and others through the Treasury. I wonder whether enough co-ordination or urgency is being given to a simple organisational change that could provide a platform for more effective regulation and enforcement to protect legitimate business.

Neither the Committee nor the House knows what commitment the Inland Revenue and Customs and Excise are genuinely making to closer working. There is a great deal of talk, and some money has been allocated. Mysterious switches of money are made between Customs and Excise and the Inland Revenue, but what it all actually involves remains entirely obscure. Today's debate provides a chance to begin to tease out what closer working means.

The House is in a difficult position. The scale of the problems that we detected when we made the studies that helped to produce the report has been entirely borne out by subsequent events. Looking back on the matter, there was almost an attempt to conceal from the Committee the true scale of some of the difficulties. Even while the Sub-Committee was conducting its investigations, certain matters must have been known; for example, the collapse of the Steeler case and the subsequent discrediting—fairly or unfairly—of the Customs and Excise as a prosecuting authority. I have some doubts—

Dawn Primarolo *indicated dissent.*

Mr. Cousins: The Minister shakes her head, so I accept that she is trying to reassure me. However, I remain concerned as to whether Customs and Excise were frank enough with us during our inquiries. We were there to help. We identified problems. They are much greater than even we had supposed. The matter is of serious public importance. It puts at risk jobs and businesses throughout Britain. The scale of abuse in the excise area and, to some degree, in the informal economy discredits some of our normal, legitimate practices.

Such matters cannot be overlooked; they must be addressed. The Paymaster General is entirely capable of shouldering the burdens and setting us on the right course. We look to her to reassure us and to tell us clearly that we are set on a course whereby these matters will be addressed.

2.11 pm

Mr. Edward Davey (Kingston and Surbiton): I apologise to the House for the fact that, unfortunately, I shall not be present for the end of the debate. I apologise especially to the Paymaster General, because her answers and her summing up of such debates are always useful—certainly in relation to my remarks.

I serve on the Select Committee on the Treasury and attended a few of the Sub-Committee's hearings, although I did not play a great part in the inquiry. I pay tribute especially to the hon. Member for West Worcestershire (Sir M. Spicer) and to my other colleagues who undertook the bulk of the work. It is a tribute to the operation of Select Committees that when I considered the proposals and recommendations made by my colleagues, I agreed with all of them.

The report is strong; it is hard hitting. As the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) says, it raises many questions about the way in which Customs and Excise has been working for many years. We may question whether we got to the bottom of all the issues. The Sub-Committee may have to return rapidly to the issue of Her Majesty's Customs and Excise. The questions that we focused on need to be answered quickly.

Sir Michael Spicer: The hon. Gentleman reminds me that we had already agreed to return to the matter. The Liaison Committee has said that the Sub-Committee should follow up that report and we certainly intend to pursue the matter.

Mr. Davey: I welcome that news. It makes this debate even more important. It is the job of the House and of the Committee to ensure that we play our part in turning around that failing organisation. There could be many reasons for the failures. It could be under-resourcing, although I think that it has much to do with poor leadership over several years. The new head of the board faces a real challenge.

Two major issues were identified in the report. The first is smuggling and the measures that are needed to bear down heavily on that abuse. The second is the merger. The Committee came out strongly in favour of merging Customs and Excise with the Inland Revenue.

Customs and Excise might not be capable of taking on both those challenges simultaneously. However, that is not an argument against having a strategic vision for that important Department of State. It is crucial that the Government go much further than they did in their reply to the Committee. Although this may not be the time to take a rapid approach to merger, they should tell us that merger is the goal. It may take place in four or five years, but the Government should tell us that that is what they want for Customs and Excise.

Many of the remarks made by the hon. Member for Newcastle upon Tyne, Central were especially pertinent. He referred to the failures of co-ordination and communication within Customs and Excise. Those are shown clearly by the report. It is thus doubtful whether a quick merger would be possible, because of such weaknesses—mainly in Customs and Excise. However, merger must be the vision.

I was delighted to read, in Wednesday's *Financial Times*, the suggestion that the Government may be considering merging Customs and Excise with the Inland

[Mr. Davey]

Revenue because of the failures of Customs and Excise in relation to alcohol smuggling. Obviously, the Paymaster General will want to put on record the Government's position and whether, after the recent evidence, they have shifted from their reply to the Committee's report.

Dawn Primarolo *indicated dissent.*

Mr. Davey: The hon. Lady shakes her head, so it appears that they have not done so.

I hope that she will leave the door open to that policy goal—as she did when she came before the Committee. Possibly, she will suggest that there will be a review or an independent inquiry into the possibility, so that the debate can progress. That is the right route.

The Committee's arguments for a merger should be put clearly to the House. The evidence showed many benefits, such as improved compliance with taxation. Presumably, that would bring a greater yield to the Exchequer. Another important advantage is often overlooked—indeed, far too often overlooked in Whitehall: the reduction in business compliance costs.

When we debate the regulations that we impose on the private sector, we often overlook the fact that taxation is the biggest source of regulation, involving not just the cost of the tax itself, but the compliance costs for completing forms, keeping records and contacting the tax authorities. Taxation—be it VAT, excise duties or corporation tax—is the largest regulatory burden faced by business.

For too long, the House has paid too little attention to that fact—especially as it relates to Customs and Excise. We must bear down on business compliance costs: they are far too high, especially for small businesses, which face too many inspections. If there was only one point of contact with Government in respect of taxation, that would simplify their affairs. They would expend less senior management time and less anxiety on their relationship with the tax authorities. From the point of view of the private sector, that is a strong case for merger. It should be one of the clinching arguments.

The reduction in the Government's revenue collection costs is a strong argument. I was struck by some of the examples in the Committee's evidence. In a former life, I undertook a little research into the Swedish taxation system. For my sins, I visited the centre outside Stockholm where taxation forms are printed, as my job was to ask about the questions on the forms. It was interesting to see how many taxes were dealt with by one form: for example, income tax, VAT and property tax.

Sweden may be smaller than Britain, but there is no reason why we should not take that route. We could try to include as many aspects of taxation as possible—especially for business—on one form. That is a real goal. It certainly coincides with the Committee's recommendations.

I would go a little bit further, but I promise that I will not spend too long on this subject because you would call me out of order, Mr. Deputy Speaker. I believe that we have far too many bureaucracies in our town halls. One of the strongest arguments for abolishing council tax and introducing a local income tax is that it could piggyback on the Inland Revenue. We could then get rid of a lot more of the tax bureaucracies in this country and save an awful lot of money in the process.

The Committee heard some very strong arguments for a merger of Customs and Excise with the Inland Revenue; so why do the Government persist in not going ahead with it? I was interested in the physical reaction, from a sedentary position, of the Paymaster General when I said that perhaps Customs had lot on its plate at the moment, especially in tackling the smuggling problem. That may be the reason why the Government are not pushing ahead with considering the merger. If that were so, it would be slightly more understandable. If it is the case, I hope that the Minister will confirm it, because I found the arguments in the Government's reply unconvincing.

There were two main arguments. It was said, first, that a merger would entail risks, costs and structural upheaval. Of course there would be up-front costs; of course it would be an upheaval. Of course there are risks in the process—there are in any structural change, and certainly one of this magnitude. That is why there would be a long process of consultation, a process in which the merger was planned out over a period of four or five years, to ensure that we got things right. That is not an argument against the merger; it is just an explanation of the obvious.

The second main argument is that closer working can achieve the benefits of merger without the disbenefits. Well, we have been experiencing closer working and it does not seem to have been very effective, for many of the reasons that the hon. Member for Newcastle upon Tyne, Central has just stated. The Government really must do an awful lot better to produce—

Dawn Primarolo: I shall answer that point now, as the hon. Gentleman will not be present for the end of the debate. That is a contradiction that continually runs through this debate. My hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) asked why the Inland Revenue was doing some more visits while Customs was reducing its number of visits. The answer to that question is that, through closer working and shared experience, the two Departments have a better understanding of when they should visit and how to conduct such visits. Therefore, what appears to be a negative—that is, a reduction in visits—is actually—[*Interruption.*] My hon. Friend the Member for Newcastle upon Tyne, Central laughs, but it is about understanding risk, sharing information and visiting where necessary, but not burdening business with unnecessary visits. That is just a minor example of some of the things that are emerging from closer working.

Mr. Davey: I am grateful to the Paymaster General for intervening then and explaining that point, and I am pleased to hear that some benefits are emerging from the closer working programme. However, from the evidence that the Sub-Committee heard, and that I have read, it does not appear that the closer working programme is progressing apace. There does not appear to be a huge degree of commitment at senior level to it, and as I—

Mr. Cousins: I was trying to bring to the attention of the House the fact that visiting policies clearly differ. I draw it to the hon. Gentleman's attention that the Sub-Committee had evidence that there had been a previous programme of joint visits by Customs and Excise and Inland Revenue, which had been quietly abandoned and ditched by both organisations. That gives rise to some concern about what the present course of action might be.

Mr. Davey: I am grateful for that intervention. The hon. Gentleman shows that he is a rather greater expert on the details of this subject than I am.

That intervention backs up the point that I was coming to, about whether there is commitment, and sufficient commitment, to the closer working programme. We hear that Customs and Excise has undergone a restructuring programme. It restructured its board recently; I am not quite sure why. I am sure that the Paymaster General will enlighten us in due course. However, interestingly, when that restructuring was going on, no board-level closer working director was appointed. If there was a commitment to closer working at the highest level, one would have expected that. One would have expected the board to take the matter seriously.

We are told by Ministers that closer working is really important—that the two organisations will learn from each other, and understand the benefits and share information and so on, which is what we believe could happen after merger. However, I am not convinced that experience of closer working has shown that the benefits of merger can be achieved in that way without the disbenefits. The closer working programme must do an awful lot better, and be undertaken with far greater commitment and extremely quickly if the House—and, I believe, the Sub-Committee—is to have faith in it as an alternative to merger. I am not convinced by it at all.

When, elsewhere in government, some successful mergers of Departments have taken place, the risks, the costs and the structural upheaval—all the excuses that have been made for not merging Customs and Excise and the Inland Revenue—have not been considered. I pay tribute to the Government for the way in which they have integrated the Contributions Agency with the Inland Revenue. It was an excellent idea; I totally support it. The Government have also set up ONE, by merging parts of the Benefits Agency and the Employment Service. The political will was there to carry out that merger. Why is not the political will there to carry out this merger? It seems that when the political will is there, the practical arguments against merging sometimes fade away.

I shall now move on to the smuggling issue. The Paymaster General knows that, in debates that we have had on that issue, in the House and in the Committee of the Finance Bill, I have in many ways supported what the Government have said about administrative changes and the introduction of new technology, such as X-ray scanners. However, I have been concerned about the delays in action, and the report increases my anxiety.

I know that the Paymaster General is committed to hitting the smugglers hard, and she is coming up with a set of policies which, I believe, will be effective; but there are delays. As the hon. Member for Newcastle upon Tyne, Central said, many people are worried about those delays.

Dawn Primarolo *indicated dissent.*

Mr. Davey: The Paymaster General shakes her head, but we have known that this has been a problem since the day that the Government took office, and we had hoped that we would have got further down the track than we have.

That brings me to the report in yesterday's *Financial Times* in which, as the right hon. Member for North Durham (Mr. Radice) has said, there is news that alcohol smuggling is significantly more extensive than Customs and Excise had previously thought. When we debated the subject in the Committee on the Finance Bill and when we had evidence from Customs and Excise, we heard that the real problem was tobacco smuggling, not alcohol smuggling, but the new evidence would suggest that alcohol smuggling is on a par with tobacco smuggling. If that is the case, that again raises questions about the competence of officials within Customs and Excise, because they had not detected the scale of the problem earlier; their capacity to tackle the problem is seriously called into question.

I know that other right hon. and hon. Members want to speak on those issues. I just want to finish on the figure on the Order Paper for the estimates that we are debating. I apologise to the Minister if my lack of research has not produced the answer for me, so that I may have to wait until I read this debate in *Hansard* to find out the answer—or she may find that she has to write to me. I am slightly puzzled by what is on the Order Paper. We are being asked to support the granting of £482,077,000 to Customs and Excise and various other people,

> and payments in respect of Shipbuilder's Relief and the Customs and Excise National Museum.

When I look into the departmental report for the same year, for the same class and the same vote—class XVI, vote 4—I am unable to find that figure. That may well be my own incompetence. I may have misunderstood something. We may have previously voted on the rest of class XVI, vote 4 on some other occasion and this money may be additional. However, that is not clear from the Order Paper or the departmental report, although it should be. It is an awful lot of money for the administration costs of a Department, and the departmental report's account of the class XVI, vote 4 suggests that the costs are significantly larger than those set out on the Order Paper. I hope that the Paymaster General is able to explain why that is.

I know that estimates have received cursory attention over the years and that they are not taken terribly seriously, but it would be nice if the Government at least made an attempt to assist the House so that, when we looked at the Order Paper and the departmental report, we were able to work out what was going on. If those of us who take an interest in the subject cannot easily work out what is happening, what hope is there for casual observers or our colleagues who are not so interested in or anoraky about the subject of Government expenditure? How are they able to understand what the Government are trying to do with their expenditure? If there is an easy explanation for the difference, I shall be grateful to hear it. However, I hope that, in future, the Government will make their requests for Supply rather clearer.

2.31 pm

Liz Blackman (Erewash): The wide-ranging inquiry that the Sub-Committee carried out was very interesting. It covered merger and closer working, the smuggling of alcohol and tobacco, and compliance. The subjects are inextricably linked to a degree, but, having given the matter a great deal of thought, I decided that, like other hon. Members, I would focus the main part of my speech on tobacco and alcohol smuggling.

[Liz Blackman]

Tobacco and alcohol smuggling damage our society from top to bottom in many different ways. It makes it difficult to secure the right level of Government revenue, can result in violence, poses a health threat and causes unemployment. We also have to pay out substantial sums for the detection, prosecution and punishment of offenders.

What tipped the balance in favour of my decision to speak on this issue was a visit that I made to my local off-licence last week where I slightly inflated the profits that it made on wine. Its owner collared me and spent a long time explaining how much he had lost in the past eight years. He said that his profits were less now than they were eight years ago and he put that down predominantly to alcohol smuggling. He was being undercut by alcohol that had been smuggled into this country and which was being sold in other off-licences in the city where I live.

The man to whom I spoke is honest, above board, pays his taxes and works hard. His off-licence is in a relatively affluent area where people have money to spend, but he was seriously worried by the damage that smuggling has caused to his small business. I imagine that the impact of smuggling is being replicated across the United Kingdom. Therefore, I decided to focus my remarks on smuggling.

As hon. Members have already said, the scale of smuggling is immense, but it is very difficult to quantify. A rough estimate is that £2.5 billion was lost to the Exchequer in 1999 as a result of tobacco smuggling alone. We were told that that figure was 10 times more than the one for alcohol, but I doubt whether that is the differential between the two. The scale of the problem should not be underestimated, and we do not do that. In fact, I imagine that it is very difficult to assess its true scale.

I am encouraged by the fact that there have been record levels of success in the detection of smuggled goods, but it is difficult to say whether the increased detection is a sign that we are beginning to crack the problems or the result of greater smuggling activity and an ever increasing culture of smuggling. We must bear that point in mind.

The Sub-Committee considered the way in which Customs and Excise measured its performance. We discovered that its previous measures of performance did not fully gauge the impact of its efforts on overall smuggling volumes. In fact, many of the performance indicators were a moveable feast, because a number of variables changed so that it was not possible to make any comparison between one year and the next. Therefore, it was very difficult to assess whether Customs and Excise was doing well, or doing better.

For example, in 1995–96, Customs and Excise announced that it had exceeded its target of securing 900 vehicles used to carry smuggled goods. However, that target did not appear again. In 1997–98, the number of detections made of smuggled goods yielding excise revenue of more than £10,000 was reported as a target and, in 1998–99, the number of major smuggling organisations dismantled or disrupted was used an indicator. Clarity and stable targets are necessary.

I am delighted that Customs and Excise is to have a public service agreement—PSA—target focusing on the penetration of smuggled tobacco into the UK. That target has been set higher in the first instance, which suggests that the amount of smuggled tobacco is predicted to increase in 2001–02 before it then begins to decrease. One could be cynical and ask whether we will win the battle, but I guess that the answer is, "Yes, we will." My confidence is not without foundation; substantial resources are being put in and there has been a shake-up in management structure and practices. Therefore, I explain the rise and fall in the target in those terms. Targets have been set for the number of tobacco smuggling gangs disrupted each year and for asset seizures. If those targets remain in place, we shall be able to compare how Customs and Excise is doing over the years.

On tobacco smuggling, I support the Sub-Committee's recommendation that the Government should continue to protect the revenue obtained from tobacco duty. We have health objectives and we should not give in to criminal activity. Therefore, I was disappointed with the Opposition when, during consideration of the Finance Bill, they suggested that that duty should be reduced. That argument is disingenuous, particularly in the light of the evidence that the Sub-Committee took. Canada was cited as an example of a country where excise duty on tobacco had been reduced and smuggling had decreased as a result. In fact, one consequence was a switch to the smuggling of alcohol and Canada lost revenue.

Another argument is that we harmonise tobacco duty with that in other European Union countries. However, duty-free tobacco from outside the EU is the problem. Italy and Spain, which have lower duties on tobacco products, still face a huge problem with tobacco smuggling. The only way that we could level the playing field is to get rid of the excise duty, but we, like many other countries, predicate our public expenditure on that revenue stream. We also have other objectives when we raise tobacco duty.

Moving on to resources, I echo my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins), who said that the Opposition have selective amnesia on the Cinderella service that we inherited in 1997. Massive staff cuts had taken place and one of the first things done by my hon. Friend the Member for Coventry, North-West (Mr. Robinson), the then Paymaster General, was to stop 300 anti-smuggling officers being let go, as had been planned by the previous Administration—and, I understand, to prevent the loss of 1,100 VAT officers from the fundamental expenditure review.

Nevertheless, the Treasury Committee was concerned that there was evidence of staff being switched to deal with more disruptive activity, but at a cost to other areas. Customs officials who came to my constituency office said that they felt that staff were being switched to more pressing areas, which left their flanks exposed. I am pleased that there is now a commitment of £209 million and nearly 1,000 new staff. I am aware that those figures are indicative, and depend on the outcome of the spending review. Will my hon. Friend the Paymaster General tell us, without giving anything away, how confident she is that that staffing level will come through? The appointment of 300 anti-smuggling officers has already been given the go-ahead. How are staff recruitment and training proceeding?

I shall deal briefly with the £23 million for X-ray scanners. It would be interesting to know whether that money has come from the capital modernisation fund or is new money contained in the extra £209 million. Those scanners are welcome and were chosen because of their effectiveness in other countries, where they have an extremely good track record. They will not be in place until November, when all the logistical and technical issues—such as installing them, training officers to operate them, how to select goods coming through and working out how to interpret the data coming across the channel—will have been resolved. There are logistical problems, but I am sure that the scanners will not arrive at ports without any of that preparation being done. I am, therefore, interested to hear my hon. Friend the Paymaster General's response to the issues raised by my hon. Friend the Member for Newcastle upon Tyne, Central.

I have a couple of questions on the marking of tobacco products. I very much welcome the pack mark scheme. The Treasury Sub-Committee, however, recommended a date mark, as we thought that that was a good way of countering forestalling. My understanding is that that has been rejected, and I should be interested to know why as I am sure that the idea of countering forestalling has not been rejected. However, if the date mark scheme has not been rejected, has it been accepted and is it going ahead? Similarly, in their response, the Government said that they would consider the Committee's remarks on health warnings on packs and would come back with information. Will my hon. Friend the Paymaster General comment on that?

When the Treasury Sub-Committee spoke to the head of Customs and Excise, he recognised that, although closer working by the Department was moving forward, perhaps much more needed to be done on internal linkages within the Department, as opposed to closer working with the Revenue. Customs and Excise has anti-smuggling teams and back cash teams which monitor retail matters, and also has shadow economy teams and excise verification teams. We were told that the operational policy directive was taking a holistic approach, but the way in which the different elements work with one another in the service is a management issue that needs to be further resolved. I welcome the appointment of the new head of Customs and Excise, as well as what he has already done. However, could we have information on whether he is making the matter a priority in his shake-up of the service?

The Treasury Committee clearly flagged up concerns about the control system for holding and moving excise goods, which is Europe-wide and paper based, thus providing ample opportunity for abuse, diversion fraud and freight train smuggling. An example of those controls not being in place is the gap in the revenue collection on alcohol, which has been mentioned by several hon. Members and is being investigated. There are now EU agreements to improve and modernise systems, but that is a fairly long-term project. There are on-going improvements to the early warning system, which will continue to be made as a matter of urgency. How are they progressing?

I was going to go into detail about concerns relating to a story that has recently hit the headlines on the gap of between £1 billion and £2 billion which resulted from fraudulent non-payment for wines and spirits between 1995 and 1998. However, I shall say only that I am pleased that that will now be the subject of an independent inquiry. I agree with the article which said that as well as the judicial element, there must be strong commercial input in looking at the problem and serious re-examination of control and information systems.

I shall touch on the issue of compliance. If the problem of non-compliance is simply about the complexity of having to comply, that is a concern for Government, as it encourages people into non-compliance. Of course, if someone sets out to be non-compliant, that is another issue. However, when systems are complex, telephone hotlines are not available, leaflets are inaccessible and explanations are not given, it is much more difficult for businesses to comply. It is revealing that, in the last 10 to 20 years, there have not been any studies on Customs and Excise compliance costs, although a survey is now planned. The Treasury Committee recommended that the Government should look at a targeted approach to delivering reduced costs, which is now going ahead. Indeed, it needs to go ahead with speed, as that is a move towards helping businesses to be compliant.

The huge challenge that the Government face in attacking and reducing smuggling includes tackling within Customs and Excise the serious problems associated with investigating and successfully prosecuting smugglers. I welcome the Butler report on that, and it is healthy that those problems are being faced. I hope that subsequent to the inquiry on the matter, recommendations will come before the House.

I welcome also the Cabinet Office report, "The Proceeds of Crime", which is another piece of the jigsaw in tackling the problem of bringing to book people who are making a considerable amount of money and causing a great deal of misery to our society. For those Members who have not read it, I can say that the report is still at the consultation stage, but it proposes that we extend civil forfeiture powers to strengthen the existing powers of seizure under the Drug Trafficking Act 1994. That would include not only cash linked to drugs crime, but other means of payment such as travellers cheques and bearer bonds. The report also recommends the setting up of a national confiscation agency to work with Customs and other law enforcers on cases that are not pursued by the civil route.

I am sure that there will be a great deal of debate about that in the House, if and when the proposals are included in legislation. However, the following figures are shocking: from 1987 to 1996, only 157 drug trafficking orders for over £100,000 were made, but there were 45,000 convictions. There is a gap between making the punishment fit the crime and what has been happening.

I end where I started, by saying that I am very supportive of all the measures being taken by the Government on this ever increasing problem, which has an impact on many different issues, including unemployment, which I have mentioned. Not least is the impact of cheap alcohol and tobacco on children.

2.53 pm

Mr. Peter Brooke (Cities of London and Westminster): It is a great pleasure to follow the hon. Member for Erewash (Liz Blackman), as it is always a pleasure in such debates to follow a member of the Select Committee that has produced the report. Those of us who are in attendance at a debate on a Select Committee report, but who are not members of the Committee,

[Mr. Peter Brooke]

inevitably have a slight sensation of being a Jehovah's Witness who has accidentally stumbled upon a coven. However, I declare an interest, having served for two years in the mid-1980s as a Minister answerable to the House for Customs and Excise—a task that I hugely enjoyed.

On my first day as Minister, I said that I should seek to get out of the Treasury once a month to visit Customs operations. My principal private secretary, who was a Customs official, and who I am delighted to say is now a commissioner member of the board of Customs and Excise, was sure that we would not achieve that, but we achieved visits once every six weeks or so, and 17 visits in all, so I have some knowledge of, and considerable respect for, Customs and Excise, at least in those years. I acknowledge that those years preceded the smuggling bonanza of the past decade.

Customs is an ancient service and existed in a privatised form long before it was a public service. It practised in the City of London, and in the port of London in particular. Chaucer was a Customs officer—it is a much older service than the Inland Revenue.

In the light of the Select Committee's comments on Customs' need to be more user friendly towards business, it is perhaps worth repeating the episode in the mid-14th century when Edward III, anxious to restore Westminster's economy after it had been ravaged by the shift of the Government to York in the context of the Scottish and Welsh wars, decided that the office for extracting imposts on all exports of wool should be moved from the City end of my constituency to the Westminster end, rather as more recently the French customs decided that all Japanese videos should enter France through Poitiers in the heart of that country. It will not surprise the House that, within a dozen years, 14th-century market forces had moved the taxing point back to the City.

If I express some loyalty to Customs and Excise in these remarks, it will not be the first time that I have done so. During the 1987 general election, my noble Friend Baroness Thatcher insisted that a Treasury Minister should be present at all her London press conferences, and that hazardous role fell largely on me because of my constituency. I say "hazardous" because the public prints of the day reported that, in one press conference answer, the Prime Minister criticised Customs and Excise for its treatment of small business and appealed to me for support on the platform. I had to say that I could not follow her the whole way because it was within my certain knowledge that Customs and Excise could visit each small business in the land on average only once every eight years for an inspection.

Given the Select Committee's new criticisms of Customs and Excise for business user-unfriendliness, I can see that the then Prime Minister may well have been more right than I had surmised. I did not so damage my standing with her that she resiled from appointing me chairman of the Conservative party six months later, but in reflecting on this debate, it has occurred to me that she may have decided that it was better to have me running Smith square than answering for Customs and Excise in the House.

At any rate, that move ended any responsibility that I had for Customs and Excise, to which my most notable contribution was the resolution of the Euro-tunnel treaty problem. We had to resolve the dilemma that French customs officers on trains entering the tunnel would still be carrying guns when the trains left the tunnel at our end, whereas British customs officers would not be carrying guns. Our resolution, accepted by both sides, was that French customs officers could carry guns on British soil, but if they wished to use them, they must apply in writing to the chief constable of Kent. One indirect contribution was that I chaired, from 1988 to 1989, the Government working party to set up the Government data network, initially between four Departments, of which Customs and Excise and the Inland Revenue were two.

I want to dwell on three issues: first, smuggling; then, briefly, the climate change levy, if that is in order; and, finally, the Select Committee's proposals for merging Customs and Excise with the Inland Revenue.

On smuggling, I called in 1991 on my successor at Customs, the then Minister of State, to discuss the plans for the introduction of the Single European Act in 1992 in the context of smuggling, and particularly the smuggling threat to Gallaher's factory in Northern Ireland, where I was then serving in government. I am against politicians saying, "I told you so," but I have to confess that after hearing of the preparations of Customs and Excise in 1991, I did not think that they were likely to be wholly effective, and I have not been wholly surprised by the turn of events since. In all honesty, I should, following various speakers in the debate, acknowledge that I was genuinely surprised by the reduction in Customs and Excise staff numbers in the previous Parliament, given the tasks that it was being asked to address, but then I was no longer a member of the Government.

Anyone interested in smuggling naturally has a sense of history in general and of the 18th century in particular. It was Pitt the Younger's triumph in his fight against smuggling that he characteristically went for essentials. His central problem was that the excise duty rates were so high that smuggling enjoyed considerable public respectability, as evidenced in Kipling's lines:

Five and twenty ponies
Trotting through the dark—
Brandy for the Parson,
'Baccy for the Clerk;
Laces for a lady, letters for a spy,
Watch the wall, my darling, while the Gentlemen go by!

I hold no brief for espionage, but otherwise those lines catch the flavour of the age.

Pitt's solution, of course, was to slash excise rates, with the wholly benign result not only that smuggling ceased, but that the Treasury's revenue rose exponentially, as it did when my noble Friends Lord Howe of Aberavon and Lord Lawson of Blaby cut the top rates of tax two centuries later.

Of course I understand the Government's health arguments. I do not want to give the impression that I have not followed them in this instance, but I also followed the debates on the Finance Bill in Committee on the Floor of the House two months ago. My right hon. Friend the Member for Wells (Mr. Heathcoat-Amory), the shadow Chief Secretary to the Treasury, and several other hon. Friends drove an Exocet worthy of Pitt through the camouflage that was advanced by the Government in their arguments for joined-up government. Those arguments are a classic case of the school report stating, "The improvement in your son's handwriting has revealed alarming deficiencies in his spelling."

The Select Committee report and today's debate are invaluable searchlights on this major crux in the efficacy of Government policy. However, in constrast to the Select Committee's findings on Customs and Excise secrecy, the Select Committee on Northern Ireland Affairs, which examined Customs and Excise witnesses in the context of petroleum duties and consequential smuggling into Northern Ireland from the Republic of Ireland, gave us clear evidence, although I admit that that was under the leadership of my former principal private secretary, which may or may not have been a coincidence.

My remarks on the climate change levy will take the form of a single quotation. The other day, the Financial Secretary to the Treasury gave me a very civilised written answer on the levy, to what would have been an oral question, had it not fallen too low in the ballot. I have, however, heard him answer oral questions on the levy several times and every time, he prays heavily in aid my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer). It is too long a quote for an oral question, but I offer the Financial Secretary, in his understandable capacity today as Banquo's ghost on the Treasury Bench, my right hon. Friend's preface to a question to the Prime Minister on 12 April. He said:

> When I asked the Prime Minister some time ago what the effect would be on Britain's emissions of the moratorium on gas-fired power stations, he did not know. His right hon. Friend the Secretary of State for the Environment, Transport and the Regions thought that the effect would be so small as to be laughable. It turns out that the effect is, in fact, so large that it countervails the whole effect of the climate change levy.—[*Official Report*, 12 April 2000; Vol. 348, c. 360.]

Those do not sound like the words of the Financial Secretary's natural ally.

I come to the merger. I have read the Select Committee report and have heard the arguments of its members today. I have also read the Government's response. In her letter accompanying the response, the Paymaster General states:

> there are also important differences between the roles of the two Departments, which require the development of different skills set in terms of assurance and collection. Indirect taxes are transaction-based taxes, requiring real-time identification of transactions with near-simultaneous and continuous collection. Direct taxes are periodic and accounts based, generally collected in arrears.

She goes on to expand on the generic particularities of indirect taxes to the same effect in arguing the Government's response—that they were not in favour a merger.

The Select Committee report closed with a single sentence in heavy type at the end of paragraph 133, which stated:

> In our view, one of the main benefits of the merger of Customs and Excise and the Inland Revenue would be to effect a shift in the culture of VAT and excise collection so that it was more attuned to the needs of business.

It is not for me to second-guess the Select Committee's final sentence, not least because it took the evidence, but I doubt whether the Select Committee would have ended the same way 15 years ago. In that era, the distinction between the two agencies was that the Inland Revenue was more deeply into precision, while Customs and Excise, because of its permanent interface with business, was more into rough and ready agreements with business by which it would seek to collect the broad necessary tax arising from legislation while making its collection convenient for both sides. Because of the longevity of both services over centuries, I should be surprised by so rapid a change in 15 years, and my instinctive objection to the proposed merger derives from the different cultures.

I do not know how many members of the Select Committee have been involved in the process of change in large organisations, but I had some experience of that in the margins during 18 years in the private sector, and it is a genuinely challenging task. Not least because of my involvement in helping to set up the Government data network, I am of course wholly in favour of further exploration of potential collaboration, but at this juncture I would need a lot of convincing to support a full-scale merger. The Select Committee report, however, has been eminently worth while.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Michael Lord): Order. Before I call the next hon. Member to speak, I remind the House that several hon. Members are trying to catch my eye. Not much time is left and, unless contributions are considerably shorter, some of them will be disappointed.

3.6 pm

Mr. David Kidney (Stafford): The contribution of the right hon. Member for Cities of London and Westminster (Mr. Brooke) is all the more welcome because he is not a member of the Select Committee on the Treasury. Because some hon. Members who want to speak are also not members, I shall keep my remarks brief. I want to discuss closer working, smuggling and the Doran case.

I recognise the contribution that the tens of thousands of staff make to the work of Customs and Excise every day. I am sure that they seek satisfaction in doing their job well and in the knowledge that they are doing some public good by collecting moneys that will be spent on this country's defence, effective public services and keeping out illegal products and substances that we would prefer not to be here.

I have often noticed how comfortable politicians are in talking about structures. That is a dangerous thing for us to do; the important matters are the processes involved and the results. The proper taxes must be collected effectively and as politely as possible from honest and hard-working people. Those who have to pay their taxes must find the service that they receive polite and efficient, and they must be regarded as individual personalities, not as numbers or organisations. It is important to focus on that in any debate on how our tax collectors work, so it is legitimate to ask why two organisations collect our taxes and why there cannot be one.

I should like to defend the Treasury Sub-Committee from any suggestion that we became obsessed with structure and forgot to consider the delivery of the service, first by reminding hon. Members that the investigation into Customs and Excise followed a similar investigation a year before into the Inland Revenue, so we have thoroughly considered both tax collection organisations. Secondly, as the hon. Member for West Worcestershire (Sir M. Spicer) said, we closely considered the experience of Canada, which has merged all its tax collection functions into one organisation, not to try to save money—the evidence showed that no money was saved—but to get the service right, to collect the right amount of tax in a way that is acceptable to the public and to be

[Mr. David Kidney]

customer friendly in carrying out such duties, thereby reducing the burden on those who have to pay their taxes, especially the costs to businesses, which, of course, have other priorities.

The Government response to the report states that closer working is a good way in which to ensure that the service provided by our tax collecting organisations is effective, and to achieve the desired results. We on the Treasury Sub-Committee found that in the 1990s, the organisations may have said that, but they did not practise it. The absence of a closer working director until last year has already been mentioned. Equally, there was no system to monitor and evaluate closer working.

I had the impression that the Paymaster General had come to the system years after it had been set up and found that she could not provide a proper assessment or evaluation of it because the systems had not been in place to provide her with the information needed to make that assessment. In the Government's response to the report, she tells us that the intention is now to ensure that the system has proper aims, such as closer working, and proper monitoring and evaluation in future.

Nevertheless, I still believe that closer working will not deliver on the agenda that we have all talked about today. I still believe that it is unambitious, and anyone who reads Lord Grabiner's report will see that we need a closer working programme much wider than the one in place. In April, the Committee received a letter saying that criteria for closer working would be established, but we are still waiting to hear what they are, and I am not even sure about what is happening with the budget for closer working. The Committee has just received a letter from the Treasury that talks about transferring closer working budget money from Customs and Excise to the Inland Revenue, but it is not at all clear why the Government are playing fast and loose with that money, which is supposedly important.

Whether or not a merger ever happens, we could look further at steps along the way to closer working, such as more co-locating of closer working teams, a small amount of which takes place. Why do we need two separate boards for the two organisations? Why could there not be one board for Customs and Excise and the Inland Revenue, even if they continue as two organisations for tax collecting purposes? Again, the Government have travelled along that road a little by having directors from each board serve on the other.

It is important to remember the distinction between the different kinds of smuggling, which no one has drawn in the debate. Different things are smuggled—ranging from human beings to tobacco, alcohol and drugs—and there are different smuggling operations. A lot of people listening to the debate may simply have in mind the so-called white van trade in which people from this country visit another European Union country with lower tax rates, fill up the van with stuff that they claim is for their personal use, transport it home and sell it commercially much more cheaply than the local off-licence can sell such goods to its customers, thereby doing the off-licence out of business and possibly its livelihood.

The white van operation is not attractive or desirable, but it is not the most prominent kind of smuggling. Much more significant is so-called diversion fraud, which was touched on in a report in yesterday's *Financial Times*. Goods leave this country, supposedly for export—therefore, no duty is payable—but, instead of going out to the claimed destination, they are diverted back to this country's markets to be sold without duty ever being paid. As we read in the report, and as has been mentioned by many hon. Members, billions of pounds can be lost. Also, goods in container lorries are smuggled into European Union countries from third countries such as Russia and China, where no duty or small amounts of duty, are paid, and sold without EU duty being paid.

Like many hon. Members who have spoken, I disagree with the idea that cutting duties would reduce smuggling. Most smuggling involves organised criminals—people who pay no duty at all—so unless we reduce duties to zero or close to it, we shall never be able to remove the motive to continue that business. We should therefore consider only the white van trade and whether harmonising duties in this country with those in other EU states is desirable. That would be an interesting debate.

I refer to the submission made to the Cabinet Office by the Public and Commercial Services union—the trade union that represents most Customs and Excise staff—on how, for a small outlay, the Government could significantly improve the detection and prevention of illegal drugs imports to this country. I support that submission and hope that the Government are able to give it some attention in the spending review announcement that will be made soon.

I refer also to the case of Doran and the Government's response to the report by Judge Butler, which my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) has already mentioned. In that multi-million pound drug smuggling case, the alleged perpetrators were prosecuted by Customs and Excise. However, the case collapsed and the accused walked free from court. As a result of comments made by the trial judge, an investigation was set up as to what went wrong and why the case collapsed. This is a sorry tale of poor preparation of the prosecution case, the misuse and abuse of investigative powers and a lack of total frankness and disclosure by those involved on the prosecution side.

As a former solicitor, I was horrified to see that some of Judge Butler's recommendations are very basic. For example, he said that all cases must be

> fully and properly prepared for presentation in court

and that a barrister instructed by Customs

> must be provided with a formal set of instructions.

I could not imagine a barrister not receiving a formal set of instructions and a properly prepared set of papers, even in the slightest case I ever dealt with. I stress that this case involved a multi-million pound prosecution.

The report is worrying, so no wonder the Government have agreed to set up a further investigation as to whether Customs and Excise should lose its status as a prosecuting authority. However, I must point out that my hon. Friend the Member for Newcastle upon Tyne, Central was wrong to say that Customs and Excise did its best not to tell us about the Doran case. I asked questions about it when we had Customs and Excise staff in front of us, but our own Clerk was worried as to whether the sub judice rule still applied and stopped the line of questioning. Customs and Excise staff made the point that they detect and prosecute many cases each year involving smuggled goods of great value. Those prosecutions are usually successful and those who are successfully prosecuted receive severe sentences. The picture is not gloomy—indeed, it is usually one of success—but this case is worrying.

Mr. Cousins: Is my hon. Friend concerned, as I am, that the Doran case is not the only recent one to involve large sums of money and a Customs prosecution that collapsed? A similar case in Portsmouth and a trial in Middlesex Guildhall both had a similar result, so perhaps we should consider not simply the issues involved in the Operation Steeler case, but a more widespread and fundamental problem.

Mr. Kidney: Yes, I am concerned that the public hear that people who have done terrible things have walked free from court and that Customs and Excise staff, who did their job properly to catch those people, see that an unsuccessful prosecution is the result of their work. That is worrying, which is why the investigation is welcome, and why the Government's decision to consider whether Customs and Excise should continue to be a prosecuting authority is the right one. I agree with that.

The Sub-Committee's work in considering the various agencies of the Treasury is immensely useful to us and to the agencies and organisations themselves. I am pleased that we are to go back to Customs and Excise later this year to see how it is getting on, not least with closer working.

3.18 pm

Mrs. Ann Winterton (Congleton): In view of the time, I shall be as brief as possible and shall not touch on several issues that I should have like to have discussed, such as alcohol and tobacco smuggling and the new problem with petroleum, to which my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke) referred and which has to be tackled. I shall leave them on one side as they have been well explored.

In briefly congratulating the Treasury Sub-Committee on its report, I shall take a slightly different tack. I welcome the opportunity to debate the work of Her Majesty's Customs and Excise on tackling the smuggling of drugs. It plays a vital role in the detection and prevention of drug smuggling in order to reduce access to drugs in Britain.

Front-line customs officers undertake a thankless task, dealing with verbally abusive and often aggressive travellers. Routine searches can lead to disturbing and distressing discoveries, as was tragically evidenced on 12 June at Dover. I have observed that Customs officers undertake their work efficiently and effectively, and I pay tribute to them for the role that they undertake on behalf of us all.

With regard to the performance of the Department in relation to drug smuggling, its efficiency is clearly demonstrated by the Department's increased use of intelligence-led operations. Customs and Excise has been successful in applying its specialist skills to the fight against commercial smuggling. Between April and December 1999, the Department disrupted or dismantled 35 smuggling organisations trafficking in class A drugs, and was on course to meet its public service agreement target of 60 organisations by March.

The Department was also on course to meet its target of preventing class A drugs with a value of £1.2 billion from entering the UK during 1999-2000. In 1998, the Department seized 88.3 tonnes of drugs, including a rise of more than 25 per cent. in the amount of cocaine and amphetamines seized in the previous year.

However, as has been mentioned in the debate, the number of successful prosecutions for drug smuggling has fallen significantly in recent years, and average sentences have increased by just one year to five and a half years. The new data collection system will give us a better understanding of the success of the 4,000 prosecutions brought by Customs each year, but serious questions have been raised recently about the Department's ability to prosecute offenders.

Following Judge Butler's inquiry into the collapse of the case against Brian Doran and Kenneth Togher for smuggling cocaine with a value of £34 million, his report last month found that mistakes were made by the Customs investigation team and the Customs solicitors department. Judge Butler found that the solicitors department is "simply not sufficiently resourced". He reported:

> These officers I saw I would describe as hard working and dedicated . . . for the kind of pay most lawyers would describe as derisory.

A review of the Department's role in prosecutions and the possibility of transferring customs cases to another prosecuting authority is due to be completed in October this year. I ask the Minister for assurances that the lessons of the report will be learned.

A wider issue of resourcing gives rise to concern. The problem of drugs in Britain continues, and their availability is not declining, despite increasing seizures by Customs and Excise. Home Office research shows that the street price of most types of drugs continues to fall, yet in 1999 the estimated street price of Customs cocaine seizures amounted to more than £250 million.

Customs officers face diverse, more organised and more sophisticated challenges in suppressing the flow of illegal drugs. The Department's estimated expenditure on drugs enforcement in 1999-2000 is £209 million. However, the number of staff allocated to tackle the problem has decreased. I accept that intelligence work is crucial to the success of operations, but there is no question that front-line resources are needed to support the intelligence services.

The Public Accounts Committee took a detailed look at the Department's role in dealing with the drugs menace. In its report in November 1998, the PAC concluded that, while intelligence-led investigations may provide a deterrent to some commercial drug smugglers, it is

> nevertheless important to maintain a sufficient anti-smuggling presence at ports and airports to provide a perceived risk of detection, particularly for smaller-scale and opportunist smugglers.

I acknowledge that staffing levels in the service declined under the previous Government. The level of Customs and Excise staffing has fallen further since 1997, particularly in intelligence and anti-smuggling. I refer the hon. Member for Erewash (Liz Blackman) to page 26 of the departmental report, where the staffing statistics clearly show that there were 14,364 staff years in 1997–98, when we left office, and that the forecast plan for 2001–02 is for 13,482 staff years. There it is, in black and white.

[Mrs. Ann Winterton]

Front-line anti-smuggling officers are engaged in efforts to protect society against drugs, firearms, explosives and paedophile material. The Department believes that it can make more of an impact by deploying teams of anti-smuggling staff to different ports and airports. However, the PCS union reports that front-line staff feel a mounting frustration because more could be done to stop the tide of drugs entering the country.

The PCS is aware that drug smugglers switch their resources to where they think there is the least risk of getting caught. With a number of smaller provincial airports and ports not being staffed on a constant basis, the union believes, and I agree, that there are increased opportunities for smugglers. A MORI poll commissioned in 1999 revealed public comments about the lack of adequate staffing at smaller airports and harbours.

The PCS estimates that an extra 500 front-line officers would allow the Department first, to respond more strategically to known risks; secondly, to invest more resources in testing medium and low-risk traffic in order to give an assurance that that traffic did not pose a significant threat; and thirdly, to enhance the deterrent effect provided by a visible uniformed presence in preventing the import of drugs and reassuring the public.

The PCS expressed concern that the Department was underestimating the effectiveness of additional staff, and that the reduced level of resources was not a sufficiently considered response to the threat from the importation of drugs.

The lack of staff is deeply worrying. It reveals a fundamental misunderstanding of the drugs problem. In their White Paper, the Government identified four issues that needed to be tackled: first, helping young people to resist drug misuse in order to achieve their full potential in society; secondly, protecting our communities from drug-related anti-social and criminal behaviour; thirdly, enabling people with drug problems to overcome them and lead healthy and crime-free lives; and fourthly, to stifle the availability of drugs.

The final aim relies heavily on the ability of Customs and Excise to reduce the amount of drugs coming to, and crossing, the UK, through seizures and by disrupting trafficking organisations.

The crucial balance is between addressing supply issues and demand issues. The Government have pledged to tackle the supply of drugs,

> shifting the emphasis from dealing with the consequences of drug misuse to prevention of that misuse.—[*Official Report*, 25 May 1999; Vol. 332, c. 162.]

However, although they are ploughing £217 million of new money into the delivery of their strategy, all that money is allocated to dealing with the demand side. Customs and Excise, the major player in achieving the fourth strand of the Government's strategy, has not been allocated sufficient extra funding, despite the Department's track record in delivering increased seizures cost-effectively.

Initiatives to tackle the demand for drugs must be combined with initiatives directly to stifle drug availability in Britain. The PCS believes that if more resources were allocated to anti-smuggling staffing, the amount seized would increase substantially. I accept that additional staff for Customs will not alter availability unless demand is adequately addressed, but the funding designed to deliver the Government's aims in relation to drugs would be much more effective if it encompassed efforts to stem the problem at its root.

The focus on the recovery of hard drugs is also a worrying factor. In 1998, the seized quantity of cocaine rose, but there was a 28 per cent. fall in the quantity of seized cannabis resin. The shift of resources away from so-called soft drugs is in line with the Government's strategy, but there are downsides. The PCS has warned that the decreasing seizures of soft drugs is demoralising—it must be; they are, after all, illegal—undermining what is meant to be a tough Government stance against drugs. The PCS also warns that more sophisticated smugglers are exploiting the move away from targeting soft drugs by concealing hard drugs within consignments of soft drugs.

The work of the Department must be seen in the context of the overall anti-drugs strategy. Customs and Excise cannot work in isolation, and it must be resourced adequately to play its part fully and effectively. Visibility and effectiveness are not mutually exclusive. Intelligence gathering is important, but the Government should not underestimate the effective deterrent that visible customs officers provide to smugglers. However, the PCS considers that the existing resources are too low to deliver both options effectively.

The Department is rightly expected to deliver higher targets in order to prevent a greater amount of drugs from reaching the United Kingdom, but consideration must be given to the staffing levels which can best achieve those aims. Concerns have been raised by members of the public, the Public Accounts Committee and the PCS.

I urge the Minister urgently to examine staffing levels and to provide additional resources to stop drugs reaching our streets.

3.31 pm

Mr. Nick St. Aubyn (Guildford): We have heard a great deal this afternoon from Labour Members about the Government's crackdown on evasion and the increasingly oppressive regime but, perhaps typically of this Government, we have heard nothing about the principles of Government by consent, which must include taxation by consent.

There is increasing evidence not only that the general tax burden is reaching a level that people do not accept is fair and just, but that the level of taxes being imposed, particularly in this area, is at the heart of the problems of collection that have been described this afternoon, because more and more people feel that the amount being claimed from them is grossly unfair.

At the back of the Select Committee's report is an account of the evidence given by the Tobacco Manufacturers Association, in which it points out that the charge on a packet of 20 cigarettes had risen from about £1.50 a packet in 1993 to £3 a packet by January 1999. It points out that the differential from the average throughout the other EU member states has risen from less than 50p to more than £1.75. The result is that, in real terms, the amount of revenue coming from tobacco taxes since 1992 has fallen—a doubling in the tax on tobacco and a fall in the revenue yield.

We heard from Labour Members how that was partly due to the white van phenomenon, but, evidently, the big criminal element has found that the profits to be made at those much higher levels of taxation are so attractive that it has decided to become involved. By raising taxes to such a high level, the Government have made an opportunity for criminal activity, which excessive taxation has been proved to create many times before.

If we are to have Government and taxation by consent, we must observe the proper way in which taxation is to be decided and debated. It was striking in the course of the Finance Bill Committee, on which some of us recently served, that the Government refused to give us the pertinent information from the Taylor report when we came to debate the level of tobacco duty.

Before we consider that, it is worth bearing in mind the fact that, if the Government had succeeded in maintaining the level of duty at the level they inherited, the yield from tobacco duty in the first three years of this Parliament would have been £3 billion higher than was actually achieved. That is £3 billion which might have gone into the health service or to meet the other needs of our society but which has been lost as a result of the Government's failure to follow a successful strategy in achieving not just the highest rate of tobacco duty, but the optimum level.

As the Select Committee pointed out, it, too, was disappointed that the Taylor report was not made available; that several key witnesses told it that they had not been consulted by Mr. Taylor; and that the advice tendered by Mr. Taylor was apparently personal and confidential to the Chancellor. The Committee concluded:

> We consider it unacceptable that the Treasury should commission a review of an important area of Government policy . . . without allowing Parliament access to the review's conclusions.

The only person who had access to the conclusions was the Chancellor, who is described by one of his colleagues in the Government in today's *Daily Express* as being "power-crazed" and "bonkers." Should we really allow such an important report to be spirited and squirrelled away by the Chancellor to be interpreted purely in terms of his view of the situation, rather than having the type of open and clear debate that is needed if we are to develop an effective policy—not, as I say, of having the highest level of tobacco duty in Europe or anywhere in the world, but of having the optimum level, which would yield more revenue to spend on the services where it is needed?

3.36 pm

Dr. Peter Brand (Isle of Wight): I am not accustomed to speaking on Treasury matters, but I was struck by the Select Committee's report, especially paragraphs 59 and 87, and the Government's response, which reflect the concern expressed today that we should have enough front-line officers to deal with smuggling. Clearly, we welcome the Government's initiative, particularly in concentrating on tobacco smuggling. The Government's response to the Select Committee's concern was the £209 million and the 1,000 extra staff to be employed, and that is welcome.

I have a particular interest in smuggling since my constituency has 60 miles of coastline, five harbours, two airports and many large houses which were built with profits from smuggling. In the midst of the 18th century, we employed 120 Customs officers, but now we have only 3.5. Those 3.5 people do an excellent job because they are equivalent to community policemen. They work through harbour-masters and yachtsmen, and people give them soft evidence and intelligence, so they have been extremely successful. We are a high-risk area, but luckily, a low activity area because we pick matters up before anything happens.

I am concerned that we have lost two of our allocation of 3.5 Customs officers to serve permanently at the container port in Southampton. I have made some inquiries and the same sort of thing has happened elsewhere on the south coast. There has been a 60 per cent. reduction in the Hamble and further down the coast.

It is important that yachtsmen see Customs officers around. Not only do they have a deterrent effect: law-abiding yachtsmen expect to be able to make easy contact with a Customs officer to pass on matters of concern or strange patterns of behaviour informally, without having to telephone an office and make a formal complaint. It is important that Customs and Excise should not lose sight of the invaluable role played by the local Customs officer, as opposed to the specialist teams that can be drafted in.

I have written to the area controller, and he assures me that the work will still be done, with specialist teams being drafted in when necessary. But they will arrive by ferry, and by the time they are on the ferry everyone will know they are coming. That is not the same as having people in the locality who are integrated with the local community and who have a visual presence. I urge the Minister to consider the policy, which has served the police badly. It is the equivalent of taking policemen out of the community and sticking them into cars and specialist teams.

If we go along that route, we may see good performance indicators, but in a way such indicators are those of failure. They are signs that we have virtually allowed smuggling to occur, after which we make arrests. Deterrence, and getting the community on the right side, is the way in which a stretched resource can be used most effectively.

3.41 pm

Mr. Oliver Letwin (West Dorset): We have had an interesting debate on a most interesting report. Apart from anything else, the debate has brought out the deep truth of a statement that is lodged at various parts of the report. It has not been brought out with particular prominence, but it is there. It is that the range of activity within Customs and Excise is positively daunting. I think that the Select Committee observes that it sees no argument against a merger because the range of activity within each of the two bodies—the Inland Revenue and Customs and Excise—is greater than the difference between the two bodies.

As my hon. Friend the Member for Congleton (Mrs. Winterton) said, in one area of its activities Customs and Excise is a sort of border police force, while in another there is a group of people raising VAT, a standard tax. I marvel at the fact that Customs and Excise can do anything at all given the range of its activities, and that anybody can run it. I hope that it will not be taken by members of the previous management as too great an indictment of their activities that hon. Members criticise them. I doubt whether their critics would have been able to do a better job than they did. We impose on them an incredibly difficult task.

[Mr. Oliver Letwin]

We have a real problem on our hands, and the Select Committee has provided a valuable service in drawing attention to some parts of it. I wonder whether the full scope of the problem emerges from the report. I wonder also—I shall suggest that it is not the case—whether the full scope of the problem arises from the operation of Customs and Excise. I think that a great part of it is attributable to us in Parliament—to government and policy rather than merely to operations.

I do not know whether a merger is appropriate. There has been a long-running debate. The members of the Treasury Sub-Committee have investigated the matter, under the chairmanship of my hon. Friend the Member for West Worcestershire (Sir M. Spicer), and on the whole have suggested that merger would be a good idea. The most important point that the Sub-Committee makes is that neither it nor we are in a proper position to debate the subject: the findings of the one serious investigation that has been conducted by those who are in the know on the inside of Whitehall have not been revealed.

It is a tribute to the tact of my hon. Friend and his Committee colleagues that the report is quite cautious in the way it describes the matter. I think that the failure to reveal the findings of the investigation amounts to something close to contempt of the House. What I take to be a serious piece of administrative investigation was called for by a responsible body, a Select Committee, and it was not yielded up.

I am surprised that the Sub-Committee, through the Chairman of the Select Committee on the Treasury, is not seeking to have the House demand it. I understand that the House would be in a position to make it a contempt not to yield it up. I think that as a general principle our Select Committees are still too timorous about their demands on Whitehall. I understand the constraints within which they operate, but I think that the report should definitely be before us.

It may be that there is some reason why the Government are not willing to yield up the report, even after the embarrassments of the debate. If that is the position, there is only one proper solution, and that is to commission a new full-scale inquiry on the basis of an open book, so that everyone knows what is being done, and to publish its findings. I suspect that until that is done we will not know whether there is merit in the Select Committee's intuition that there should be a merger. We maintain an entirely open mind on that issue until a full-scale inquiry has been conducted.

If the Paymaster General is not willing to yield up the earlier report because, as the Select Committee speculates, it is inadequate, or, indeed, for some other reason, I hope that she will say that she will commission a full-scale and open inquiry. We would then at least have the basis for a proper debate.

The scale of the smuggling problem has emerged clearly in the debate, and it is extremely serious. My right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke), with characteristically brilliant allusiveness, took us back through the ages and reminded us that smuggling is not a new phenomenon. It is not since I was a child that I have heard the Kipling verse, but my right hon. Friend is correct to say that people were concerning themselves with smuggling long ago. I think that I can slightly outdo him in historical reach, by saying that smuggling was a very serious problem in Anglo-Saxon times. In those days the witan much concerned themselves with the subject of smuggling. So we have about 1,000 year's worth of experience of serious smuggling.

The fact is that the scale of the smuggling catastrophe—I use that word advisedly—has reached proportions which in some parts of Britain threaten the foundations of ordinary society. I am not speaking of loss of income. Customs and Excise costs about £1,000 million a year to run and it raises about £100,000 million a year in tax. It loses about 2 per cent. of that in forgone revenue—I hesitate to say this, but

Dawn Primarolo: It is a pretty good record.

Mr. Letwin: As the Paymaster General says from a sedentary position, it is a pretty good record. If we asked throughout the world how many people manage to collect that much money spending that little money and with that amount of loss, the answer would be not many.

The mere loss of revenue is a trivial item compared to the effect of smuggling on ordinary society and ordinary people in many areas in the southern part of Britain, and increasingly throughout the rest of Britain. The relationship of government to the governed and the acceptance by the governed of the legitimacy of things that we do in this place and which government imposes upon them, is a critical component of the coherence and stability of our society. It is bad enough when professional crooks bring in large loads of smuggled goods, but perfectly ordinary people are going abroad and, as a matter of course, buying stuff, not declaring it, giving it to friends and relatives or selling it openly in pubs. One such case has been mentioned and that could be replicated by hundreds of thousands of others.

I do not say that the activity has gone so far as to constitute a social crisis, but we have the beginning of the end of the proper relationship between governed and government, and that is a catastrophe. We used to have a country in which we prided ourselves on that relationship working extraordinarily well. We used to smile ruefully about people in Italy who did not pay their taxes. We thought that that was not the sort of thing that happened in Britain.

We now have on our hands enormous criminal activity by perfectly ordinary people who otherwise lead respectable lives. That is a very bad situation. I do not believe that any amount of extra effort by Customs and Excise, machines or anything of the kind—my hon. Friend the Member for Guildford (Mr. St. Aubyn) was right about this—will solve the problem. It can be solved only by trying to redress in some way over time—and with all the difficulties that this implies—the great gap between our levels of excise and those in nearby ports. Otherwise, the problem will remain and no amount of effort by Customs and Excise officers will cure it.

Liz Blackman: How does the hon. Gentleman answer my point that, no matter how great the reduction in tobacco duty, cheaper goods, or goods with no duty, will always be available, and big business will ensure that they fill any gap?

Mr. Letwin: It is obvious that I did not make myself clear. I accept that organised criminal smuggling will probably continue, whatever the level of duty. Smuggling has probably existed for as long as time. However, the propensity of hundreds of thousands—perhaps millions—of otherwise respectable citizens to engage in criminal activity, which is the social disaster that I am describing, arises almost exclusively from the discrepancy in excise rates. That should be a matter of mutual anxiety. It is not a party political issue. We should all be concerned about what we do to ordinary people. I accept the point about big business smuggling, but it was not my point.

Mr. Cousins: I am following the hon. Gentleman's argument closely. I am sure that it has occurred to him that he is calling for harmonisation of tax rates.

Mr. Radice: EU harmonisation—oh dear!

Mr. Letwin: I am calling for action by a sovereign country to deal with difficulties that its citizens face. That is different from the proposition that the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) may support, and that the right hon. Member for North Durham (Mr. Radice) certainly supports: that a foreign power in Brussels should tell us how to do it. The difference is signal.

Mr. St. Aubyn: Is there not all the difference between tax harmonisation imposed by Brussels and tax competition, which is a global phenomenon that no Government can afford to ignore?

Mr. Letwin: My hon. Friend is absolutely right. When we consider the Finance Bill in due course, we shall again debate double tax relief, which shows the extent of the Government's departure from tax competition. However, I shall leave that point aside.

I want to consider a vital point that has emerged not from the debate but from the report: the role of Customs and Excise, not as a policeman, but as a tax gatherer. The Treasury Sub-Committee, piously but rightly, states that we need to move to a simpler system with which it is easier to comply. I use the word "piously" because neither the Sub-Committee nor the Government have devised good measures for putting that into practice. However, the aim is noble.

It is one of Britain's better known secrets that the Conservative party has devised a set of plans for a simpler system. Now that people are again interested in the Opposition because the Government are crumbling around us, it is possible—I put it no more strongly than that—that the Government may pay attention to the admirable plan that we presented some time ago. It has 10 points, because that is how such plans are devised—I pay no attention to that. They are not the only 10 points that are worth considering; perhaps they are not even the 10 most important points, but we should take concrete action. I shall therefore outline 10 easy measures.

First, there should be six weeks at the end of a VAT quarter for every business to complete its VAT returns. I have spoken to dozens of firms and representatives who have made it clear that that is vital. They do not have enough time to complete their forms.

Secondly, we need a new, independent business protection unit so that firms that are about to go under have a sympathetic ear, and can prove to that unit that they will surmount the difficulties and not fail. That is preferable to Customs and Excise acting as the creditor of first resort and the party that pulls the business under when it gets into difficulties. Customs and Excise, after contact with the special unit, should be willing to wait for its money.

Thirdly, there should be a presumption that VAT officers will give binding advice within a specified period and in advance of a contemplated action. People can thus know whether their proposals are legal.

Fourthly, there should be symmetry in payments. I am sure that, like me, hon. Members of all parties frequently receive complaints about that matter. Why does not Customs and Excise pay the same interest rate when it is late with its payments or repayments as taxpayers who pay Customs and Excise late?

Fifthly, the detail in VAT returns needs urgent review. Those returns are unnecessarily onerous.

Sixthly, the disclosure limit for errors is old fashioned. The Government pride themselves on modernising; I do not like that idea, but the Government believe in it. A figure of £2,000, which was set many years ago, is clearly ludicrous and should be increased.

Seventhly, we need a review of, or consultation exercise about, the future of the capital goods scheme. It used to work, but we now live in a world of computers, and the limits do not reflect the cost of computing.

Eighthly, something should be done about the payments-on-account scheme. The option of 12 monthly direct debit payments is available from any utility and most other people with whom one deals, but not Customs and Excise. Why not?

Ninthly, the deregistration threshold should parallel the registration threshold in some way.

Tenthly, and most importantly, there should be no question, except in the most extreme circumstances, of retrospective legislation to alter the ground rules to avoid avoidance schemes. I say that especially in the hearing of the Paymaster General because, of all the holders of her post in British history, she takes the palm as the most assiduous pursuer of avoidance schemes. Let us promise that we will not go backwards and penalise people for past activities that were legitimate when they undertook them. That applies to Customs and Excise legislation as much as to the Inland Revenue legislation that we shall debate when we consider the Finance Bill.

I have reached the end of my remarks and the allotted time. I hope that when the Treasury Sub-Committee considers Customs and Excise again, it will emphasise the critical importance of openness and use every power at its disposal to get the Taylor report published. That report has been mentioned often; it is a mythical item and we do not know its contents any more than we know those of the study on merger. It is a shame and a disgrace that the House has not seen it.

3.56 pm

The Paymaster General (Dawn Primarolo): We have had a long and detailed debate, using the hook of the vote on Customs and Excise. Many detailed points have been made. In the short time available, I shall not be able to refer to them all. I shall consider the 10 points that the hon. Member for West Dorset (Mr. Letwin) outlined. However, my remarks will concentrate on the main subjects that have been raised.

[Dawn Primarolo]

My right hon. Friend the Member for North Durham (Mr. Radice) briefly set out three broad basic topics, which other hon. Members developed. They were the merger, smuggling and compliance. Compliance broke down into two subjects: the cost of compliance for business and its cost to the Department. Many hon. Members concentrated on the internal systems of Customs and Excise and its ability to respond.

I was grateful to the right hon. Member for Cities of London and Westminster (Mr. Brooke) who, with others, referred to the tens of thousands of people who work in the Department. As the hon. Member for West Dorset pointed out, they collect more than £100 billion—40 per cent. of all tax collected for the Government. They do that very efficiently, at a cost of around 1 per cent. As the hon. Member for West Dorset also said, we concentrated today on what was not collected, but when we consider the record as a whole, it is very good.

The Treasury Sub-Committee is ably led and chaired by the hon. Member for West Worcestershire (Sir M. Spicer). I take its report seriously. I cannot say that I enjoyed reading it, or that I felt entirely relaxed as today's debate unfolded. However, I want to try to give a positive response. I think that we owe that to those who are employed by us, and who discharge certain duties. Moreover, serious issues need to be addressed.

I smiled when the right hon. Member for Cities of London and Westminster gave a rather odd example of the rules some years ago. Until recently, a rule stated that French dogs used for tobacco detection purposes were not allowed on our ferries because of our quarantine arrangements. Fortunately, the matter now seems to have been resolved.

As my hon. Friend the Member for Erewash (Liz Blackman) said, Opposition Members should be extremely careful before criticising the current Government. It was their Government who reduced Customs and Excise staff by at least 3,000. I have been the Minister responsible since the election of 1997. As my hon. Friend the Member for Erewash pointed out, 300 officers dealing with the smuggling of drugs were about to lose their jobs as a result of plans that we inherited from the last Government. We did not proceed with those proposals, let alone the large numbers involved.

Mrs. Ann Winterton: Will the Minister give way?

Dawn Primarolo: Yes, but let me say first that I wish only to put the record straight. I do not want to pick an argument with the hon. Lady or her hon. Friends. I think that everyone who has spoken is concerned about smuggling, whether it involves drugs, tobacco or anything else.

I will give way to the hon. Lady, because I referred to what she said.

Mrs. Ann Winterton: The Minister is very gracious.

I take the Minister's point, but the figures to which she refers were estimates for the period after the general election. When her Government ensured that those 300 officers would remain, what they did not do was increase resources. Savings had to be made elsewhere in the service.

Dawn Primarolo: The hon. Lady is not quite right. We had to save some of the money, because the Department was within its budget, but movements occurred rapidly in the Treasury to deal with the pressure points, according to where we thought they were.

Many hon. Members referred to the *Financial Times* report that asked whether £1 billion, £2 billion or some other sum was missing, or unaccounted for, in the context of excise control regimes. They also referred to the announcement that I made on Friday. The figure given in the *Financial Times* is incorrect. Let me tell the House, as clearly as I can, how this happened, how it came to my notice, and how I intend to proceed.

An interim report—an internal report by Customs and Excise—was ordered by the new chairman of Customs and Excise, and was received by me last Friday. It identified serious weaknesses in the Department's control of excise duty collections. The right hon. Member for Cities of London and Westminster repeated today the fears that he expressed when the rules were introduced, on the commencement of the single market. A particular problem relates to the mechanism for releasing spirits and wine that are subject to duty from bonded warehouses.

There have been numerous prosecutions, resulting in about 100 convictions in connection with one major group. Nevertheless, the report concluded that there had been significant revenue losses, which were deemed principally to have happened in the three years following 1995.

In 1998, changes were made to the regime, but it is not clear whether the arrangements are tight enough. I believe that hundreds of millions could potentially be lost. However, having been faced with something so serious, I believed—and I was supported by the chairman of Customs and Excise—that we should act immediately on receipt of the results of the internal inquiry. I decided that we should conduct an external investigation as quickly as possible.

The National Audit Office had been informed, and was already working with Customs and Excise in an attempt to quantify the losses and identify the weaknesses in the control system. I have given an indication—and I have notified Her Majesty's Opposition—of what I would expect the inquiry to cover. I would expect it to cover the policy, legislation, systems and resources within Customs and Excise relating to excise holding and movements, and to determine weaknesses and gaps, including those relating to the efficiency of the system of bonds and guarantees. I would also expect it to discuss how best to establish clear internal accountability for the securing and protecting of departmental revenues. In particular, I would expect it to ask whether there should be a single point of accountability in Customs and Excise for cash revenue management. Finally, I would expect the inquiry to consider how best to ensure that sufficient weight is given to protection of revenues as a key criterion in Customs and Excise handling of fraud investigations.

Any shortcomings in the system, and any information relating to resources—prosecutions are still taking place, as are Customs and Excise responses—will be referred to the investigation at the conclusion of the cases involved. I will ask the leader of the inquiry to keep me informed, and to tell me whether immediate steps are planned. I support the appointment of someone who will be able to deal with the systemic problems that may arise, take a commercial approach, and deal with the issues directly. I will, of course, keep members of the Select Committee informed.

Before turning to the issues of smuggling, merger and compliance, let me make a few general remarks about Customs and Excise. Although we all understand that the focus of today's debate is on particular areas of Customs and Excise, it is important—for the benefit of those who follow our proceedings, especially those working for the department concerned—to acknowledge what the department has done well. As I have said, it has collected more than 40 per cent. of central Government revenue, at a cost of about 1 per cent. Key agencies are reducing the bulk supply of drugs to the United Kingdom market, and tackling the major trafficking problems.

The Department is a major element in the Government's anti-drugs strategy. Its intelligence-led deployment of officers in the United Kingdom and abroad prevented some £1.24 billion worth of drugs from reaching the UK last year. It has also dismantled and disrupted trafficking organisations.

I do not want to undermine the credibility of the hon. Member for West Dorset among his hon. Friends, but, as he said, we are talking about a Department that deals with the protection of society—in the context of drugs and smuggling—with the collection of VAT, and with the whole excise duty regime.

As a Minister, I consider that what is crucial is that I understand what the Department does best, what it should do, what it may be doing that it should not do—what is inappropriately located there—and to build on that understanding. It is the policy objectives that I should pursue. I said to the Committee on the question of merger that I believed, as the Minister responsible, that the vast resources and time used to put Departments together was a diversion—if Members will excuse the pun—from the true objectives, which must be to ensure that the Department reaches its objectives.

I am not saying for a minute—no one could, at the end of the debate—that no things need correcting in the Department. We need to look seriously at that. The new chairman of Customs and Excise has come from the private sector. A third of those on the new board are new members. A third come from the private sector. The remaining third have experience in the Department. It must drive change forward.

I welcome the comments by members of the Select Committee on the Treasury that they intend to return to the issue and to look again at Customs. The exercise that they have conducted already has been extremely useful, even though I did not entirely agree with some of their conclusions. Nothing is ever closed. The constant striving to ensure that the Department does its work properly is crucial.

The Department faces huge challenges, particularly in relation to smuggling. Comments were made about the scanners, the increased resources and how we are tackling the problem. It is important to say that the pressures on the Department, and what it faces, are never more starkly seen than in Dover. There were 1.7 million freight movements through the port last year and that is increasing. It is a truly herculean task for Customs and Excise staff to keep a balance between trade flowing swiftly through the port and countering smuggling. Organised criminal gangs now dominate the smuggling of drugs, spirits, cigarettes and, most tragically, as we are seeing, people.

The 54 people from southern China who died in a container that was searched at Dover earlier this month were discovered by Customs officers. Hon. Members will perhaps be able to imagine the distress of those officers on discovering such a sad and tragic cargo. I have nothing but admiration for their professionalism in that front-line work, but the challenge to us with regard to smuggling is this. Hon. Members have sought to characterise it as a duty problem. As my hon. Friend the Member for Erewash and many others have pointed out, even without any duty at all, that activity would continue. If we dealt with duty, that would continue. We must deal with the criminals and what their activity does to our communities and to legitimate businesses. The job will continue to be more difficult.

Obviously, there is always confusion between what is called the white van trade—those who go opportunistically—and other smuggling. The first review that the Government undertook—the alcohol and tobacco fraud inquiry—gave more resources, provided more Customs officers and targeted specifically the white van trade, compared with the systematic and criminal importation of vast amounts of tobacco. That requires a different response. The £209 million will provide that.

The scanners are there. Some of them will be mobile, some will be static. We had to go through a process of ensuring that we handled the tenders correctly. We have to publish details of who contracts for them. That equipment is there primarily to find smuggled goods. The immigration service believes that there are more efficient ways of detecting the smuggling of people. None the less, there will need to be agreement because undoubtedly, at times, people will still be found. That is a subject for discussion between the Home Office and the Department.

On the wider questions of VAT compliance and what needs to be done, I take on board everything that the Committee has said. We are rooting out inefficiency, making the system efficient, minimising burdens on business and streamlining as much as possible how we operate as a Department to deliver the resources. All of that is under way. There are many examples—which I cannot now give, but I have a feeling that I will be in front of the Select Committee again on the subject anyway—of closer working and how it is developing and blossoming. It shows how we can bring the Departments together culturally and how we can ensure that we drive that forward.

I apologise that there are still questions of—

It being three hours after the commencement of proceedings on the motion, the debate was concluded, pursuant to Resolution [27 June].

Question deferred, pursuant to paragraphs (4) and (5) of Standing Order No. 54 (Consideration of estimates &c.).

ESTIMATES DAY

Class XII, Vote 3

Social Security

[Relevant documents: Third Report of the Social Security Committee, Session 1999–2000, on Medical Services, HC183, and the Government's response thereto, Cm 4780; and the Social Security Departmental Report: The Government's Expenditure Plans 2000–2001 to 2001–2002, Cm 4614.]

Motion made, and Question proposed,

That a further, revised sum, not exceeding £1,110,424,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges which will come in course of payment during the year ending on 31st March 2001 for expenditure by the Department of Social Security on administration, for agency payments, expenditure incurred as part of the Welfare to Work initiative, expenditure on behalf of the Department of Health, and for certain other services including grants to local authorities and voluntary organisations and other organisations—*[Mr. Betts.]*

4.16 pm

Mr. Archy Kirkwood (Roxburgh and Berwickshire): It is a pleasure and privilege to open this short debate under the estimates on the important subject of the provision of medical services to the Benefits Agency. I have felt for some time that Parliament does not take enough time to revisit some earlier policy decisions taken in primary legislation. If that is true of primary legislation, it is certainly true of secondary legislation and the administrative systems within the departmental structures of Government. We need to look at the way in which primary and secondary policy is implemented on the ground through the administrative procedures.

It is an appropriate subject for debate under the estimates because, as the House will know, each year, some £25,000 million is devoted to providing for those who have a disability or long-term sickness. That is a large part of the Department of Social Security budget. In 1998, a contract was entered into with Sema, a private sector company, to provide medical advice for decision makers within the Benefits Agency. The contract totals some £305 million. It is for five years, with a possible extension of two. Therefore, the subject raised on the estimates day is an appropriate one.

My colleagues on the Select Committee on Social Security are grateful to our colleagues on the Liaison Committee for allowing us to allocate time for that subject. It is raised on the basis of the Social Security Committee's third report of the current Session, which was published recently. It was occasioned by the concern that came through clearly to my colleagues on the Select Committee—from a variety of different sources, it must be said.

In October and November, the Under-Secretary of State for Social Security, the hon. Member for City of York (Mr. Bayley), bravely made himself available for two evening sittings and had an uncomfortable time from a lot of Members, who were visibly distressed by and angry about the treatment that some of their constituents were getting, so we had that evidence available to us. Other evidence came to the Committee through our contacts with pressure groups and disability groups—the National Association of Citizens Advice Bureaux and the like—which registered real areas of discontent about the way in which medical services work was being done. The casework from colleagues, taken together, led us to conclude that we should look at the provision of medical services.

We were able to take what we believed was a relatively short time for what we believed would be a relatively quick report. After placing the usual advertisement soliciting evidence from interested parties, we soon realised that the report could not be a cursory one. We received a staggering volume of evidence, which was staggering also in the extent and depth of the difficulties that it revealed. There was very clearly great disquiet in all parts of the medical services and Benefits Agency service delivery systems. Therefore, in November 1999, the Committee agreed to produce a report, which has now been published.

The Government have published a response to our report. I acknowledge that the Under-Secretary has a very good track record on the subject—for which he is responsible. Although it may embarrass him to know this, when the Committee went to various parts of the territory to discuss the subject, people spoke highly of him. It was recognised that, before he became a Minister, on his own initiative, he worked with the National Association of Citizens Advice Bureaux in York on this very subject. We are lucky that we have such a Minister. The trouble is that Ministers who are good and expert on subjects often move on. We shall have to work on the worst case assumption that he will soon be a Cabinet Minister and that we will be dealing with someone else.

The general tone of the Government's response to our report is positive. I detect the Minister's fingerprints on some of that response, which is welcome. I shall deal with the Government's response in a bit more detail in a moment.

It is fair to say that the system was never perfect. There was much disquiet also about the old system—the Benefits Agency medical services system—which was operated in-house and entailed medical evidence being given by officers employed by the Department of Social Security. It is also fair to say that we are bound to have some difficulties and complaints with any system purporting to undertake 1 million medical examinations annually. It would be foolish to have any other expectation of such a system.

In fairness, it is also true to say that the contract has been running for a relatively short time. It was an ambitious contract, and one could argue that it has not really bedded down yet. Additionally, as some applicants for disability benefits who are rejected—because they do not meet the eligibility criteria established by the House—are disappointed, an element of disappointment and anxiety is built into the process. We have to take that into account, and to be careful in reaching judgments and comparing the system with the previous one.

In paragraph 100 of their response, the Government quite candidly admit that the benefits that they had hoped to achieve from contractorisation have not been realised. I am sure that the Minister would say that it is too soon to judge that and that the contract has another three years—with an additional two years, if necessary—to run. However, at least the Government have made that admission.

Nevertheless, I think that the House is right to consider carefully how the decision was taken to privatise the medical services decision-making process. In retrospect, I think that the Government were wrong to take the decision so quickly. The Minister will know that, a few short months after the new Labour Government took office, some additional requirements were added to the brief. Admittedly, that happened after the previous Government had examined the issue for some time and had well developed plans.

I really wonder, however, whether a root and branch review was conducted of the proposals before the decision was taken, particularly in relation to advice from pressure groups and those who were going to be part and parcel of the system's daily work. Although all the contracts looked fine, the lawyers had crawled over them and the work was done professionally, with the benefit of hindsight, I do not think that anyone who had ever advised someone applying for disability living allowance or incapacity benefit ever got anywhere near that process.

If I had been a Minister, I think that I would have delayed contractorisation until I was absolutely sure of the quality of the service being delivered. I do not think that such an assessment was ever made, and we are paying a price because of that omission. The contractorisation timetable was doubtful, and contractorisation was implemented too quickly.

Additionally, there was inadequate benchmarking. I should be glad to have information on any comparators from Northern Ireland, which has a different way of dealing with the process. As Sema was given all three areas—the north, the south-east and the south-west—all in one go, the competition element could not be tested. There was, therefore, no way of benchmarking performance by sharing out the contract geographically.

An issue running as a thread through the report—the British Medical Association raised it originally, but others also did so in their own ways—is that the contract process, including its details and funding, was too lean and that it may not have provided sufficient resources to do the job properly. Undoubtedly, the day will dawn when the National Audit Office has time to examine the issue. However, if we are going to increase contractorisation and use that contract as a model, I really should like a Government body or departmental expert to examine the process and to determine whether lessons can be learned about how the decision was taken and how the process was implemented.

I say quite candidly to the Minister—I was nice to him earlier, but there is always a "but" when one is nice to Ministers—that, although I am prepared to wait for the contract to expire, in my considered view, if the level of service to claimants does not improve, Ministers must prepare for the possibility that the contract will be awarded elsewhere. I do not say that lightly, but I think that it is true. The view that the House takes today will be important in that decision.

This debate gives hon. Members the opportunity to give their own constituents a voice. I could use the next three hours of the debate reading out, without repetition, complaints that we have received. Some of the complaints are difficult to comprehend, because of the daftness and natural injustice that seems to have been visited on some claimants. Of course, we have heard only one side of the story. We were dealing with anonymous complaints, which we encouraged, and were therefore never able to hear a balanced view.

In their response, the Government have taken a bit of a potshot at the Committee for accepting anonymous evidence. Hand on heart, I say that only a fraction of the evidence that we took was anonymous. However, if Ministers really do not understand that people in this country and in this day and age are frightened to put their names to their complaints, they do not understand the extent of the problem. I therefore make no apology for taking evidence that was lodged anonymously.

Additionally, Select Committees are not equipped with the depth and range of services that we need really to examine this type of problem. Only Departments have the resources necessary to conduct such an inquiry. Therefore, I do not think that, in the production of our brief report, there was any other way of getting the flavour of the boiling anger and frustration felt by those who have had bad service.

I confess that I told my Committee members that I did not think it would be possible to get evidence from everyone. It is asking a lot to ask people who have suffered at the hands of the system to come and tell us their story. However, we went to Bristol for one evidence session, and the opportunity to speak to people directly was an absolute eye-opener.

One thing just did not compute. We spent the morning at one of the medical centres provided by the Sema group and by medical services. We spoke to people whom I considered to be dedicated professionals. They were impressive, caring people who thought that they were providing a service that was up to scratch. I thought that there must have been some mistake, as the written evidence did not relate to what we were being told by the medical professionals. However, we spent the afternoon session down the hill in Bristol, where it was a completely different story.

There is a disjunction between what the civil service and the medical professionals were arguing and what we were told that afternoon by people who had had terrible experiences involving life events that they will never forget. The question is to what extent the really difficult cases are typical. I have no way of knowing that, but the volume of the evidence suggests that there is a problem which needs to be addressed urgently. People out there are crying out for help and they need a response. This afternoon's debate provides an opportunity for that. I hope that right hon. and hon. Members will take the opportunity to give the House a flavour of some of the cases that they have struggled to ameliorate and deal with, so that we can decide where to go from here.

I am not looking for scapegoats, victims, resignations or any damn thing. However, we all have an interest in moving on and trying to improve the service. The Government's response to the Select Committee report gives me confidence that, with good will, we can do that.

The Select Committee report can be considered under four categories. The first is the recommendations that are designed to improve the medical quality of the examining medical practitioners' reports. There was a great deal of concern about that. Secondly, I shall briefly look at the recommendations that are designed to improve the service to claimants generally, and with particular reference to

[Mr. Archy Kirkwood]

claimants from ethnic minority groups, female claimants and claimants with mental health problems, whose cases were particularly poignant and difficult to deal with.

The third category comprises recommendations that are designed to remove the perverse financial incentive, of which the Government are aware, involving the relative financial gain of considering cases by desktop scrutiny rather than by medical examination. There is a potential incentive for the contractor to make more money by carrying out fewer examinations. Incidentally, that might result in benefits being made available to people who did not really deserve them. The fourth and final category comprises the recommendations that are designed to improve the terms of employment of the examining medical practitioners, and their pay and training, which caused some concern.

On the first category—the medical quality of reports—the Government's response at paragraph 7 is welcome. It is to set targets for a reduction in the proportion of "C grade"—or unacceptable—reports and for increased compliance with scrutiny guidelines for incapacity benefit cases. I hope that that course of action will be prosecuted with energy and vigour.

The Government state at paragraph 15 of their response:

> More rigorous recruitment criteria . . . have been introduced which should set a minimum level of medical experience for the doctors who are employed.

I shall return to that in a moment as the British Medical Association has faxed me a response that causes me some concern.

At paragraph 20, the Government's response states that revised guidance has been issued to examining medical practitioners. I am particularly pleased that a medical skills database has been introduced. We should take advantage of the fact that companies such as Sema have expertise in these matters. If we can have available quality audits of doctors' work, details of their training and any remedial work that they may have undertaken, that must be valuable in terms of getting people trained and enabling the contractor to assess medical practitioners' success rates.

I welcome the targets and the medical skills database and, in particular, the fact that in looking at the medical quality of reports, the Government recognise that their objectives have not yet been met and that work needs to be done.

Rev. Martin Smyth (Belfast, South): The hon. Gentleman referred to a comparison being made with Northern Ireland. Was he referring to the situation generally, or specifically to the medical examiners? Quite frankly, there is great concern about that. In a number of cases, the standard of examination was deplorable and it was despicable that people who were genuinely in need were put under such pressure. I wondered whether the hon. Gentleman was referring to that, or to another area where he thought that things were better in Northern Ireland.

Mr. Kirkwood: Had I realised that the hon. Gentleman, who has expertise in this area, would raise the matter, perhaps I would not have strayed into an area that I do not know very much about. My point was that if Sema are providing medical services in the northern area, the south-east and the south-west of Britain, the only opportunity for finding another system to act as a benchmark would be to look at the provision in Northern Ireland, but the hon. Gentleman may have taken away any hope of succour from that direction. If the situation is just as bad in Northern Ireland, it may not help us. However, I welcome his expertise and acknowledge his interest in the subject, and I hope that he manages to catch your eye, Mr. Deputy Speaker.

I now turn to the Government's response in respect of service to claimants. At paragraph 25 they state that training is being offered to examining medical practitioners in customer care, but accept that revised guidance, which provides more information, is welcome. They state at paragraph 27 that the Department is working with medical services to review all aspects of the treatment of claimants and that a taskforce has been set up to review all communications to claimants.

Less welcome, however, is the fact that at paragraph 36, the Government appear to reject the need for a review of the system's treatment of mental health problems. At paragraph 39, in respect of communications with patients from ethnic minority groups, they state that multilingual notices

> would not be consistent with current practice in other parts of the Benefits Agency.

If that is a defence, I do not think much of it. Some members of the Select Committee who specialise in these matters helped us enormously by bringing to the fore some of the problems experienced in certain communities, so I hope that that is not the Government's last word on the issue.

At paragraph 40, the Government appear to complain that our comments were based on anonymous examples. I tried to deal with that point earlier. At paragraph 42, they state that new training will be provided in multicultural awareness.

Less welcome is the fact that at paragraph 45, the Government's response totally fails to address the difficulties of female claimants. They state that if a claimant requests a female doctor, attempts will be made to meet that request. That is not a sufficiently robust response.

Although the Government say that they understand the Select Committee's concerns about the complaints procedure, once again, they accuse us of using anonymous evidence to support our view that the complaints procedure is totally inadequate. Indeed, early in the inquiry, we were told that a customer satisfaction survey produced a satisfaction rating of 88 per cent. As I said earlier, there is clearly a disjunction with some of the evidence on the subject and that is deeply worrying.

On the question of service to customers, the Government are in danger of being complacent and defensive. I notice with interest that some 46 hon. Members signed early-day motion 826—which was unsponsored, honestly—congratulating the Committee on its report. Against that continuing level of concern, the Government's response leaves something to be desired.

I am content that the Government seem to have got the message about removing the financial incentive to deal with claimants by scrutiny rather than examination. The report says that the Government would view "with unmitigated disapproval" any evidence that the fall in the number of examinations was driven by commercial gain. I am content with that response. It is a difficult issue and there may be good reasons for some of the trends in the figures. I hope that the Government continue to share the Committee's concern that that potential threat exists and I urge them to keep the matter robustly under review.

The Government state that within one year, all doctors will be trained in the assessment of people with mental health problems, the treatment of people with disabilities and the avoidance of distress for people with musculoskeletal conditions. That is welcome. The Government are also concerned about the failure of medical services to meet their contractual obligation in regard to training.

Mr. Desmond Swayne (New Forest, West): Since the publication of the report, I have received representations from sessional doctors in my constituency who are being encouraged by Sema to take additional training, but are being required to do so without pay. When the training was provided by the Benefits Agency, the doctors were paid for doing it. The Government have said that they are renegotiating the terms, but what prospect is there of them bringing pressure to bear on Sema in that respect?

Mr. Kirkwood: As I would expect, knowing the hon. Gentleman as I do, that is a perceptive point and he anticipates my next comments. The Government sidestepped the issue of pay for training days by stating that it was a matter for medical services to address. Frankly, that will not do. I welcome the initiatives on training, but I remain concerned that by failing to specify the number of days of training to be delivered by medical services, the Government may allow the contractor to opt out entirely. I hope that that will not happen.

The BMA has raised several issues connected with the report. The parliamentary response arrived on my desk this morning, and the tone of it concerns me. The BMA is an interested party and tries to improve the pay and conditions of its members, just like any other trade association or professional body. However, it points out several issues that suggest to me that the relationships in the set-up are not yet right. For example, it points out that people who work as sessional doctors for Sema and medical services have received no pay increase for some eight years. During our inquiry earlier in the year, it was suggested that that situation was being addressed and would be fixed. I do not know the current situation and it would be helpful if the Minister could give details. I know that he will say that it is technically nothing to do with him under the contract, but Nestor Disability Analysts says the same, and medical services also seemed to say the same at one point. Everybody was passing the buck and that may be why no pay increase has been given in eight years. If that is true, it is unacceptable and will not assist in attracting the quality of medical practitioners required to perform that sensitive and skilled work.

I am also worried about the spirit of non-co-operation that appears to exist between the BMA and medical services. The BMA says that it last met medical services in September 1999. The proposed meeting in December was cancelled by medical services and a letter sent by the BMA to medical services on 25 November 1999 has not yet received a reply. I do not know any more and I do not wish to enter into any dispute between the two bodies, but that does not suggest the spirit of co-operation necessary to achieve improvement.

The BMA also raised the issue of time for interviews. It says that medical services have informed doctors, in a letter sent on 22 September 1999, that they will have to report all instances in which fewer than five clients are seen per session. A session lasts three and a half hours. The BMA also alludes to the issues surrounding non-payment for training, mentioned by the hon. Member for New Forest, West (Mr. Swayne).

Mr. Gordon Marsden (Blackpool, South): On the point about the BMA's concerns about the time spent on individual cases, I noted the Committee's comments in the report. I offer the hon. Gentleman an example from medical services. I wrote to the Preston office with concerns about a particular doctor and the amount of time that he spent on his investigations. The reply from a Miss Unwin, the client team co-ordinator, stated straightforwardly:

> From the perspective of Medical Services, a total of 45 minutes or so in a house would be regarded as sufficient in most cases. The majority of clinical examinations can be concluded in 10 minutes.

Does not that underline some of the BMA's concerns?

Mr. Kirkwood: It does, and the hon. Gentleman makes his point eloquently. I hope that the Minister has taken due notice.

The BMA says that it is concerned that it does not know how many sessional doctors are employed by Nestor Disability Analysts. Although the Department was told that 2,482 doctors had agreed to the contract, with a further 659 continuing to provide a service but without signing a contract, information obtained by BMA members indicates that a significant proportion of the 3,000 or so doctors approved to work for medical services have stopped offering their services. The BMA also believes that even under the new, rigorous recruitment criteria, which are mentioned in the Government's response, ordinary general practitioners can start to work for Sema and medical services as soon as they qualify. That was not my understanding during our work on the report, but I may be wrong. The BMA also believes that the pay issue must be addressed.

The BMA drew my attention to some fresh concerns that are pertinent to the debate. The association is a not inconsiderable pressure group and its views should be taken into account. I hope that the Minister will be able to answer some of its questions.

I shall conclude by saying that, although saving 14 per cent. of a contract worth £305 million over five years will realise £62 million, I wonder whether that is not taking too much out of the system. Removing that money will put pressure on the most disadvantaged people—the claimants.

My anxiety about that is genuine. Today's debate should question whether the resources in the system are sufficient to achieve the standards that we all want. Speaking for myself, I think that the jury is out on medical services. The debate will allow hon. Members to speak for their constituents, but I believe that the Social Security Committee is likely to decide that, one way or another, it will in future monitor very carefully the progress of these matters, to which it reserves the right to return.

[Mr. Kirkwood]

The Committee is also likely to take up the option of compiling a report at the end of the contract period. It is possible that that report will make a recommendation as to whether the Government are safe to continue with the present arrangements.

I hope that the debate will be informative, and that the Minister will be able to reassure the House. I hope too that hon. Members will feel that the Select Committee report has been of some assistance in securing better provision for our constituents.

4.50 pm

Mr. Gareth Thomas (Clwyd, West): I am grateful to my hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood), who is Chairman of the Select Committee on Social Security, of which I am a member. He provided a comprehensive analysis of the inquiry conducted by the Committee.

An inquiry and report such as the one that we are debating today offers an admirable example of the good work that Select Committees can do. If the report serves to concentrate the Government's mind on the need to maintain a good quality service in this crucial area, it will have been justified.

I am heartened by the Government's generally positive response to the report. It is worth mentioning, as the Government are at some pains to do in the introduction to their response, that the history of medical services needs to be placed in context. There is reason to doubt the effectiveness of the present contractorised system—I am sure that some of the defects that came to light are only too familiar to hon. Members—but the fact remains that the old system was very far from perfect.

Delays were part of the culture of the old system, and there was a total lack of co-ordination in terms of standards and training. Contractorisation at least gives the Government some significant degree of leverage over how quality should be monitored and the system improved.

As my hon. Friend the Member for Roxburgh and Berwickshire said, the people seeking benefits under the system—which costs £25 billion a year—are the most vulnerable in our society. It is crucial to ensure that examinations for eligibility are conducted by doctors in a professional and fair manner, and claimants must believe that they are being dealt with fairly. I am sorry to say that it became apparent from our inquiry that in many instances that was not the case.

I acknowledge that an enormous bureaucracy is involved, given that a million medical examinations are held every year in relation to medical benefits. No system can be perfect, but there is certainly a need for improvement. I agree with what has been said already: if medical services do not improve significantly over the next year or so, there should be scope to reconsider the contract and take robust action—including the draconian step of withdrawing the contract from Sema.

Many hon. Members will want to inform the House about their experiences in this matter, so I shall confine my remarks to a few about some of the issues highlighted in the report. First, I want to deal fairly and squarely with the perception of fairness.

The perception exists that doctors do not spend enough time with claimants, that they examine them too quickly and do not do justice to their complaints. I agree with the Government's response that time spent with a claimant is not necessarily commensurate with quality. However, I am sure that the Minister agrees that it is essential for examining medical practitioners to devote sufficient time to listening carefully to claimants. Some claimants no doubt have difficulty in explaining themselves, but they must be left with the overall impression that they have been dealt with fairly.

I am dismayed that the Government are somewhat critical of the Committee's approach to what the Government describe as anonymous reports of instances of dissatisfaction. I echo the remarks of the hon. Member for Roxburgh and Berwickshire: it is unrealistic to expect vulnerable people, who may be afraid of the consequences of complaining too strongly, to be very forthcoming in giving their identities.

Mr. Gordon Marsden: Does my hon. Friend accept the close correlation between the cursory way in which some claimants are dealt with by examining medical practitioners and their subsequent reluctance to make a formal, or an identifiable, complaint? In my constituency, I have had several complaints against a particular EMP for giving a physical examination that lasted for only two to four minutes. When I pressed one or two of the claimants subsequently at advice surgeries—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I really must stop the hon. Gentleman. This is an intervention.

Mr. Thomas: My hon. Friend makes a valuable point. A few doctors keep cropping up, time and again. They are very powerful, or are seen to be powerful, which might account for the reluctance to complain. The complaints system is not particularly user-friendly. The rate of successful appeals has traditionally been very high, although I accept that that is not necessarily a reflection of poor medical evidence. However, the point is well made.

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): The pattern has been that about 4,000 people a year make a formal complaint. There has been a lot of debate about whether that is a reflection of the true number of people who are dissatisfied, or a small part of the true number. However, I caution my hon. Friend against creating the myth that something happens to people who complain. Has he any evidence of somebody being victimised as a result of using the complaints procedure? If so, the Committee should bring it forward; it has not done so to date.

Mr. Thomas: I do not have such evidence. I raise the issue—I do not want to dwell too long on it—simply to rebut the Government's suggestion that, because we could not provide a list of identities of individual complainers, that had somehow undermined our evidence.

It is imperative to have a programme of recruitment that ensures that doctors who really want to do this job, and have some pride in their work, are recruited. There is an urgent need to look at their remuneration. I, too, am concerned that there has been no increase in the salary of

EMPs for some time. Unfortunately, that suggests that this is a Cinderella service, with all the implications that that has for quality.

A more rigorous system of auditing performance is required. I am very pleased that the Government intend to take action to remove doctors who consistently underperform. I am sure that that was always so, but it is nice to hear it. It will be welcome if medical services' efforts are redoubled.

Training in customer care is essential, as is dealing with poor performance. The Committee criticised the manner in which EMPs deal with claimants with mental health problems or from ethnic minority groups, and strong conclusions were reached on some doctors' cultural insensitivity. I am pleased that the Government accept that that matter must be rigorously addressed.

Two points should be made on appeals. First, a feedback procedure is necessary. When a pattern emerges of successful appeals involving a particular doctor, there should be some follow-through. Alarm bells should ring so that someone conducts inquiries and asks what is going wrong. It seemed to the Committee that that does not happen, and I should be grateful if the Minister would clarify the Government's approach.

Secondly, as a lawyer experienced in personal injury cases, I know that, in addition to the medical report for the case, one of the most valuable pieces of evidence for a court determining liability and quantum is a person's entire medical history—general practitioners' notes, hospital records and so on. If one is successfully to assess someone's eligibility for benefits, that is essential. I did not know until I heard it in Committee that there appears to be no systematic approach to ensuring that additional medical evidence is obtained. The procedure requires tightening.

I share concerns about financial pressures in the system, which give rise to suspicion that there is a disincentive to carrying out full examinations. There is evidence that the scrutiny procedure—examining the papers, not the patient—is increasing. The Government are concerned about that, and the figures are particularly worrying.

I emphasise the need for adequate training of doctors. The status of doctors who specialise in this area should also be enhanced. There is a strong case for encouraging doctors to have training, paid for by medical services or the Government, to improve their skills and obtain further qualifications, including a diploma in disability assessment medicine.

The Committee was right to ask whether the objective of contractorisation had been achieved. If improvements are not seen to be happening fairly quickly, the Government should bite the bullet and re-examine the contract.

5.5 pm

Rev. Martin Smyth (Belfast, South): I appreciate this opportunity to make a brief contribution to the debate. I join the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) in paying tribute to the Under-Secretary, the hon. Member for York (Mr. Bayley). I worked with him when he was a member of the Select Committee on Health. He is open and helpful on all issues.

I share the concerns that have been expressed, especially in relation to Northern Ireland. My first concern is that medical examiners should be directed not to look just at the picture presented by the client at the moment of the examination. However, time and again, I discover that that is exactly what they do. They quickly tick the boxes, without listening to the patients who are trying—in sometimes limited vocabulary—to explain their problems.

I thought we had moved on from the situation that existed 15 years ago when I took up the case of an elderly woman. She was asked whether she could walk unaided and, because of her dignity, she replied that she could and showed the examiner how she did so. Mr. Deputy Speaker, you might know, from your Scottish background, that in our Ulster Scots parlance, we talk about doing the rounds of the kitchen. She moved from the table to the dresser, but held on to the furniture all the time; that was supposed to show that she could walk without help. The medical examiner put on the form that she could walk unaided.

One of our traditions in this place is that, during Prayers, we turn towards the Bench. Some people say that the tradition arose because it was easier to kneel on the seat. Not long ago, I was involved with the appeal in the case of one my constituents. The medical examiner had put on the form that the person could kneel unaided. Before the tribunal, I asked my constituent where the medical examiner had asked him to kneel. My constituent had been asked to kneel on a chair. I can kneel reasonably well on the floor, but it is far easier to do so on a chair. To pass that person as having mobility because he could kneel on a chair and could do certain things was ludicrous. That quality of examination does down the service.

One is left with some doubts, because, under the contractual arrangements, the examiners are paid by the hour and by the number of people with whom they deal. Surely, in health and social services, we should be concerned to put the patient first. However, there is some recent evidence that a person in at least one branch of the health profession put his office needs before the care of the patients in his area. That does down the care of people with disabilities. We should be more concerned about them.

I would have no difficulty in removing from the list those people who find a way around the system—who fill in the forms so as to give the impression that they are in a bad way. On the other hand, the job of the medical examiner should be to discover whether the case is genuine rather than to try to get people off benefit.

Only this morning, I spoke on the telephone to the constituent of one of my colleagues, whose case reflects some of the concerns felt by patients when they talk to doctors. She has a girl of 10, vaccine-damaged, and a young man, now 17 years of age, also vaccine-damaged. It transpired that even her own GP had not been given the proper notes from the hospital, and that he was unaware of certain treatment that one of those young people had received, but his guidance to her was that she had a case and should pursue it, either against the firm who supplied the vaccine or against him. She replied, "Doctor, I would not want to bring a case against you as my doctor."

That personal relationship is first and foremost: people trust doctors and are rarely ready to complain about them. I believe that that is one reason why, although the number of successful appeals regarding medical examiners has been growing, some people do not consider that they have a right to appeal, and therefore do not appeal. I believe that the authorities expect people to appeal if they are wrongly turned down, but I am not convinced that they will necessarily do so in many cases.

[Rev. Martin Smyth]

Therefore, we should start by raising the standard of medical examiners. I have not met any. I find it hard to decipher their signatures. They do not turn up to give evidence to support their case when we go to appeal. The matter is left to an adjudicating officer, who must take the decision in the light of the form that the medical officer has returned. That is one reason why I questioned the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) as to what difference he had discovered between Northern Ireland and the rest of the kingdom, but I now know what he intended.

I believe that perhaps in Northern Ireland we are still suffering, with the rest of the regions of the kingdom, because some medical examiners are not doing their job properly in the interests of the client or patient, but are more concerned to fulfil their contractual arrangements, which may be to get through as many examinations as possible in a given time. That is not a proper examination.

I sometimes tell folk, "If there is something wrong with you, you had better go to the vet." They ask, "Why do you say that?" I reply, "Well, when you go to the doctor, the first thing that he will say is, 'What's wrong with you?' whereas a vet has to find out for himself what is wrong with an animal." When I tell my medical friends that, they say, "If you go to a vet, the next thing that he will say is, 'Where's the shotgun?'" In a caring society, we cannot spend our time getting rid of people who may be an economic drain, but who have a right to the facilities and support of society.

5.13 pm

Mrs. Maria Fyfe (Glasgow, Maryhill): I congratulate the Select Committee on Social Security on the excellent work that it has done. I am especially glad because I believe that it will give heart to a number of my constituents who have begun to wonder whether there is anyone out there listening. I also welcome the Government's positive response.

However, I am grateful for the opportunity that the debate gives me to draw attention to a few issues. Earlier today, I spent half an hour having the three-yearly check-up that is offered to Members of Parliament, merely as a way of checking on one's general health. I have absolutely nothing wrong with me, yet it took half an hour simply to question me about various aspects that could be wrong with my health. It seems to me that, although it is fine for an examination to be concluded within 10 minutes if it is patently obvious that the person is so severely disabled or ill that there is no point in continuing an examination at length, if someone is likely to be denied either disability living allowance or incapacity benefit, a considerable amount of time should be spent before a person is denied that benefit and a considerable sum of money is taken from them.

Recently, a father in my constituency came to visit me to talk about two sons, both of whom have the same serious illness. Both applied for disability living allowance, and an odd thing happened: the son whose condition is less severe was awarded the higher component and the son whose case was far more severe was denied it. Mistakes can occur in any organisation that deals with so many cases, but there needs to be a quicker way of putting right an obvious anomaly when evidence is presented by a general practitioner and a hospital doctor.

I know that hon. Members can provide umpteen examples from their constituency case loads, but I will not weary the House with many of my own. However, a particularly atrocious example is that of a constituent who was denied incapacity benefit, but who two weeks later was in a hospice for those dying of cancer. That is how bad the errors can be.

At present in Glasgow, the waiting time for appeals has been reduced to 16 weeks. It had been as long as a year, so I am grateful for the fact that it has been reduced to a more reasonable level. However, people have to make do without their benefit while they wait all those weeks. Perhaps in other parts of the country people have to wait longer, so I suggest to my hon. Friend the Minister that it might be worth while considering the possibility of allowing people's benefit to be restored if they are forced to wait more than a few weeks. I know that the Department intended that people would do without the benefit because their cases would be heard soon. However, if a case is not heard for months, it is unfair to deprive them of their benefit.

In the report of the Social Security Committee, I found a surprising statistic that I want to place on the record. It says:

> In 1998-99, the Independent Tribunal Service (as it was then) received 324,067 appeals.

That is a third of a million, and the figure relates only to those who appeal. Many other people should receive the benefits, but they are too sick, too tired or too dispirited to make an appeal. Many of the appeals made were successful. The reports points out that 41 per cent. of incapacity benefit and 49 per cent. of DLA appeals were successful. That certainly shows that there is much wrong with a system that decides that people are not worthy of receiving the benefit in the first place. Serious work has to be done on that.

Finally, I refer to a point that I was not going to make until my hon. Friend the Minister intervened on my hon. Friend the Member for Clwyd, West (Mr. Thomas). I hope that no one with a sense of responsibility would want to create fear among people. However people may not provide their names when they make a complaint, because they fear that it will rebound badly on them. My hon. Friend the Minister was right to ask for evidence of that, but those people's life experiences might have taught them that they should not provide their names. They need reassuring that other people have won their appeals and suffered no adverse consequences. To people in that position I say, "Take courage, make an appeal, give your name and address and don't be afraid." However, people must be shown that they should do that.

I know that my hon. Friend the Minister is deeply concerned about this issue. As someone else has said, the Government's response has his fingerprints on it. I welcome that response, but we need reform and we need it quickly. Bad decisions are being taken and, I am sorry to say, they are affecting the Government's reputation. People are becoming worried about how fair this Government are, and I do not want a Labour Government to suffer from such a reputation. I want us to make sure that people can say that the Government are fair to people because they deny benefit to con men, but provide it to those who deserve it.

5.19 pm

Mr. Desmond Swayne (New Forest, West): It is always a pleasure to follow the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) and I shall endeavour to be as brief as she has been. As a member of the Committee, I feel that I have had my say on the report and I am interested to hear what other Members have to say about it. The hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) gave a lucid exposition of the report and an analysis of the Government's response, so there is not more that I wish to add.

I wish to draw attention to one point, however. The evidence presented to the Committee was powerful in respect of the suggestion that Sema had made too lean a bid for the contract. To be fair, Sema inherited many of the difficulties that it now faces. After all, we have been told that there has been no increase in remuneration for eight years. Sema's problems did not arise suddenly but its low bid for the contract none the less gave it little scope to manoeuvre and address problems such as recruitment, pressures on doctors to accomplish examinations quickly, remuneration and particular difficulties with training. I wonder if the Minister can do anything to open up those issues before the contract comes up for renewal? I doubt it, but I hope that the hon. Gentleman will consider the matter seriously.

I wish to draw attention to one other matter. The sessional doctors of whom we are often so critical are the self-same doctors to whom other people go for surgery consultations to get prescriptions to make them better. They are not different people. One may find an examination by one's own GP cursory, painful or uncomfortable, but that will not have the same psychological effect—in terms of humiliation and so on—as it does when one finds the sessional doctor insensitive or when he generates pain or discomfort or makes a cursory examination.

Why are people prepared to accept that from their own GP but not from a sessional doctor? There is a psychological difference. People go to their doctor to be examined and given a cure for a problem, whereas a sessional doctor comes to see someone to examine whether they qualify for a benefit or—to put it bluntly—to make sure they are not malingering. Overcoming that barrier and psychological difference requires the sessional doctor to be much more sensitive than a GP has to be. That demands additional training which of course requires additional resources, which brings us full circle to the fact that Sema made too lean a bid for the contract.

5.22 pm

Mr. Andrew Dismore (Hendon): I agree with the final point made by the hon. Member for New Forest, West (Mr. Swayne) and hope to return to that later.

This is an opportune time to debate the issue. The report of the Select Committee on Social Security, together with the outcomes of the two seminars held by the Department of Social Security with Sema's officials at the end of last year, operated as a wake-up call for the Department by bringing to the fore criticisms of the Department's medical services, both when they were in-house and now that they have been contracted out. I welcome the Government's largely positive response to the report. I shall highlight areas in which, perhaps, there may be differences between the Select Committee and the Government, but I hope that that will not be taken as detracting from the overall thrust of my remarks, which welcome the Government's response.

I shall start with one or two points about the contract, especially the ratio of scrutiny to examination, which has been mentioned and which sounds very technical. The Committee was concerned that there may be other than logical reasons behind the falling ratio. The Government accept that our concern needs to be examined, and have identified several possibilities. When we considered the matter, the suspicion was put in our minds that the way in which the contract is formulated means that Sema can make money out of doing examinations not by seeing people but simply by going through the paperwork. If it does that and passes someone for benefit that person will not complain about receiving benefit—for obvious reasons. People who may not be entitled to benefit are potentially getting it, and the cost of that is passed on to a different part of the DSS budget. However, Sema is paid the same whether or not it does a full examination or an examination on paper, thus potentially finding a way of making profit out of the contract, which may not have been anticipated.

I am pleased that the Government said in their response that they would view that with unmitigated disapproval and take decisive regulatory action if it were the case. I am pleased that they have given such a strong response to the suspicion expressed by the Select Committee and that they are studying the issue in more detail. If the falling ratio turns out not to have more valid causes, that is a serious matter that needs to be addressed.

I am pleased also that the Government indicate that the contract with Sema allows the Department to share any financial savings if the ratio is found to have fallen for genuine reasons. I make a plea that, if those savings are identified, Sema and the Government should think about transferring the money to the wages of the doctors who, however one views the matter, are not getting a fair crack of the whip, for the reasons given by the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) when he opened the debate.

The issue of complaints has loomed large in the debate. It is a bit rich for the Government to protest that the Select Committee worked on the basis of anonymous complaints. I listened carefully to my hon. Friend the Under-Secretary's intervention on my hon. Friend the Member for Clwyd, West (Mr. Thomas) on that point. The issue is that raised by the hon. Member for New Forest, West, and it is not that people are being victimised because they complain; there is no evidence of that and I have no reason to suppose that it is the case.

We must, however, understand the power balance, or lack of balance, between the claimant, for whom the doctor's decision can mean the difference between living in poverty and being a little, or a lot, better off, and the doctor, to whom the claimant is just one of a dozen that he may be seeing that week. That power relationship inevitably affects the way in which the doctor and the claimant view each other, so even though there is no threat and, as far as I can see, no evidence of victimisation, claimants may perceive that, given the power that the doctor and the Department have over them, it is best to complain anonymously.

I shall turn later to the issue of cultural insensitivity, on which we are again criticised for putting forward anecdotal examples. However, I submitted one of those

[Mr. Andrew Dismore]

examples from my constituency case load, and I wrote to the Department about it 18 months ago, so the Department has chapter and verse on that case at least.

We have to make it much easier for people to understand how they can make a complaint, and we have to work to overcome the fear that arises from the imbalance of power in the doctor-claimant relationship. I am pleased that the Government are considering ways of making claimants more aware of the complaints procedure, particularly for those who are examined in their own homes and who, at present, have no direct access to a complaints form.

There is ground to be made up. The National Association of Citizens Advice Bureaux, which wrote to me about this matter the other day, said that it was not surprising that clients found it difficult to get copies of the complaints leaflet because it

> was not even listed in the Benefits Agency's most recent catalogue, issued in May 2000.

If that is the case, the matter needs to be addressed.

We heard earlier of the 88 per cent. satisfaction rate, but that gives rise to the question of when clients are asked whether they are satisfied with the examination. They have no way of knowing whether what they have told the doctor has been accurately recorded. I accept that if the record is later found to be inaccurate, that can give rise to an appeal, but there has to be a way of dealing with a complaint from a client who genuinely believes that what they have said has not been accurately recorded. At the moment, there is a lacuna in the procedure.

My hon. Friend the Member for Clwyd, West pointed out the need for an accurate medical history. The Department rarely asks for medical records and notes from GPs and consultants. I fully accept the point made by the Department in its response, which is that in those circumstances doctors are primarily concerned with diagnosis, prognosis and treatment. However, like my hon. Friend, I was a personal injury lawyer. I practised in personal injury law for almost 20 years. I cannot recall a case in recent years in which the doctor preparing a report for use in court did not first ask to see the medical records.

The supposition in the Government's response is that issues relating to disability and function might not be dealt with in such records, but, in fact, they are. I have looked at many dozens, if not hundreds, of records while preparing cases over the years, and they often contain that information. The questions that doctors in personal injury cases have to address in court not only involve prognosis, but are rooted in the need to deal with functional disability because that represents the lion's share of any assessment of compensation.

Those doctors are asked to decide exactly the same questions with which Sema doctors deal, sometimes in medical examinations that last only a few minutes. They can do so because they get the history from medical records. It is important to get the history from the medical records when determining whether any pre-existing medical condition is relevant to the case because, with the best will in the world, I have found that many clients are not very good at giving a full account of their medical history. Such information is more easily and quickly obtained from their medical notes.

The kernel of all the complaints and submissions that we have received—and, indeed, all the discussions that we have had with hon. Members on both sides of the House during the Department's seminars and during the inquiry—is the way in which the Department treats people. I am concerned that the Department has not followed up our recommendations on claimants with mental health problems.

A separate review of how claimants with mental illness and mental health problems are treated is necessary, because they are special and the doctors involved need special training, especially in considering the degree of functionality. I fully accept that additional training is being given and that the emphasis is being placed on a much more empathic, active listening approach, but such a review is needed.

We criticised the services offered to members of ethnic communities in two main ways, the first of which relates to interpretation services. I am concerned that, as the hon. Member for Roxburgh and Berwickshire mentioned, the Government have not taken up our suggestion that there should be a multilingual notice. The reason given is that it is not consistent with the agency's practice. Perhaps that suggests that there is a question mark over the agency's practice, rather than over the recommendation.

Coincidentally, the Select Committee paid an informal visit to my constituency this morning as part of our pensioner poverty inquiry. Some of this morning's discussions were with ethnic community groups from the Asian and Afro-Caribbean communities in my constituency. We considered take-up, claims and so on, and they made the point that a much more simple claims procedure and face-to-face explanations are needed so that people understand what is happening.

We were given copies of the questionnaires that people must complete. The questionnaire that claimants must fill in is some 20 pages long. It is difficult to imagine people filling in those forms if English is not their first language. Completing the form would be bad enough if English was their first language. People may need interpreters because they do not speak English or have difficulty with it. That fundamental problem must be addressed. Similarly, the medical report form that doctors have to complete runs to 24 pages of questions.

Without an adequate interpretation procedure, and even with interpretation, there is enormous scope for misunderstanding between doctors and claimants for whom English is a second language, or those who try to answer the doctor's questions through an interpreter. Many of the complaints that we have had from ethnic minority communities and those who advise them on such matters arise out of misunderstandings caused, as much as anything, simply by the complexity of those forms.

I am disappointed to see from the Government's response that the Commission for Racial Equality has so far not been involved. From what is said there, that seems to be as much a problem of the CRE as of the agency. I hope that it can be much more involved in trying to deal with some of the problems, but we must not see those examples as merely anecdotal. I return to the fact that there is so much anecdotal evidence that it cannot be disregarded.

NACAB wrote to me yesterday with a batch of other examples. First, a young Somali woman with chronic back pain was examined, although none of the physical descriptors for incapacity benefit were mentioned. She was simply asked to hold out each arm. The doctor remarked that her English was very good "for a Somali". Secondly, a black woman lost benefit after a medical examination when, in a stage whisper, the doctor asked a colleague whether he thought that the client was "faking it".

Thirdly, a Muslim woman felt unable to disclose details of her incontinence to a male Asian doctor. The client felt insulted. The doctor asked whether she was married. When she responded that she was single, she was asked whether she had any children.

Fourthly—we have stressed the need for women doctors—a woman client was visited at home by an examining medical practitioner on a Saturday. The doctor made remarks about the client

having a child out of wedlock

and fell asleep on her sofa.

Fifthly, a woman client was alone when a doctor called. The doctor asked the woman to go upstairs to the bedroom for a medical examination. The client declined and said that she was on her own, but would be examined on the sofa. The doctor did not want to do that and dismissed her symptoms and complaints.

Mr. Bayley: My hon. Friend makes a powerful point to the House, but I am concerned that the Committee has neither investigated the allegations put to it nor asked the Department to do so. The allegations need to be investigated. As a Minister, I asked the Clerk of the Committee to provide the information on who those people are so that we can learn lessons from what happened, and I ask my hon. Friend to ask NACAB to provide the information, which it is often reluctant to supply or cannot substantiate. If it can provide that information, every case will be investigated because we want to get to the bottom of the problem.

Mr. Dismore: I am grateful to my hon. Friend and, in those circumstances, I shall not cite the last case, which is perhaps the most appalling of all. I shall tell him about it afterwards. [HON. MEMBERS: "Go on!"] Oh, all right then, since I am being pressed. A woman client of Chinese origin was visited at home by an examining medical practitioner. The doctor asked the client a number of questions about how she came to England and how she "got her children in". The doctor pulled up the client's skirt, revealing her underwear. Unsurprisingly, the client was made to feel uncomfortable. Such behaviour is unacceptable and I am grateful to my hon. Friend for taking a firm view on that.

I referred a constituent's complaint to the Department, with a full explanation. An Irish gentleman had fallen off a roof, suffering a badly fractured leg. When he went to be examined, he was asked whether he was drunk at the time. Assumptions are made about Irish people. I see the hon. Member for Belfast, South (Rev. Martin Smyth) nodding.

Rev. Martin Smyth: Some of us are TT.

Mr. Dismore: The hon. Gentleman makes his point from a sedentary position, and my constituent made exactly the same one, because he is teetotal and felt grossly insulted by the question. Stereotyping is the problem. In that respect, I am grateful to the Government for saying that they adopt a serious approach. We must get to grips with these issues and we can do that by spending a little money on ensuring that proper interpretation facilities are available and that people can understand both the claims forms and what is expected of them during an examination. Above all, we must make the system a lot simpler.

5.39 pm

Mr. Andrew George (St. Ives): I congratulate the Select Committee on a first-class report and my hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood) on his introduction to a constructive debate that has highlighted the fact that there is a degree of consensus across the Chamber. If Parliament is responsible for scrutinising the Government, we all have a responsibility to point out that the public out there—our constituents—are receiving a service that is clearly failing in a number of significant areas. We must put that right. That is why we are all present in the Chamber, and we should follow up the debate and ensure that the service is improved.

I hope that the Select Committee will continue to press the Government. I agree with my hon. Friend the Member for Roxburgh and Berwickshire that the Government's response was helpful, but it contained a number of commitments for which there were neither targets nor timetables. I hope that the Select Committee will make sure that those commitments are met. One of the failings that has been highlighted in the debate is the uncertainty surrounding issues such as complaints, audit, pay and training. We need a firmer basis on which to assess the progress that the Government are making.

I shall not repeat unnecessarily points that have already been raised, but I shall try to set the debate in a wider context—the need to ensure that disabled and sick people who want to get back into the job market are enabled to do so. The system should be designed not to stop disabled and sick people receiving benefits, but to focus on their abilities and to smooth their path from sickness and disability into gainful employment. That seems to be what the Government are proposing through personal capability assessments. At present the path is not clear and smooth; for many, it is a precipice, and the process becomes understandably stressful.

I was one of the new intake of Members of Parliament, although we are not new any more. We all recognise that we do not have people queueing up at our casework surgeries to congratulate the Government on not taking their benefit away. They come to our constituency surgeries to complain when that happens.

In comparison with the Child Support Agency, the medical services are not doing too badly—*[Interruption.]*—but as hon. Members say from a sedentary position, that is to damn with faint praise. The CSA is a rather poor benchmark against which to judge the performance of the medical services. Many hon. Members find that after the CSA, one of the most prevalent issues with which they have to deal involves the former all-work test, the problems with the medical services and the difficulties that people experience in comprehending how the system is supposed to work, even when their disability is clearly demonstrated by their evidence to their Member of Parliament.

The number of appeals that we know about, and the proportion of cases in which appeals are upheld and benefits restored, show that the system is not working.

[Mr. Andrew George]

It is not working in a number of ways. If the Government intend to reduce to 10 per cent. the failure rate of the medical services to meet professional standards, they are setting the rate too high. Poor quality reports result in poor decisions. Although arrears will ultimately be reimbursed to those whose benefits are wrongly withdrawn, the process still results in trauma and poverty.

In addition, to mount an appeal a claimant must obtain additional medical evidence, which may be costly. For example, Carol Simons, a Leicester resident who successfully challenged a decision to refuse her claim to incapacity benefit, had to pay £40 for additional medical evidence to support her appeal. A Leicester city council report reveals that charging for medical reports is widespread, with charges ranging from £11.50 to £60, with some doctors charging more than £100 an hour. Not only does withdrawal of benefit mean trauma and poverty, but an appeal to have it reinstated costs money. The disabled person is clearly not at fault, but he must still pay, and no one will reimburse him. Clearly, the system is failing there.

From the disabled person's point of view, the system is self-policing. As has been pointed out, its approach to mental health is inadequate. The hon. Member for Hendon (Mr. Dismore) articulately described cases showing that ethnic minorities and others with language problems have also had to face prejudice and difficulties from the service.

The British Medical Association has requested a meeting with the Minister and medical services, but has yet to receive a reply. As has been pointed out, the fact that doctors have not had a pay increase for eight years is clearly a matter of deep concern. The fact that the Government intend to apply valid measures of professional services, but have not worked with the BMA in devising them, is also a matter of concern. Free training for doctors has been dealt with inadequately, as a number of hon. Members have said.

In September 1998, in a letter to my hon. Friend the Member for Bath (Mr. Foster), the Under-Secretary, the hon. Member for Wallasey (Angela Eagle) said:

> the intention is that a new fee structure will be introduced which will be linked to the quality and effectiveness of the work.

The BMA informs me that it still awaits a new fee structure. Apparently, medical services offered a pay increase of 3 per cent. in February 1999, which the BMA rejected. We need to be clear about the status of those negotiations and what the Government intend to do to move them on. Clearly, doctors are unhappy about their pay, and one can understand why.

In delving into the subject, I was concerned about whether the system could adequately pick up some of the less common illnesses suffered by those on incapacity or other benefits, and I looked up Guillain-Barré syndrome. I also looked up ankylosing spondylitis in the disability handbook published by the Department of Social Security. Its purpose is as follows:

> The handbook is intended primarily to help adjudicating authorities to assess the medical evidence presented to them.

Ankylosing spondylitis is a condition that I have. I am sure that my intellectual handicaps are obvious to all, but my physical ones may not be apparent. I have only a mild form of ankylosing spondylitis and I did not recognise the extent to which some people are crippled by it. It affects their legs and hips and they are unable to walk. That is not identified in the handbook.

I contacted Professor Richard Hughes, who is head of the division of clinical neurosciences, about the Guillain-Barré syndrome. I asked him to read the guidance that is provided in the disability handbook with regard to it. In his response, he stated:

> The section on 15.6 is so seriously inaccurate that I have been unable to revise it in any simple way.

He offered an alternative text book for consideration. As I have said, Professor Hughes is the head of the division of clinical neurosciences of Guy's, King's and St. Thomas' school of medicine. It is clear from the two texts that the handbook attempts to diminish the potential impacts of Guillain-Barré and the way that it affects the patient. If that is the case with Guillain-Barré, to what extent is the rest of the handbook adequate in providing an accurate assessment for adjudication authorities when considering the evidence that is presented to them?

I suspect that the Minister may comment on the fact that the Government are introducing personal capability assessments in one pilot area. To what extent has the Minister learned from these assessments and when will they be trialled or moved into other areas? Is there evidence that is helpful to the debate?

We take the same view as the Government. We talked about personal capacity tests, while the Government call them personal capability assessments. However, we are considering the capability of a client rather than his or her incapacity. While we may argue about something being half full or half empty, we wish the Government to take a different approach. If we are to encourage and enable people who are disabled or sick to have work trials and to move back into the employment market, we need to support that with a social security system that allows them a smooth passage back into the world of work.

Mr. Eric Pickles (Brentwood and Ongar): The hon. Gentleman's points about personal capacity are interesting. Will he confirm that the medical test for the personal capacity assessment is identical to the one for the all-work test?

Mr. George: The hon. Gentleman has asked me a question that I am about to ask the Minister. As far as I am aware—

Mr. Bayley: The test for incapacity is exactly the same.

Mr. George: I am grateful for that clarification. Perhaps the Minister will comment on the relevance of personal capacity assessments and the effect on our debate in his winding-up speech.

The report provides a picture of a service that is driven by profit, and not necessarily by quality. From the report, medical services appear to provide the minimum that they can get away with and to maximise their use of the scrutiny rather than the examination method. Many doctors are poorly paid; many of our constituents have been treated brusquely and impatiently, and some have, sadly, suffered rudeness, insensitivity and racism. The system operates without a proper, independent complaints procedure or independent audit.

As I said earlier, the Government should reconsider their response to the Select Committee report and provide clearer targets and timetables to deal with the important issues that have been raised.

5.56 pm

Valerie Davey (Bristol, West): I welcome the debate, and I know that constituents who have visited my surgery because they have suffered traumatic experiences as claimants also welcome it. I stress at the outset that my hon. Friend the Minister has always responded with understanding to the individual cases that I brought to his attention. He has looked into them, and I respect his concern for the subject that we are considering.

If only a handful of cases existed, perhaps they could be tackled individually. However, through talking to other hon. Members, especially in the Bristol area, I have begun to perceive a pattern of anxiety. I therefore welcome the Select Committee's report, especially as its members visited Bristol and were able to take direct evidence. I welcome the reference by the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) to that experience.

Wide experience has been gained by the Avon and Bristol law centre, to which many people have brought their cases. I want to draw on that experience in presenting four main points. The importance of communication is paramount. When the hon. Member for Roxburgh and Berwickshire mentioned his Bristol experience, he talked about the way in which dedicated professionals and people bringing complaints showed completely different sides of one coin. That is worrying, and I am glad that the hon. Gentleman brought it to light. As has also been said, if English is not a person's first language, the disparity and the scope for misunderstanding is even greater.

The first point that the Avon and Bristol law centre emphasised to me was the importance of the Select Committee's recommendation that all claimants should be clearly told in initial correspondence with medical services that they have the right to request the presence of an interpreter. Like some hon. Members, the Avon and Bristol law centre was dismayed by the Government's response. It would like interpretation services to be expanded throughout the Benefits Agency rather than pulled back. It asks the Department to investigate further the cost and benefit of a policy that would mean greater use of interpreters. From my experience of constituents who have come to my surgery, I fully endorse the law centre's first point.

Secondly, the Avon and Bristol law centre would welcome greater recognition by the Government that there are a small proportion of appalling reports and a larger proportion of substandard reports. It requests that other organisations—advice agencies and the BMA—monitor the reports.

The Avon and Bristol law centre's third point is about racism. Based on its experience, it believes that the Government have been too dismissive of the Committee's findings. It supports greater participation by the Commission for Racial Equality in training doctors. It was felt that the Government should make a real commitment to the investigation, and to rooting out racism.

The fourth issue was that of complaints, to which many others have referred. The Avon and Bristol law centre feels that the whole procedure needs to be overhauled. It says that

> consultation . . . with organisations such as the Law Centres Federation and the Federation of Independent Advice Centres, as well as NACAB

would be welcome.

The Bristol centre commented specifically that there had not been a single admission of fault, and that there had been no apology. Given the complexity of the organisation and the number of people involved, the failure to admit to a single mistake is inhuman. It is a reflection on the system that no one was prepared to make an apology, or to admit to a mistake.

Nevertheless, I want to end on a positive note. I welcome the report and, indeed, the Government's response, which is positive on the whole and which—in the hands of the Minister—will, I trust, be explored and developed fully. Similarly, the Avon and Bristol law centre welcomed the commitment to a diploma course, which was seen as an important step. It also made special reference to the training that is now being recommended for those who must deal with people suffering from mental health problems. It said that mentally ill patients had specific requirements in terms of those dealing with them. I am sure that the provision of more training would be welcomed by all concerned.

This is an important debate for many of the most vulnerable people in my constituency and those of my hon. Friends. I trust that the Select Committee's admirable report, which has done a remarkable job in a difficult sphere, will be taken on board by the Minister, the Department and the Government, and that the points made by the Avon and Bristol law centre will be considered.

6.2 pm

Ms Linda Perham (Ilford, North): I, too, congratulate the Committee on its report, and welcome the Government's response. I also thank the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) for letting me know—as a person who signed the early-day motion—the timing of the debate. As I am sure many hon. Members know, on Thursday afternoons, the calls of the constituency are sometimes greater than those of the Chamber.

The great majority of cases concerning problems with disability living allowance or incapacity benefit that come to me concern assessment by Sema, on behalf of Benefits Agency medical services. People who have been unable to walk a few steps from their doors to my surgery have been assessed as "fit for work". In those cases, there have clearly been shortcomings in the conduct of medical examinations, especially with regard to the time that they have taken. Others have mentioned that.

In some cases, a doctor has been present for only 10 or 20 minutes, and a report has subsequently stated that the person concerned was able to engage in an activity for much longer. On at least one occasion that I remember, an assessment included comments on a person's appearance. For instance, someone was described as an "obese lady". That person was very upset when she saw the report.

A woman who lives near me in north Ilford has been unable to work for nearly 20 years because of her spinal problems. Over the years, when examined by doctors at

[Ms Linda Perham]

our local practice, at local hospitals and by those whom she describes as "Government doctors", she has been told many times that her condition can only worsen. According to a letter that I have from her, the examining doctor said that she could not sit comfortably for more than two hours. She says that she cannot sit comfortably for more than 10 minutes. No points! The doctor said that she had no problem with rising after sitting down; she says that she cannot get up without holding on to something—"usually my husband". Again, no points. The doctor says that she cannot walk more than 800 m without stopping or severe discomfort. She says that she cannot walk more than 200 m without stopping or severe discomfort—again, no points on that assessment.

Looking through the report's recommendations and the Government reply, I can say on behalf of my constituents that a good number of their concerns have been addressed. They include the time spent with claimants, which my hon. Friend the Member for Clwyd, West (Mr. Thomas) covered in some detail; the quality of reports; the recruitment, training and monitoring of doctors, which is important, and how poor performance is dealt with; and communication difficulties and providing interpretation services, which my hon. Friends the Members for Bristol, West (Valerie Davey) and for Hendon (Mr. Dismore) highlighted. He also touched on the availability of female doctors to examine women, especially those whose religious or cultural background precludes contact with males outside the family circle.

The complaints procedure was another concern. From looking at the report, Sema is conducting a review, but it is disturbing that so many claimants are appealing, rather than complaining. That is dealt with in the Government's response.

All in all, it is a thorough and much needed report. I look forward to improvements in service for a lot of anxious and deserving people, who are already facing lives full of frustration and pain.

6.6 pm

Dr. Peter Brand (Isle of Wight): I welcome the report. I have practised as a general practitioner for 25 years and have had to go through the agony of some of my patients' contact with the Benefits Agency in its medical manifestations. Not much has changed to date. In fact, matters got a lot worse during the dreadful benefit integrity project, when there seemed to be a witch hunt.

The thing that concerns me most is that we are asking doctors who work for the Benefits Agency—they did so in the past directly, but now do so through Sema—to do their job wearing a blindfold, or blinkers at best. As the hon. Member for Clwyd, West (Mr. Thomas) pointed out, history is important when making an assessment, but so is examination and having access to the result of investigations. We do not have an integrated system where relevant knowledge is made available.

We are not just talking about disbursing £25 billion of public money, although it is right that we should take that seriously and target it at the right people. Decisions by the Benefits Agency can have a dramatic impact on people's clinical outcomes. For the Benefits Agency to say, "Go back to your doctor and get another certificate," adding in brackets—it is never stated—"Make sure that it is for a different condition, so that we can restart your claim," is nonsense. A doctor can write a further certificate, but that does not reinstate the benefit for that patient, unless we are being particularly clever about something.

One sometimes sees the real effect. We get these amazing decisions by the examining doctors who will not accept the history given by the patient and who will not take steps to ensure that investigation results are available to them. That means that the appeal mechanism gets triggered, if the patient is well advised. However, many patients do not have that level of advice.

The internal system that BAMS used to have, and which still exists, involves having an assessor. Those decision makers are not competent either. I do not think that they are empowered to ask for more information so that a reasonable decision can be made.

I urge the Minister really to examine the contractual relationship between the Department of Social Security and the Department of Health, so that the Benefits Agency can buy more relevant information from the national health service. I realise that that information is not a free good and takes time to produce. Although I take the point made by my hon. Friend the Member for St. Ives (Mr. George), doctors are busy people and are expensive. Their time will be paid for either by the national health service, as part of their contract, or by a fee of some sort. I think that it would be helpful if the fee were a bit more up-front than it is now. The routine bits of paper that doctors are asked to fill out are of so little value that they really are not designed to give the Benefits Agency the information that it should have.

As I said, we are debating not only the disbursal of £25 billion, but a clinical matter. In the past few years, I have had a couple of cases that are perhaps relevant to this debate, one of which involved a relatively young man with unstable angina. He was trained to be a builder's labourer. He was not a very bright chap. He was assessed under the all-work test and was told that he was fit to go to work. However, he was not competent to do anything except heavy physical work—no other job was available to him.

The man was driven back into work, until I stopped him by telling him that he would drop dead. I am very glad to say that, soon after, he had his heart surgery. Now, he is much more stable and is even back at doing some good physical work. However, he is doing that within his own limitations.

In the letter that I wrote for the man—incidentally, I did not charge for it—I asked the Benefits Agency who would represent it at the coroner's court should he drop dead after returning to work. I did not receive an answer from the agency, but it reinstated his benefit. It really is appalling that one has to go to such lengths to achieve the right result.

Another case involved a man who was a gas fitter—which involves lots of crawling around little holes and turning one's head upside down—and had an unstable spine. He had very clear neurological signs, down his legs and his arms, of an unstable cervical spine and was awaiting surgery for it. Again, a clever person said that he was fit to go to work. If that man had continued in his job, he could have become a tetraplegic. Again, it was necessary for one to make that point so clearly, although any clinician worth his salt would have worked it out.

The Government acknowledge that there is an extraordinarily high rate of success in appeals. I must congratulate my constituent, Dr. Ralph Gasson, who is a doctor of divinity and devotes his life to representing people at appeals. He does lots of them, and has a better than 90 per cent. success rate. There really is something wrong with a system that allows that to happen.

In response to the Select Committee, the Government said:

> A successful appeal does not necessarily indicate that the medical report was substandard.

I think that that is nonsense. A successful appeal may not indicate that the medical examiner was substandard, but it does indicate that the methodology for acquiring the medical information required for the report was extremely substandard.

People should not have to have an appeal before receiving what they need. Let us face it, benefits are just as much part of the health package as any direct medication, physiotherapy or occupational therapy.

My final plea—I do not think that this issue was addressed by the Committee—is that we should have not only a better and smoother way into work, with better therapeutic earnings allowances and tax credits, but a way of dipping into work and coming out of it again if it does not work out. Many people are reluctant to take that step because they know that their mortgage interest payments, for example, will not be reinstated until quite a long time after they have discovered that they cannot cope. That is particularly important in respect of mental health, but it also applies to other areas.

Generally, people are keen to make a contribution, but the present system seems either to goad them with very crude pushes or to put up barriers. I hope that the excellent report by the Select Committee will goad the Government into taking positive action.

6.15 pm

Mr. Eric Pickles (Brentwood and Ongar): It is a great pleasure to follow the hon. Member for Isle of Wight (Dr. Brand). He was looking rather ashen-faced when we were discussing doctors' remuneration, but we are grateful that he stayed. I found his final point about people coming off benefit most interesting. Last year, the Minister and I served on the Standing Committee considering the Welfare Reform Bill, which made certain changes to protect the benefit claimed by disabled people. That was a welcome step and it might also be appropriate in respect of incapacity benefit.

I, too, would like to congratulate the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) on an outstanding report. I know that we always thank the chairmen of Select Committees and say that they have produced thorough reports that we are pleased to debate, but this is an excellent report. Since I have been a Front-Bench spokesman on these issues—and it has been two years now—I have been fortunate enough to consider a series of really good reports at a time of quite rapid change in social security. I am most grateful to the hon. Gentleman and the Select Committee.

I do not want to cause the Minister any embarrassment or discomfort by saying that the Government's response to the report is well rounded and most welcome. It is sensible in its general approach, with one exception, to which I shall turn in a few moments.

The report deals with a service that is undergoing an enormous transformation. After all, it is only a relatively short time since the Government took the sensible decision to privatise the service, and it is fair to say that it is a good idea to monitor the great changes that are under way.

At times during the debate, we rather lost sight of what the Government were seeking to achieve, which is set out on page 1 of their response:

> The Government chose the option of contracting-out because it believes that the public is entitled to good quality public services. What matters is what works.

A couple of weeks ago, a Labour Member reminded me about a quotation from Deng Xiaoping, who I think is very new Labour in his general approach to most matters. He said that it did not matter whether the cat was black or white, so long as it caught mice. I feel that the report enshrines that general principle. We stand by the Government's privatisation programme and hope to see more.

There have been considerable changes during the inquiry and since the report. We know that, generally, better accommodation has been available in which to carry out examinations; there has been a shorter waiting list; waiting times have been reduced and there have been some improvements to the audit system. However, the Select Committee was quite right to identify problems with regard to quality, timing and, most crucially, training.

The hon. Member for Roxburgh and Berwickshire talked about benchmarks and said that it would have been better to have had some idea of how bad the system was before the process started. The hon. Member for Belfast, South (Rev. Martin Smyth) gave us an idea as to what the system was like before the changeover, and how it operates in his constituency. There was also a problem in respect of the specifications of the contract that was sent out. That is a common difficulty in central and local government.

It is a common problem that people become anxious about matters that are not in the contract. The Committee's report mentions structural problems and there is always some tension about omissions from contracts. When I was on a Select Committee, we had discussions about specifications for railways and we had an interesting witness appear before us. I asked him why problems were experienced in meeting the specifications and he said, "As a general rule, meeting specifications within a contract is a bit like walking on water. It is easy to do if both are frozen." In this case, items missing from the contracts have created much of the problem.

It is indicative that the contracts contained no medical quality targets, only medical standards. My hon. Friend the Member for New Forest, West (Mr. Swayne) mentioned the problem of lack of pay for training, but much of the training requirement was additional to the contract. Of course, Sema bid on a tight basis for the contract and has ended up funding things that were not part of the contract price. In the process of re-examination of the contracts, we should perhaps ensure that quality targets are included in matters that are put out to tender.

My experience of such matters goes back eight or nine years and I believe that things are getting better. Hon. Members have described the current problems, and dreadful cases still arise to which hon. Members will wish

[Mr. Eric Pickles]

to alert the Minister, but there is a general feeling of improvement. Much of the frustration that revolved around the old all-work test was really about assessment, because, before the changes were made, there was no real way to judge matters.

I have some points to make that may be unfashionable and go against the general tenor of the debate with regard to desk-top scrutiny. I accept what the hon. Member for Hendon (Mr. Dismore) said about the risks, but there is a risk the other way. It would be worse if, in order to prove that everything was above board, we forced people to go through medical examinations when it was obvious from the medical documentation and case history that there was no need for them to do so. I cannot see the point of putting people through the anxiety of a medical examination when it is obvious that they will not pass it. The hon. Gentleman is right about the need for proper scrutiny, but it would be wrong to force people into medical examinations, thereby increasing the waiting list, for reasons of financial control, when their illness is evident.

I said that the report was excellent. However, the response on mental illness was rather smug. There was something of the Mr. Nicely-nicely about it that I found unacceptable. The Committee's recommendation (h) is that

> the Chief Medical Adviser instigates a review of Medical Services' treatment of claimants with mental health problems.

That is a good recommendation that will improve the whole process.

Paragraph 33 states:

> Recently as part of the Personal Capability Assessment (PCA), development and thorough evaluation of methods assessing effects of mental health problems on ability to work, have gone some way to meeting that challenge.

I think that that is wildly optimistic, and that the changes have gone only a little way in that direction. Baroness Hollis said last year:

> There are 200 advisers in the field who have gone through an average of 200 hours of training—and in some cases 300 or 400 hours—working towards established qualifications such as NVQ3.—[*Official Report, House of Lords*, 13 July 1999; Vol. 304, c. 214.]

That gives an idea of the logistical problems facing Sema in getting training in place.

The briefing that all hon. Members have received states that Sema is putting doctors through a three-day induction course, which will deal with cultural awareness, mental illness, post-traumatic stress, disability discrimination and chronic fatigue syndrome. That is all very sensible, but the nature of people receiving incapacity benefit is changing. Twenty-odd years ago, 9 per cent. of people had a mental illness; 10 years later, in 1988, the proportion was 16 per cent., and last year the figure was nearly 30 per cent.

We cannot say that significant changes have been made in the process of benefit payments when forms such as the one displayed a little while ago by the hon. Member for Hendon place so much emphasis on physical condition. The forms for incapacity benefit and disability living allowance are difficult for people with a mental illness or disability to complete and thereby make a claim.

Hazel Ruane of the National Schizophrenia Fellowship wrote a letter on 14 June to my hon. Friend the Member for West Chelmsford (Mr. Burns). It was passed to me by my constituent Mrs. Murphy, on whom I rely for up-to-date information on the care of schizophrenia. The letter states:

> In fact, the plight of persons who are currently unemployed for reasons of mental ill-health is being made far worse by the present, growing trend of summarily stopping the payment of disability allowance for sufferers of schizophrenia, manic depression and other serious disorders. This may be an attempt to improve the statistics leading to the next election when, no doubt, there will be some self congratulation from the government regarding supposed achievement of manifesto targets . . . So, far from improving the implementation of care in the community, this haphazard termination of disability allowances is bound to damage it entirely.

A similar letter was sent to the Secretary of State.

There needs to be a balance to ensure that people with a mental illness or disability are not excluded from employment. We do not suggest that such people should be excluded from getting work, but the balance must be considered very carefully, and with sensitivity.

I have a couple of illustrations. I recall seeing the Minister and some Labour Members a couple of days ago at an Alzheimer's Disease Society reception. I talked to a lady there who had been through the assessment process. She had been asked whether her husband could walk a particular distance. Of course he could—her worry was whether he could find his way back home if he wandered off while he was walking that distance. That was not taken into account during the scrutiny of the case. She had to fight very hard to get that idea across.

As for schizophrenia, there was a difficult case at my advice surgery involving a constituent who had gone through the process. Her son was asked how high he could raise his arm above his head, but my constituent was more concerned about his ability to organise his affairs.

Someone who suffers from manic depression may give a false impression of their state of health. If manic depressives are asked how they feel, they say, "Life is wonderful, I feel great. I can do anything; I'll apply for anything. I really want to go out to work." Then, with just a click of the fingers, everything changes. That is not catered for in the forms and the way in which the assessment is made.

We have come a long way in the way that people with a mental disability are treated. However, we are a long way from achieving the sensitivity that is necessary for the various medical assessments. Life is pretty much stacked against people who are mentally ill or suffer from a mental disability. We must deal with them sensibly, and the tests that we apply should reflect that.

We all received briefing documents today from MIND, which supports the report of the Select Committee on Social Security. Given the narrow nature of our objection to this report, which by and large we endorse, I ask the Minister to look again at that recommendation and see whether he can change the Government's mind with regard to reassessing the process, from the form onwards. If he succeeds in doing so, that would be the icing on the cake for this excellent report.

6.32 pm

The Parliamentary Under-Secretary of State for Social Security (Mr. Hugh Bayley): I start by echoing the sentiment expressed by many right hon. and hon. Members in thanking the Select Committee on Social Security for producing this report. The Chairman and members of the Committee have provided a service to the House in throwing a spotlight on an area of public policy that needs to be improved. The Government are strongly committed to improving both the administrative efficiency of the way in which medical reports relating to benefits are conducted, and the medical quality of those reports.

Let me start with the quality of the service that we inherited from our predecessors when we came to power three years ago. Our view was that the previous in-house service—the Benefits Agency medical services, or BAMS—was not performing satisfactorily in the areas of administration or medical quality. One of the first tasks in which the Government engaged after the election was to consider ways of changing the culture within the medical service and improving standards of service to the public.

We decided that we would be more likely to achieve the changes that were necessary by making a fresh start with a new organisation. That was fundamental to the decision to go ahead with putting the work out to contract. That was based on many years of experience of running an in-house service.

Contracting out the service meant that standards of performance had to be defined, which had never happened before. They had to be put on paper so that people knew what was expected of them and performance could be measured. That was done in the contract, and data are collected monthly to compare performance in medical services against the standards set out.

Some of the standards are administrative. For example, there is a requirement that 95 per cent. of incapacity benefit examinations should be conducted within 50 days. In September 1998, when Sema took over the contract, achievement of that standard was 75 per cent. Now, the target has been hit in all three areas of the Sema contract. By April 1999, it had been achieved in the south-western area; by June 1999, it had been achieved in the north; and, by November 1999, it had been achieved in the south-east.

A second administrative requirement is that 95 per cent. of disability living allowance examinations should be conducted within 20 days of being requested. In September 1998, when Sema took over the contract, only 62.5 per cent. of examinations were made within 20 days. That was the standard of performance inherited from BAMS. Now, 95 per cent. has been achieved in two of the three areas. The target was hit in the north-west last October, and in the south-west in November. The target is still not met in the south-east, however, where 87 per cent. of DLA examinations were conducted within 20 days in May. Improvements remain to be made. None the less, there have been major, measurable and demonstrable improvements in the administrative efficiency with which Sema provides a service.

Other standards in the contract relate to the quality of medical work conducted by doctors. For example, the proportion of reports graded A, B or C is measured. As the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) said, a C report is not fit for purpose, a B report is fit for purpose but not perfect, and an A report fully meets all requirements under the contract.

A further example of medical quality standards is the proportion of doctors who complete required training. As I told the Committee some months ago, we have not yet seen a demonstrable improvement in the medical quality of the work being carried out. There has been no deterioration, but no improvement either. I am concerned about that. Our principal aim in contracting out the service—we had many aims, but this was the main one—was to improve the medical quality of reports written by doctors. Sema shares our concern, and we—in the shape of the Government's chief medical officer—will work closely with the company to improve the medical quality of reports and the quality of customer service provided by doctors.

I shall say a little about standards of customer service. Sema employs more than 3,000 doctors, most of whose work fully conforms with the standards set out in the contract. Good practice in terms both of medical quality and customer service is the norm, but there are still too many cases—a small minority, but too many—of bad practice. All complaints are investigated, and we find some are justified and others not. In some cases, where there is a conflict of report between the benefit claimant who has complained and the doctor who conducted the report, it is simply impossible to tell where the truth lies. We must address that matter.

The Select Committee's discovery that there was a problem over the public perception of Sema and its predecessor, BAMS, was not new. Before the Committee instigated its inquiry, I had called two meetings for Members in the House—as the hon. Member for Roxburgh and Berwickshire acknowledged—so that they could give me case studies that demonstrated their concerns. I wanted to collect and learn from such examples in order to discuss the problems with colleagues. I also wanted to explain the improvements that we are undertaking: in recruitment standards; postgraduate medical education; in-service training; the base for professional standards—the new diploma in disability assessment medicine; and in the quality of clinical advice to doctors.

I held two meetings because there was such a large response from hon. Members who wanted to express concern; so many wanted to attend the meeting that they could not reasonably be accommodated in Committee Room 14. Those meetings may have been one of the many factors that prompted the Select Committee to investigate the matter.

To follow up those discussions with colleagues, I convened—with the help of the National Association of Citizens Advice Bureaux—a series of regional meetings throughout the UK, so that welfare rights advisers from CABs, local authorities and other bodies could share with us their experience of problems with the service. That was extremely useful. As a result of those meetings, Sema is revising its complaints procedures, as we recorded in our response to the Committee's report; that action was welcomed by many hon. Members.

I shall outline my priorities, as the responsible Minister, for the year ahead. Above all, I want to achieve significant improvements in medical quality. I took advice from the Department's chief medical adviser on which of the indicators that we use regularly to collect data under the contract best showed medical quality. In our response to the Select Committee, my right hon. Friend the Secretary of State set out challenging targets for Sema on four specific matters.

The first was that, within one year, the percentage of C grade reports, across the whole spectrum of benefits, should be reduced to less than 5 per cent. I point out to the hon. Member for St. Ives (Mr. George) that we do not

[Mr. Hugh Bayley]

want a reduction to 10 per cent. In the first six months, we want the proportion reduced by 10 per cent., with a reduction to 5 per cent. overall. The figure of 5 per cent is higher than I would like, but is nevertheless a challenging target to meet in a year. Sema will have to work extremely hard to hit that target. We believe that it is achievable—as does Sema—but it will not be easy. If we achieve that target, we shall consider how we can do even better in the years to come.

Secondly, within one year, we require Sema to improve its compliance with the scrutiny guidelines for incapacity benefit claims so that the proportion of non-compliant reports falls below 5 per cent.

The third target is that, within one year, we require Sema to deliver training for all doctors in three categories. We have decided to set outcomes as a target—the fact that doctors complete the training courses, rather than that they undergo a specific number of days of training.

We, jointly with Sema, have selected three categories. First, there is to be a course on assessment of people with mental health problems, which is an issue that several hon. Members have raised. Secondly, there is to be disability awareness training. Thirdly, Sema has developed a new training package on how to avoid creating distress among people with musculo-skeletal problems—the biggest single group of people claiming incapacity benefit—by using what I would describe in lay terms as a hands-off examination process so that, where there is an alternative, people are not manipulated and do not have their joints moved by the doctor. Of course, on occasions, manipulation will be necessary, but the package covers alternatives to that.

Our fourth target is to improve customer satisfaction rates by 90 per cent. within two years.

After setting those targets, not before, the Government discussed them with Sema. Therefore, they were not targets set by a process of bargaining or negotiation; they were targets set by the Government because we believe that they are attainable, and we believe that they will make a significant difference or reflect a significant improvement in medical quality. We have since discussed them with Sema. It agrees with us that they will be extremely challenging, but it also agrees with us that they can be met.

I shall now respond to the contributions that hon. Members have made to the debate.

Mr. Kirkwood: Those are very helpful confirmations. Do I understand the Minister to be saying that those performance improvements are being required of the contractor without any compensating financial allowances?

Mr. Bayley: Yes; that is exactly what I am saying, and those targets are targets which the contract itself requires a contractor to meet, so it is not a matter of requiring a contractor to do anything other than what the contract already states. We set the contract in order to drive up medical standards. We have not seen that reflected in the monthly reports. We want to see it reflected. Sema, too, wants to see it reflected. That is our approach.

Perhaps I should comment on a point raised by many hon. Members, including my hon. Friend the Member for Clwyd, West (Mr. Thomas) and the hon. Member for Roxburgh and Berwickshire, who were unhappy with the concern expressed by the Government that no attempt had been made to check the reports of fault with medicals that had been brought to the Committee's attention by citizens advice bureaux and quite a wide range of voluntary bodies. I am not in any sense, and nor are the Government, complaining that the Committee should not collect that sort of evidence.

As I explained in an intervention in the speech by my hon. Friend the Member for Hendon (Mr. Dismore), the reason that I became worried was that I wanted to investigate some of the complaints to find out what had happened. Perhaps I can explain my concern to the House by focusing on one group of complaints—the group of complaints about racism or cultural insensitivity. In the report, the Committee cited five identifiable but anonymous cases. The Committee, because it had received information about those cases anonymously, could not give us information—even confidentially—to allow us to identify those cases.

We have been able to identify two of the cases from the circumstances described by the Committee, and in both cases the Committee's description of the circumstances accurately reflects what happened. In both cases, the doctor concerned, who had behaved quite inappropriately, was suspended and retrained. Both doctors are now back at work. Obviously, their work is being monitored in the way that one would expect after such an occurrence, and no further complaints have been received.

I simply put it to the House that the complaint has been made, and that inappropriate behaviour has occurred in a very few cases, quite reprehensibly and quite wrongly, but that in response the Government have done exactly what the Committee and the House would expect us to do—to suspend the doctor, to address the issue through training and then to monitor the change in the performance of the doctor that occurs after training. My hon. Friend the Member for Hendon cited several other cases, and I hope that he can persuade his informants to release the facts about them, so that we can examine them closely.

The hon. Member for Roxburgh and Berwickshire made an interesting and important point about benchmarking. Had the contracts gone to three different companies, we would have been able to benchmark one company against another. I am considering the issue further, but we can, to some extent, benchmark between the different areas. In relation to administrative efficiency, I said that we were able to compare the performance of each of the three areas. That is useful, but we may be able to consider other ways of benchmarking. I need to inquire into that further.

The hon. Gentleman, like my hon. Friend the Member for Hendon and the hon. Member for New Forest, West (Mr. Swayne), asked whether enough money was in the contract to deliver it. We expect Sema to deliver a 4 per cent. saving each year, which is broadly what would have been required of BAMS if it had remained an in-house contract. I confirm that Sema expects to make a profit on the contract, although it expects to make less of one than it would on an information technology contract in the sector in which it has been working for a long time.

When one contracts out a service for the first time, it is difficult for us as a Government, and for those bidding for the work, to get costs right. We had an open-book policy and bidders were able to examine the way in which we conducted the work, to examine our expenditure and to look for ways to make management savings. However, when a private firm bids for a contract, it hopes to make a profit and it also accepts risk. That risk justifies the profit, and it would be intolerable if the Government were expected to remove all risk and to contribute large profits to companies when they bid high and obtain the work. Some Members on the Opposition Benchers are nodding agreement, and if a company bids low, it must accept the risk attached to that. Nevertheless, we believe that the cost of the contract is broadly comparable to what the service would have cost in-house and that it is perfectly achievable. Sema also takes that view.

My hon. Friend the Member for Hendon raised an interesting point when he asked why we did not negotiate to get some money back because of a fall in the scrutiny ratio, and then redistribute it in the form of remuneration to doctors. In a roundabout way, that is what we are doing. I told the Committee that, each year, we have an annual negotiation over the cost of the contract with the contractor. We make various bids for the return of moneys when, for example, there is a fall in the scrutiny-to-examination ratio, and the contractors make bids for additional costs that are not covered in the contract.

This year a six or seven-figure sum has been returned to the Department in relation to costs that have not been incurred by the company, and those include the costs not incurred in scrutiny cases. We have also decided to pay a similar sum—albeit not such a large one—to the company in respect of additional work principally for the introduction of a personal capability assessment. Although the incapacity element of the personal capability assessment test is exactly the same as for the incapacity and the all-work test, an additional part of the test examines personal capacity. Therefore, in a roundabout way, the Government are saving money on scrutiny and it is being recycled to the contractor to pay for more extended medicals in the form of personal capability assessments. That will be reflected in the expenditure that the company makes on doctors and doctor's time.

I return to the point about multilingual notices. Perhaps I should start by saying by saying that, on reflection, I do not defend the statement in the Government's response which says that as we do not have multilingual notices in the form suggested by the Select Committee in other parts of the Benefits Agency, that is a jolly good reason for not having them in BAMS. I agree with hon. Members on both sides that that is not a good argument. One should look at the merits of the case, and I give the House an undertaking that I shall do so.

Incidentally, it is not true that we do not have multilingual notices. The Service First unit in the Cabinet Office produced a report on the attitudes of people from minority ethnic groups to Government services. People were asked whether they were aware of the fact that services provided by various Departments, such as leaflets, audio and video tapes and interpreters, were available in their own languages, and whether they found that useful. I am not wholly satisfied, but I am pleased to say that the Benefits Agency came second on that list, after GPS, but above 31 other Government services, including NHS hospitals, local councils, libraries, primary schools, citizens advice bureaux, council house services, and so on. Twenty-six per cent. of people from minority ethnic groups were aware of the provision of services in their own languages and 17 per cent. said that that was useful.

Mr. Pickles: The hon. Gentleman should be complimented on his straightforwardness. Will he tell the House which of his ministerial colleagues approved the text of the Government's response?

Mr. Bayley: The responsibility was mine. I shall be frank with the House, as I recall putting a red line through a certain sentence, but I failed to see that through to the end. I do not defend the statement, which I believe to be wrong. We shall continue to investigate whether we could improve our language and translation services.

A wide range of matters were raised by hon. Members, some relating to training and the payment of GPs for undertaking training to do DSS work. Under their NHS contract, GPs are required to spend the equivalent of five days a year on training and, as independent contractors, they are not paid for that. The training regime operated in BAMS is broadly the same. The training is provided free, and doctors do not have to pay for the courses, but have to attend in their own time. Most of our training will give doctors credit against their GP training requirement—which they would have to do anyway—which will help to deal with the problem of their reluctance to undertake training because they are not paid for the training sessions. If the training is of a medical nature, such as mental health assessment or looking at medical conditions, that counts against the GP training requirement. However, it will not count if it is to do with the way in which the benefits system works.

My hon. Friend the Member for Clwyd, West urged the Government to try and capture feedback from appeals. As the hon. Member for Roxburgh and Berwickshire knows, five years ago, I raised that issue as a constituency Member of Parliament with the Benefits Agency. We do not think that simply collecting the results of appeals would give a good indication of whether the doctor's report was good, as many other factors are involved, such as whether the reports of the GP, specialist and decision maker are good reports. Judge Harris, who runs the tribunal service, has given me a commitment that he will look at whether we could investigate if, for instance, a chairman of an appeal believes that a particularly poor medical report has been provided. The chairman could draw that to the attention of our chief medical adviser and we could investigate.

Time moves on, so I shall summarise. The Government are clearly demonstrating commitment to improving the medical quality of our reports, and customer care, by setting four challenging new standards. The goal, of course, is to improve the quality of the service to the public, and the Government and Sema will work together closely to see that that is achieved.

It being Seven o'clock, MR. DEPUTY SPEAKER *proceeded, pursuant to Order [25 October 1999], to put the Questions necessary to dispose of proceedings.*

ESTIMATES, 2000–01

Class XVI, Vote 4

Resolved,

That a further, revised sum, not exceeding £482,077,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges which will come in course of payment during the year ending on 31st March 2001 for expenditure by the Customs and Excise Department on the administration of taxation; the operation of customs and revenue controls and other Customs and Excise-related services; and payments in respect of Shipbuilder's Relief and the Customs and Excise National Museum.

Class XII, Vote 3

Resolved,

That a further, revised sum, not exceeding £1,110,424,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges which will come in course of payment during the year ending on 31st March 2001 for expenditure by the Department of Social Security on administration, for agency payments, expenditure incurred as part of the Welfare to Work initiative, expenditure on behalf of the Department of Health, and for certain other services including grants to local authorities and voluntary organisations and other organisations.

ESTIMATES AND SUPPLEMENTARY ESTIMATES, 2000–01

Resolved,

That a further sum not exceeding £133,029,399,000 be granted to Her Majesty out of the Consolidated Fund to complete or defray the charges for Defence and Civil Services for the year ending on 31st March 2001, as set out in HC 374, 375, 376, 377 and 567.

Ordered,

That a Bill be brought in on the foregoing resolutions: And that the Chairman of Ways and Means, Mr. Chancellor of the Exchequer, Mr. Andrew Smith, Dawn Primarolo, Miss Melanie Johnson and Mr. Stephen Timms do prepare and bring it in.

CONSOLIDATED FUND (APPROPRIATION) BILL

Mr. Stephen Timms accordingly presented a Bill to apply a sum out of the Consolidated Fund to the service of the year ending on 31st March 2001; to appropriate the supplies granted in this Session of Parliament; and to repeal certain Consolidated Fund and Appropriation Acts: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed [Bill 151].

Illegal Camping

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Allen.]*

7.1 pm

Mr. Mark Todd (South Derbyshire): South Derbyshire is a largely rural district to the south and west of Derby. It is increasingly well connected to the road network, with the A50 Stoke-Derby link running across the constituency and with the M1 to the east. It features in many routes through the midlands. It is thus an increasingly attractive stopping point for travellers.

My concern today is the impact that illegal occupation of sites by travellers and those who claim to be travellers has on the perception and reality of local law enforcement. My constituency has faced regular occupations during the past three years. There have been several occupations of Highways Agency property in the Foston area. In Findern, the village where I live, there was a lengthy occupation of a site whose owner was unknown, which made proceedings difficult. Last summer, the common at Church Gresley, a heavily populated area on the edge of Swadlincote, was occupied by 22 caravans, legitimate users were threatened and sports pitches were made unusable. When the occupiers left, the council spent £2,500 of taxpayers' money clearing the common.

Recently, land on the edge of Willington was occupied. When it was abandoned, the scene resembled a war zone full of abandoned, burnt-out cars. The Highways Agency cleared the site at public expense and introduced expensive security measures to prevent a repetition.

There have been many short-term incursions, some of which have caused little concern. Since 1994, the district council alone has had to obtain in all 44 court orders for possession. The onus in each case of which I am aware was on the site owners to obtain possession orders and eventually to enforce them, except that of the land at Findern, where the district council sought an order as no owner was forthcoming. It is, therefore, reasonable to assume that other landowners in the area—especially the Highways Agency, which has suffered greatly—have had to take out many court orders.

Police action has been limited to observation, vehicle checks and assistance with serving the orders, apart from taking action concerning one stolen vehicle, to which I shall refer later. On no occasion was section 61 of the Criminal Justice and Public Order Act 1994 used, under which the police are allowed to direct occupiers to leave a site if more than six caravans are involved, threatening behaviour has been used or damage is evident. On only one occasion has any attempt been made to recover the cost of damage and waste disposal.

From my questions to the Government, it seems that powers available under section 59(8) of the Environmental Protection Act 1990 reserved for this purpose are seldom used. It is, perhaps, a comment on those powers that they are not even referred to in the guidance issued in 1998 on the management of illegal occupations.

Derbyshire county council and South Derbyshire district council have attempted to meet the needs of those who choose a itinerant way of life. There is an 18-pitch site for long-term occupation at Foston and another eight pitches for short-term use at Lullington. The sites cause no local concerns and are well managed. Those using them are well supported by education and social services, and a number of children attend local schools. Local taxpayers contribute £70,000 a year towards the running costs, and more than £100,000 has been spent on updating the sites over recent years.

What, then, is the impact of the apparent abuse of an area's hospitality? First, there is the reality of the crime that stems from those occupations. Most cases involve forced entry and criminal damage. In one instance, a stolen lorry was located on site and seized by the police after resistance, including the throwing of bags of urine at officers. There have been reports of threatening behaviour to other legal users of the land. There was sufficient concern about potential public order offences to move a fair, which has historically used adjacent land at Church Gresley. I set aside the unproven claims that are often made of offences against neighbouring property.

As important is the perception of crime. People regard the occupation of someone else's land by force as a crime. They would expect no support or sympathy from the law enforcement agencies if they chose to enter their neighbour's home or garden by force, threatened the owners and passers-by and left behind waste as they departed. They regard the authorities' apparent powerlessness as indicative of both double standards and weakness. They become angrier still when they find that they must fund the clearance and repair of a site. In a typical year, South Derbyshire district council pays out more than £5,000 for waste disposal from illegal sites.

What should be done? First, we need consistency of police enforcement. That was described fully in the research report that accompanied the 1998 guidance on the subject. It is clear that some police authorities are prepared to use section 61 of the 1994 Act, while others are not. Although one must respect local determination of operational priorities, wide variations in practice cause problems. If one force chooses to use section 61 with vigour while another uses restraint, the word soon gets around, and travellers with ill intent are drawn to the more welcoming legal environment. There is already anecdotal evidence that that happens in Derbyshire, where the powers are seldom, if ever, used.

Ms Julia Drown (South Swindon): Does my hon. Friend accept that, even when authorities use section 61, there is the problem that travellers who have caused a nuisance can just move down the road, creating a problem a little further on? Has consideration been given in his area to using order 113 through the High Court, which Swindon borough council uses? It allows the council to move travellers who have caused a nuisance out of all borough council-owned land.

Mr. Todd: I thank my hon. Friend for her intervention. That particular order is not used in my area, but I shall deal later with the point about transfer to other sites.

Secondly, the provision of legal sites needs to be recognised and encouraged. If a site is available, there should be an expectation and a legal obligation that it will be used. It should be possible for an authority to demand the removal of illegal occupiers to such a site while any necessary social investigations are conducted. Currently, investigations are required before a move is made. If an alternative legal site is available, I see no reason why the campers should not be moved to that site while investigations are completed. If such a move is resisted, the persons involved should be deemed in contempt of court, with appropriate penalties.

Thirdly, it should be possible to prevent illegal occupiers from simply moving to a neighbouring site following a court order. That has happened frequently in south Derbyshire, with one group moving several times in Foston to alternative sites, once possession had been granted on the one that they were occupying.

Fourthly, it should be possible to prevent any illegal occupation of a site once possession has been granted, rather than merely preventing occupation by those against whom the order has been physically served. A major problem is the later arrival on site of others who have not had an order served on them but who are then required to face an order, delaying their eventual removal. Latecomers drawn to the site should be covered by the same order.

Finally, ways should be explored that would allow recovery of the costs of repair and waste disposal from those responsible. It has been suggested—the guidance notes suggest this—that skips and toilets be provided at public expense for illegal occupiers. Does that not give legitimacy to what they do? I hesitate to suggest on-the-spot fines, and anyway cash machines are scarce in my area, but I cannot believe that it is beyond our art to devise mechanisms that offer a genuine and realistic threat of cost recovery from those involved.

The taxpayers whom I represent are happy to offer hospitality to travellers, substantially at local taxpayers' expense, but a right to choose that way of life carries an obligation to behave in a way that meets other people's reasonable norms. We also expect consistency from the police and appropriate action when the law appears to be being broken. If those expectations are not met, that willingness to offer facilities at local cost is threatened. It is hard to see how one can sustain that commitment if there appears to be no local advantage in the provision of such sites. More importantly, respect for law enforcement agencies is also jeopardised.

I hope that the Minister, in his response, will set out how the Government can meet the concerns that I have expressed on behalf of many residents of South Derbyshire who are frustrated by the current position.

7.12 pm

The Minister of State, Home Office (Mr. Charles Clarke): I sincerely congratulate my hon. Friend the Member for South Derbyshire (Mr. Todd) on securing this important debate on a matter which, as I think he knows, affects not only South Derbyshire, but many other parts of the country, and on the powerful way in which he put his case.

The Government are fully aware of the misery that can be caused by some travellers, particularly on unauthorised sites. Home Office Ministers receive a steady stream of complaints about unauthorised traveller sites from hon. Members and members of the public.

Key problems include criminal damage to bollards, fences, gates and so on, to gain access to land; a rise in crime and disorder in the vicinity of some camps; and mess and litter left on sites which must be cleaned up by landowners or local authorities. My hon. Friend identified a number of other specific aspects which, as I say, I regret are not particular to South Derbyshire, but occur in too many places throughout the country.

[Mr. Charles Clarke]

It is wholly wrong that any criminal activity should be tolerated in respect of travellers. The law should be enforced as with all other sections of the community. It is for the police to ensure that any offences are properly investigated and that the law is enforced.

I come to my hon. Friend's first point in relation to his concern that the police in Derbyshire are not using their powers under section 61 of the Criminal Justice and Public Order Act 1994 to remove trespassers from unauthorised sites, and that there is an inconsistency in police enforcement of those powers in different force areas. My hon. Friend the Member for South Swindon (Ms Drown) reinforced that point in her intervention.

Section 61 gives the police the power to remove people who are trespassing with intent to take up residence and who have been asked to leave by the landowner. That is a serious power which can be used when certain conditions are met. They are that trespassers have more than six vehicles on the land, or have caused damage or used threatening, abusive or insulting behaviour towards the landowner or person acting for him or her. Both police and local authority powers to direct trespassers to leave land under the Criminal Justice and Public Order Act are, as my hon. Friend said, discretionary.

Ministers cannot tell the police how to go about enforcing the law in any particular case, for reasons that the House will understand. It is a matter for the operational judgment of individual chief constables. Even though these powers are discretionary, the Association of Chief Police Officers takes the view that as police officers are responsible for public order and the prevention and detection of crime, it is mainly in these circumstances that the use of the powers should be considered.

On that basis, ACPO issued revised operational guidelines on the police use of these powers in April 1999. It is hoped that this will eventually make for a more consistent approach between and within police force areas. It is clear that police powers may be used at an early stage where necessary when problems of crime, disorder or serious disruption to the community are associated with unlawful encampments.

However, my right hon. Friend the Home Secretary recognises that we do not have completely satisfactory arrangements in place for dealing with the problems caused by unauthorised encampments, particularly where they cause disorder or other problems for local residents or landowners. My right hon. Friend is giving this matter his personal attention and expects shortly to be able to announce changes, which we hope will be widely welcomed throughout the country, including by my hon. Friend's constituents, who have borne the brunt of the problems caused by unauthorised encampments. As I have said, my right hon. Friend is personally actively involved in discussions with the Department of the Environment, Transport and the Regions to reach a position where we can make announcements that I hope my hon. Friend will find satisfactory.

My hon. Friend queries why section 59(8) of the Environmental Protection Act 1990, which is reserved for fly tipping, is seldom used against travellers on unauthorised encampments. There are a range of stringent controls in place to ensure that waste is managed safely, and is recovered or disposed of without harming the environment or human health. The main controls are set out in part II of the 1990 Act, and fulfil our obligations under the amended European Community framework directive on waste. The Environment Agency is responsible for the enforcement of most of these controls.

Under section 33 of the 1990 Act, it is unlawful to deposit, recover or dispose of waste without a waste management licence, contrary to the conditions of a licence exemption or in a way that causes pollution of the environment or harm to human health. The consequences for anyone contravening these controls are potentially very serious.

Unfortunately, waste is sometimes fly-tipped. Where this happens, it is clearly essential that steps are taken to reduce or eliminate the risk of environmental pollution or harm to human health, and to ensure that fly-tipped waste is disposed of safely and properly. Section 59 of the 1990 Act provides the Environment Agency and local authorities, in their role as waste collection authorities, with the means to do so. The section provides that where waste has been deposited illegally, the Environment Agency or a local authority may serve a notice requiring the occupier of the land to remove, eliminate or reduce the consequences of the deposit. However, a person on whom a notice is served has a right of appeal to a magistrates court. Where an appeal is made, the court must quash the requirement imposed by the notice if it is satisfied that the appellant neither deposited nor knowingly caused or permitted the deposit of the waste.

Under section 59, the Environment Agency or local authority may themselves take steps to remove fly-tipped waste where the occupier fails to comply with the notice or there is no occupier of the land, or the occupier neither made nor knowingly caused or permitted the deposit, or there is imminent danger of pollution of the environment or harm to human health.

Mr. Todd: Does my hon. Friend accept that mere occupation of the site and allowing waste to be tipped there, regardless of who on the site commits that act, would be an offence on the basis that that is permitting the depositing of waste?

Mr. Clarke: I accept the substance of my hon. Friend's point. I am not prepared to venture into a legal statement on whether he is right or wrong in the technicality that he has set out. I was about to conclude this part of my remarks by saying that the Environment Agency or a local authority is entitled to recover the costs incurred in exercising these powers from any person who made or knowingly caused or permitted the deposit of any of the waste. That precise point is being addressed in current discussions between the Home Office and the Department of the Environment, Transport and the Regions. My hon. Friend was right to make the point, but I have learned to take great care before offering opinions about what the law says or does not say on specific points.

My hon. Friend also suggested that there should be powers to prevent travellers who have been evicted from one site from staying at another site further down the road, and to prevent them from occupying land that has been repossessed from another group of travellers. We believe that the standards of behaviour expected of travellers should be the same as those expected of the settled community. Problems that arise from any way of life and affect the rights and freedom of others should be treated in the same way. Local authorities and the police have adequate powers to deal with matters through the methods that I have outlined.

To place land out of bounds to all unauthorised campers would effectively make unauthorised camping an immediate offence. It would be dangerous and possibly iniquitous to do that, especially as local authorities no longer have a duty to provide accommodation for gypsy caravans. We believe that it is essential, in the interests of natural justice, to retain the requirement for a court order before eviction can take place. We have no plans to remove the requirement for local authorities to obtain a court order.

Gypsies may have a genuine reason, for example a medical emergency, for camping on unauthorised sites. If that is the case, it is right that they should have the opportunity to present a defence to the court against an eviction order. To remove the necessity for a court order and the opportunity for a camper to present a defence could create a culture of immediate forced eviction by local authorities without due consideration of all the issues.

Ms Drown: Does my hon. Friend agree that, if travellers were causing a nuisance which had been proved in court, and provided that there was a designated site to which the travellers could move on, it would be reasonable to say that they should either move off borough council-owned land or move on to the designated site? Otherwise, we may have the problem that I experience in my constituency: residents simply do not understand why the council cannot stop travellers who cause a nuisance from moving down the road.

Mr. Clarke: My hon. Friend's judgment is correct. She makes a similar point to that of my hon. Friend the Member for South Derbyshire. I was trying to explain that implementing the course of action that he suggested is difficult and has some serious human rights implications, with which we are wrestling.

Immediate eviction would also make it impossible for local authorities to follow the advice in Department of the Environment circular 18/94, which states that local authorities should take account of the duties they may owe to campers. The Human Rights Act 1998, which comes into force in October, will also make it easier for people to challenge violations of their rights under the European convention on human rights.

My hon. Friends the Members for South Swindon and for South Derbyshire make a powerful point, and I shall carefully consider ways in which to expedite the procedures to deal with the problem. As with so many aspects of the law, one of the difficulties is squaring rights, which are important, with the time taken to resolve a problem. In principle, there is no reason why a rapid resolution would not go some way to tackling my hon. Friends' anxieties.

Mr. Todd: Will my hon. Friend consider whether the rights of travellers in the position that he outlines might be as adequately protected on a designated, legitimate site provided by the local authority, and that pointing out the availability of pitches on legitimate sites would be a reasonable basis for demanding their immediate removal from the site that they were occupying while their social circumstances were reviewed?

Mr. Clarke: There is a powerful case for that. In his original speech, my hon. Friend made points that were worth considering about the procedures and the times at which some matters are assessed. I am happy to consider them very carefully.

There is a great difficulty, about which I think I should be frank. I refer to a conflict between the rights of individuals to which our whole society subscribes, when criminality or similar issues are not involved, and the rights of surrounding communities. Those are precisely the issues that my right hon. Friend the Home Secretary is currently discussing with colleagues in the Department of the Environment, Transport and the Regions, with the aim of finding a solution.

Our fundamental point of principle is that travellers have a right to live their lives as they do, freely and in an entirely acceptable way. By the same token, however, criminal or anti-social behaviour on the part of any section of the community should be treated equally, across all communities. I think that most Members on both sides of the House accept both those principles; certainly, Labour Members do. The question is how to make them work in practice. The complaints that we receive so frequently—complaints cited articulately by my hon. Friend—concern circumstances in which those two rights have not been married satisfactorily. Our current discussions seek to deal with that.

My hon. Friend said that the provision of legal sites generally needed to be encouraged. I support that approach, for reasons connected with one of the rights to which I have referred. I am pleased to note that there is local authority site provision in South Derbyshire, and I am glad that the local authority takes its responsibilities seriously. That is, of course, what local authorities are advised to do by the Government. Site provision is an important element of the managing of unauthorised camping, for the reasons given by my hon. Friend.

Circular 1/94, "Gypsy Sites and Planning", places gypsies on the same footing as others in relation to the planning system, while seeking to recognise their special needs. It applies to local authority and private gypsy sites, and advises local planning authorities to assess the need for gypsy accommodation in their areas and, wherever possible, to identify in their plans locations suitable for sites. When that is not possible, they should set out clear, realistic criteria for suitable locations as a basis for site provision policies.

The emphasis in circular 1/94 is on identifying suitable locations for sites. The Department encourages local authorities to discuss the preparation or revision of the plans with all concerned, including travellers themselves, their representative bodies and local support groups. We also think that representatives of travellers should consult local authorities on planning matters before buying land on which they camp for which planning permission would be required. The Department is commissioning separate research on the management and condition of existing local authority sites, which will inform future policy development.

We strongly agree with my hon. Friend's approach. As I said earlier, my right hon. Friend the Home Secretary, my Department and the Department of the Environment,

[Mr. Clarke]

Transport and the Regions are actively reviewing the joint Home Office-DETR good practice guidance. The document was first published in October 1998, and advises that local authorities should have an overall strategy. The strategy should include needs assessment and site provision, as well as eviction policies, which should be developed with the local police force.

The aim of the joint guidance is to encourage a balanced approach to managing unauthorised camping. It is necessary to balance the nuisance that can be caused to members of the local community with the rights of campers. As I have said, research commissioned by the DETR and the Home Office is under way, with the aim of reviewing the good practice guidance on unauthorised camping. The aim is to establish the extent to which the guidance is being followed, how well it is working and whether there are any gaps that we need to address. The final report on the management of local authority sites is due in September, and will give us a basis on which to make future policy decisions.

Let me summarise our central approach. We believe that the police operational guidelines were strengthened and clarified by the Association of Chief Police Officers last year, following meetings with Ministers. They make it clear that police powers should be used primarily when there are problems of crime, disorder or disruption to the local community associated with unauthorised encampments.

Ministers have made it clear that police powers can be used at an early stage when necessary. I emphasise above everything that joint Home Office-DETR guidance encourages a multi-agency approach to dealing with problems caused by unauthorised camping. As with many areas of policy, it seems critical that we have a genuine partnership approach that determines how we operate. A partnership approach on the basis of clear guidance and guidelines, both from the Home Office and the DETR and from the Association of Chief Police Officers, will give us a basis on which to develop policy.

As I have said, my right hon. Friend the Home Secretary is considering joint guidance and whether any changes are needed. It must be made clear—I have sought to do so in the debate—that toleration of encampments does not stretch to toleration of crime, disorder or disruption to the local community. As I have said, he hopes to make an announcement shortly on those matters.

We have no evidence to suggest that police powers are currently used in a discriminatory way. We are aware of the problem of welfare inquiries that must be made by local authorities, fulfilling their statutory obligations, before taking eviction action. We are willing to consider whether any changes are necessary. Although the provision of sites is primarily a matter for the DETR, we acknowledge my hon. Friend's approach towards the important responsibilities that must be fulfilled and his efforts to move the matter forward.

It is a vexed and difficult problem. I am delighted that my hon. Friend has secured time to debate it. I hope that I have been able to offer at least some reassurance to my hon. Friends who have spoken that we take the matter seriously. We address it as a matter of urgency and concern.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes to Eight o'clock.

House of Commons

Friday 7 July 2000

The House met at half-past Nine o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PETITION

Laindon Shopping Centre

9.33 am

Angela Smith (Basildon): I present a petition on behalf of more than 600 residents of Basildon and Laindon and users of the Laindon shopping centre, who are concerned about security and the decoration of the centre. They ask for

an immediate review of all decorating, cleaning and security needs of the Centre in co-operation with traders and customers,

and urge that

such work be undertaken as soon as possible.

Failing this,

The petitioners therefore request that the House of Commons consider placing a duty on private owners of such centres to provide for adequate cleaning, maintenance and security.

And the petitioners remain.

To lie upon the Table.

Hunting with Dogs

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Robert Ainsworth.]*

9.34 am

The Secretary of State for the Home Department (Mr. Jack Straw): First, may I briefly inform the House about a separate matter? The draft Bill on football hooliganism should be available in the Vote Office by 10.30 this morning.

The second preliminary point that I should like to make is to present my apologies to the House for the fact that I shall have to leave the Chamber at about 10.45. I know that the hon. Member for Aylesbury (Mr. Lidington) is in a similar position. I hope that the House will take into account the fact that this is the ninth occasion on which I have been on my feet in the House in the past 15 days.

Mr. Peter Luff (Mid-Worcestershire): Too much legislation.

Mr. Straw: None of the debates has actually been on legislation, although some have had a legislative purpose. We have had many fewer Bills than in similar Sessions that I recall, certainly in the 1980s.

Let me turn to the subject of the debate, which is the Report of the Committee of Inquiry into Hunting with Dogs in England and Wales, Command Paper 4763. The issue of hunting has aroused great controversy over much of the past 20 years. Sixteen Bills have been presented to the House in that period. The strong feelings about it in the House are reflected in public sentiment, both for and against.

All parties have long accepted that the issue of whether to ban hunting should be determined by free votes of right hon. and hon. Members. That remains the Government's position. At the general election, we said in our manifesto that we would advocate a free vote on the issue. Although it was not explicit, the implication was that such a vote, or set of votes, could have a legislative effect.

The House usually deals with such issues by way of private Members' Bills, but that procedure can prove inadequate to bring hotly contentious matters to a conclusion. That was true for the vexed issue of Sunday trading, on which, after 20 private Members' Bills and one failed Government Bill, the previous Administration wisely decided to bring the issue to a conclusion by providing a Government Bill that offered a range of alternatives, on which there were then free votes. We have decided to adopt a similar approach with hunting.

The resolution of the central question—to ban or not to ban—should not be delegated to an outside committee, however expert or eminent. It is plainly a matter for Parliament. However, we decided that a committee could prove invaluable in informing and illuminating the debate.

As the House knows, Lord Burns accepted my invitation to chair such a committee. Its four other members were Dr. Victoria Edwards, principal lecturer in land management at the university of Portsmouth, and a non-executive board member of the Countryside Agency and the Forestry Commission; Professor Sir John Marsh, emeritus professor of agricultural economics at Reading university; Lord Soulsby of Swaffham Prior, emeritus

[Mr. Straw]

professor of animal pathology at the university of Cambridge; and Professor Michael Winter, professor of rural economy and society at Cheltenham and Gloucester college of higher education. The team was appointed for its expertise in fields relevant to the inquiry's work.

Lord Burns conducted the inquiry in an extremely open manner. He and his colleagues made great efforts to reach different communities and to speak both to those involved in hunting and to those opposed to it. They witnessed a variety of forms of hunting, commissioned research from academics and held public meetings in various parts of the country. I am deeply grateful to Lord Burns and the other committee members for the way they went about their work and completed this very thorough report.

Mr. Andrew Robathan (Blaby): I am grateful to the Home Secretary for giving way so early in his speech. He said that the free vote is the means by which the debate will be brought to a conclusion. Let us suppose that the Houses of Parliament, in their wisdom, were to decide that there should be no ban on fox hunting—no change in the status quo. Would he accept that that had brought the issue to a conclusion?

Mr. Straw: Yes, of course. If Parliament had decided that it was in favour of no change to the Sunday trading laws—or, as I and a number of others wanted, more limited change—that would have been the end of the matter. That must be the case with this issue.

In my statement on 12 June I expressed the hope that hon. Members would read the committee of inquiry's report, and I hope that those Members who are present today have had the time since then carefully to study its contents. I am pleased to be able to tell the House that the report has been welcomed by those most closely involved in the issue. The two organisations that led on giving evidence to the inquiry, Deadline 2000, the umbrella group for those seeking a ban on hunting, and the Countryside Alliance, which favours hunting, have both been positive in their response to the report. I understand that Deadline 2000 regards the report as thorough and cogent, and that the chairman of the Countryside Alliance has said that he has nothing but admiration for it. There has been a recognition that the inquiry tried to appreciate the complexities of the issue.

It may help today's debate for us first to recall the report's conclusions about the extent of hunting with dogs, who takes part in it, and why. I asked the inquiry to examine the hunting with dogs of foxes, deer, hares and mink. We are all familiar with the best known and most visible type of hunting: the traditional fox hunt of mounted followers and a pack of hounds. Such an image is ubiquitous—indeed, the right hon. Member for Maidstone and The Weald (Miss Widdecombe) admitted in an earlier debate, when she was a partisan against hunting, that such scenes adorn her dining room curtains. I am told by those who know about these things that given her personal opposition to hunting, such behaviour is regarded in some quarters as post-modernist irony.

Mr. Edward Garnier (Harborough): I am always happy to share a joke with the Home Secretary, not least because sometimes he actually understands them, unlike some of those who sit alongside him.

My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) not only has hunting scenes on her dining room curtains, but I can tell the House that she also has hunting maps on the walls of her dining room. She clearly takes a great interest in hunting and its practices.

May I make an introductory point that the Home Secretary may be able to deal with at this stage? The cost of the report to the public is £32.50. That is quite a lot of money for many people. Does the right hon. Gentleman agree with me that the readership of this good report would be far wider if the price of the document were much lower? Is it not an irony that we get the report free, yet I suspect that an awful lot of Members have not even read it?

Mr. Straw: We have to work on the assumption that, as hon. Members get the document free, those taking part in the debate have read it—although it may become apparent whether individuals have read it during the debate. The price is too high, but the hon. and learned Gentleman should bear in mind the fact that it is available free on the internet and in every public library, so that makes a big difference.

Although I am always happy to share a joke with the hon. and learned Gentleman, I ask him not to damage my reputation any further with faint praise.

Mr. Eric Forth (Bromley and Chislehurst): I do not want to let the Home Secretary's modern point about the internet pass without saying that I hope that he does not assume that everyone in the country possesses a ghastly computer, knows how to use it or is plugged into the even more ghastly internet.

The serious point is—I hope that the Home Secretary will take it seriously, given the point that my hon. and learned Friend the Member for Harborough (Mr. Garnier) made—that the Government must not assume that everyone in the country has access to the internet and use that as an excuse, or an alternative to making available such important information. I am sure that the Home Secretary understands that point, and I hope that he will acknowledge it.

Mr. Straw: I take that point, but as the right hon. Gentleman makes a partisan point, let me make one in return. I regret the fact that the report costs £32.50. We have tried to ensure that it is available, and the internet is now widely accessible, although I fully accept not in every home. We are responsible for this price, but up until the early 1980s Government documents were available cheaply because they were subsidised. The Conservative Government pushed up the real cost of *Hansard* by a factor of 10. I did a study on that in 1993, and I greatly regret that increase, because that was when the rot set in. I must raise this matter with my good friends in the Treasury, but I believe that Government documents should be available as cheaply as possible.

Mr. Tom King (Bridgwater): I have in my hand Contract 7, which is the Bateson and Harris report. It is particularly relevant, and follows on from the Bateson report. I am not sure whether the Home Secretary has had a chance to read Contract 7. I would be surprised if he had, because it is a substantial, 100-page document.

Yet it is not in the report: it is on the CD ROM. That reinforces the point made by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth). It is an extremely germane document for those interested in the welfare of hunted animals. It has been published in a modern way, and I am not sure whether there is a printed version. I can see those in the official Box shaking their heads, which gives me the answer. There is no printed version available at any price.

I inquired about this CD ROM last night, and the Library was not too confident about how to use it, but they switched on to the Home Office website which contains the Burns report, and it was printed out, which was helpful. As my right hon. Friend said, if people are not plugged into the computer—many of my constituents on Exmoor are not computer literate—they will have no access to the report.

Mr. Straw: I shall consider whether a printed version can be made available. There is no perfect way of doing this, but Lord Burns was very concerned to ensure that the process and the product of his inquiry should be open. We have done our best to make it available using information technology. I realise that not all my constituents or those of the right hon. Member for Bridgwater (Mr. King) are plugged into the internet or, even if they are, know how to use it, which is a difficulty for anyone over a certain age, but people have access to public libraries, which are all plugged in, and we are doing much to improve the public library system.

As the report details, hunting takes many forms. Topography, geography and farming activities in hunting areas—which all have an influence—vary greatly.

Right hon. and hon. Members will note from chapter 2 of the report the number of registered hunts for each type of hunting, the number of occasions on which they meet and their estimated number of followers. The inquiry was not able to quantify accurately how much hunting takes place informally, but considered that it is likely to be extensive. Though a minority pastime, hunting has a significant following.

The report found, not surprisingly, that farmers and landowners are at the heart of the activity. They benefit from pest control, and believe that they best understand the needs of the countryside. Although the inquiry was in no doubt that a few people hunt, often illegally, simply because they enjoy using their dogs to kill animals, it said that most enjoy hunting for a variety of other reasons. Some like riding horses, some like watching hounds work, and some enjoy the social life associated with it. Others appreciate the benefits that hunting brings to the rural economy.

Mr. David Tredinnick (Bosworth): I hope that the right hon. Gentleman will touch on drag hunting, because the report says that as a result of a ban there will not be an upsurge in drag hunting: it will not change materially or experience any major increase. As a former master of drag hounds, I learned to hunt with drag hounds, not fox hounds. The argument deployed by those opposed to fox hunting that there could easily be a switch to drag hunting is totally fallacious, because drag hunting is more akin to point-to-point racing or the grand national on occasions.

Mr. Straw: I take the hon. Gentleman's point, and I hope that he is able to make it in his speech. I was not going to touch on every aspect of the report, because I would be here until 2 o'clock if I did, but Members can make their points as they wish.

The likely consequences for employment and the rural economy of a ban on hunting were a major subject of inquiry for the committee. Much of the recent debate has focused on the job losses that would result from a ban. The report acknowledges that this has been one of the main planks of the argument put forward by those who oppose a ban. As I told the House in my statement, the report concludes that

> between 6,000 and 8,000 full-time equivalent jobs presently depend on hunting.

I stress that these jobs are the full-time equivalent. The report goes on to state that

> the number of jobs affected will be substantially greater than the full-time equivalent.

The report focuses in particular on the effect that a ban on hunting would have on farmers. It reports that many farms operate at a loss and that farmers are the main beneficiaries of the system provided by hunting of pest control and a fallen stock service.

Mr. A. J. Beith (Berwick-upon-Tweed): Does the Home Secretary realise that some of the areas in which hunting is most popular, and provides jobs, are also areas that have experienced particularly severe job losses in agriculture? Suggestions that retraining or Government packages could replace the jobs lost in hunting and related spheres cannot be taken seriously.

Mr. Straw: The right hon. Gentleman quotes the report accurately. It makes interesting distinctions between the possible effects in lowland areas and those in more remote upland areas. It also suggests that, in the long term—which it defines as seven to 10 years—although the aggregate effect in terms of job losses is likely to be very small, that aggregate would obscure effects in particular communities.

The issues of cruelty and animal welfare have been crucial to the debate, and are central to the report. Chapter 6 discusses in detail the animal issues associated with hunting and other methods of pest control. The report gives the best evidence yet about the populations of the species, and mortality rates. It estimates that about 400,000 foxes die each year, and that the fox population varies during any year from about 200,000 in the pre-breeding season to three times that number in the post-breeding season.

The committee found that, although not everyone accepts that it is necessary to manage the fox population, the great majority of land managers take that view. Culling is considered to be a substantial factor in the maintaining of a stable population. The right hon. Member for Berwick-upon-Tweed (Mr. Beith) mentioned differences in different areas. Studies showed that, while hunting and terrier work accounted for the killing of 14 per cent. and 27 per cent. of foxes respectively in west Norfolk and the east midlands, it was as high as 70 per cent. in upland areas of Wales.

The report found that there was virtually unanimous agreement that, if a stable deer population was to be maintained, about 1,000 deer needed to be culled in the

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areas of Devon and Somerset that are covered by deer hunts, mainly because of damage to agriculture, forestry and conservation interests.

Ms Linda Perham (Ilford, North): The issues dealt with in the report are not of concern only to members of rural communities. In my London constituency, I have received nearly 300 letters about hunting with dogs. I have found that people throughout the country are very concerned about animal welfare issues, and want this awful practice to be banned.

Mr. Straw: I know that the issue is hotly contested, in both rural and urban areas. It is crucial for us to understand that there is not an iron curtain between town and country. The town depends on the country, and the country depends on the town. What makes up our society is a mixture of the two.

I know my hon. Friend's constituency well. It is overwhelmingly urban, but according to my recollection of many bus rides down the Southend arterial road, there are still some farms in the area. Although my constituency is very urban, it contains a large ward that is entirely in upland areas and contains mostly farms and sheep. It has only a small population. Nearly all of us have responsibilities to both town and country.

Mr. Edward Leigh (Gainsborough): Will the Home Secretary give way?

Mr. Straw: I will, but then I must make progress.

Mr. Leigh: The report suggests that a middle way may be emerging. It suggests that the areas in which hunting takes place should be restricted, and that there should be restrictions in regard to cubbing, stopping earths and terrier work. Although the authors make it clear that they have not reached a conclusion, such a middle way might appeal to many people. Does it appeal to the Home Secretary?

Mr. Straw: I never thought that I would live to see the day when the hon. Gentleman expressed approbation for a middle way. It shows the power of the idea.

The hon. Gentleman's suggestion is certainly one of the options in the report. Obviously the issue arouses strong views among some people, although, while I have strong views about a wide range of issues, I have never had strong views on hunting during my time as a Member of Parliament. Others must reach their own conclusions, but I intend to wait until the options are clearly identified and then, if it is appropriate, offer the House my personal view.

One of the report's key conclusions appears in chapter 6, which deals with the assessment of the welfare of animals that are hunted. It compares hunting to all other methods of killing, and points out that it must be seen in relative terms. It states:

> There is a lack of firm scientific evidence about the effect on the welfare of a fox of being closely pursued, caught and killed above ground by hounds. We are satisfied, nevertheless, that this experience seriously compromises the welfare of the fox.

The report also finds, however, that all methods of killing raise welfare issues. Chapter 6.61 makes important judgments about the different effects of controlling foxes in lowland and upland areas. It concludes that, in lowland areas, lamping—the use of powerful lamps at night, and the shooting of foxes that are caught by the lamps with high-powered and very accurate rifles—is the most humane method of killing foxes. However, it also states that in upland areas lamping is not possible in practice, and raises the question of whether methods other than the use of dogs are more or less humane.

Mr. Nicholas Soames (Mid-Sussex): Does the Home Secretary think that, in the light of the Government's foolish moves to grant access to all to heath and moorland by night, it is sensible to advocate lamping and the use of high-powered rifles?

Mr. Straw: Although I am expert in a great many matters, happily one of the few matters for which I have no responsibility is legislation on the countryside. However, I will look up the point that the hon. Gentleman has raised, and get back to him.

Mr. Luff: Will the Home Secretary give way?

Mr. Straw: If the hon. Gentleman will allow me, I shall make some progress. Otherwise I shall detain the House, and myself.

Other matters highlighted in the report would require consideration in the event of a ban. They include the recommendation of training for stalkers, concerns about the increased use of snares and the loss of the fallen stock service provided by hunts, and compensation.

The committee received evidence about a number of practical effects of hunting that gave rise to concern. They include trespass, disruption and disturbance by hunts, concern about the fact that hunting is not open to public scrutiny, the practice of autumn fox hunting, digging out using terriers, and the stopping up of badger setts. Those points are made in chapter 9. Chapter 9.47 points out that England and Wales, unlike most other countries, have no statutory regulation or licensing of hunting. The committee concluded that, in the absence of a ban, those matters should be considered.

Mr. James Gray (North Wiltshire): Will the Home Secretary give way?

Mr. Straw: I promise to give way later, if I make some progress. I have already given way many times.

Some of the concerns raised would require legislative action, but it would not be appropriate to deal with them in separate legislation ahead of a Bill on hunting. The relevant hunting bodies will want to consider each concern carefully, and to think about whether any changes to hunt rules could be made to deal with them.

The committee concludes that it is a reasonable assumption that any adverse impact on animal welfare is greater in the case of hunting not undertaken under the auspices and rules of the various hunt associations. Those rules were recently strengthened by the establishment of an independent supervisory authority. The committee suggests, in the absence of a ban, a licensing system to control all forms of hunting.

As I made clear in my statement, there will be a Government Bill in the next Session. The Government remain neutral: their role in presenting a Bill is that of a facilitator, enabling Parliament to reach a conclusion. Our task will be to ensure that the Bill is manageable in Parliament, and that it contains workable proposals. We have not reached a final conclusion on the options, not least because we want to hear hon. Members' opinions first. No final decision has been made about the number of options, but I believe that, if the Bill is to be manageable, it should contain no more than a handful of options, reflecting the proposals made by those on all sides of the debate.

I suggest—it is a matter for the House—that the broad options are as follows: to maintain the status quo, which would involve negativing the Bill; a wide-ranging ban along the lines of the Bill promoted by my hon. Friend the Member for Worcester (Mr. Foster); a more limited ban aimed at restricting the hunting of particular species, or taking account of particular differences in geography, topography and animal welfare; much tighter regulation, for example through the creation of a licensing authority; or the delegation of one or more of those decisions to local communities through local referendums, although the House would wish to take into account the strong recommendation against that option made by the Burns committee.

As the House may be aware, the Welsh Assembly recently passed a Conservative motion to the effect that decisions on hunting in Wales should be the Assembly's prerogative. My right hon. Friend the Secretary of State for Wales and my hon. Friend the First Secretary have advised Parliament and the National Assembly for Wales respectively that hunting is not a devolved issue. They have also explained that any ban would require primary legislation, which is a matter for Parliament. I assure the House that, on that issue, as always, my right hon. Friend and I will continue to discuss with the First Secretary any primary legislation that affects Wales.

The 40 Welsh Members of Parliament are as representative of Wales as the 60 Assembly Members, and I am sure that their voices will be heard during the passage of the forthcoming Bill. As I said in my statement to the House on 12 June, hon. Members will be free to table amendments proposing that decisions on the matter should be taken by the National Assembly for Wales. However, the Government position is that the matter has not been transferred to the Assembly, and is therefore the responsibility of this House.

Mr. Geoffrey Clifton-Brown (Cotswold): The Home Secretary will be aware that I tabled a written question, which was answered yesterday, asking him what estimate he had made of the number of extra firearms licences that would be needed for lamping foxes at night; what implications there would be for safety; and what compensation provisions the Bill would contain. I had a rather unsatisfactory reply from the Under-Secretary of State for the Home Department the hon. Member for North Warwickshire (Mr. O'Brien)—who is on the Treasury Bench—which stated:

> The consequences of a ban on hunting with dogs will be considered as the legislative options for a Hunting Bill are drawn up.—[*Official Report*, 6 July 2000; Vol. 353, c. 301W.]

Could the Home Secretary tell me when I will receive a proper reply to my questions, and when he will properly consider all those questions? Will he deal with them in good time so that, when a Bill is published, hunting folk can know exactly what to expect?

Mr. Straw: I think that the hon. Gentleman is being rather ungracious about that. The Home Office goes to very considerable lengths to provide as much information as possible to all right hon. and hon. Members who ask questions. My hon. Friend the Under-Secretary, who answered that question, tells me that we do not have that information or estimate now. However, we shall do our best to get it as the debates unfold. The legislation will not be before the House until after the end of this Session.

The proposed options will, of course, be susceptible to amendment as the Bill makes progress. In framing alternatives, we shall certainly take into account the concerns that were expressed by various hon. Members, and reflected in the report, with the idea of different regimes applying as between upland and lowland areas.

My hon. Friend the Under-Secretary, who is beside me on the Treasury Bench, has held meetings with the main umbrella organisations—Deadline 2000, the Countryside Alliance and representatives of the Middle Way group, which involves the hon. Members for Montgomeryshire (Mr. Öpik) and for Mid-Worcestershire (Mr. Luff).

Mr. Luff: And the hon. Member for Newcastle-under-Lyme (Mrs. Golding).

Mr. Straw: Yes—and my hon. Friend.

My hon. Friend the Under-Secretary has asked the umbrella organisations to present proposals later this month. I am sure, Mr. Deputy Speaker, that should any of the hon. Members just mentioned be fortunate enough to catch your eye, they will tell the House the rationale behind their proposals.

The Government will not be committed to any particular option for reform. As we have made it clear, we shall give Parliament the opportunity to vote on the merits of all the main options. All Labour Members, including Ministers, will have a free vote on all options.

Mr. Owen Paterson (North Shropshire): Will the right hon. Gentleman give way?

Mr. Straw: I am going to conclude; I am sorry.

It is too early to be precise about the procedural mechanisms for such a Bill. However, as I have already indicated, we believe that it should follow the model that was used for the Sunday Trading Act 1994. For that legislation, the then Government ensured that this House could choose between options for reform, and that, when the legislation proceeded to the other place, arrangements were made for the same choice between options to be made available there. Although that legislation was delivered to the other place in the form decided in votes by this place, the Government tabled in the other place the options that were available to this place.

As we all know, discussion of hunting is often characterised by strongly held views. Those who are opposed to it often focus solely on the welfare of individual animals, whereas the hunting community have often argued their case from the standpoint of the activity

[Mr. Straw]

as part of an integrated social, economic and environmental management system. The report deals with those apparently irreconcilable differences by carefully and independently analysing each separate issue. I believe that it is evident that the report has gone a considerable way towards achieving a wider agreement about the analysis of the issues.

What the report does not do is to arrive at any overall conclusion on the value of hunting or the implications of a ban. It is up to each right hon. and hon. Member to reach a conclusion on that matter. In so doing, I urge all right hon. and hon. Members to consider the report as a whole. It is a valuable document, and I thoroughly commend it to the House.

10.6 am

Mr. David Lidington (Aylesbury): I should first like to express to the House my apologies—which I have already communicated to Ministers and to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes)—for the fact that, like the Home Secretary, I shall have to leave before the conclusion of the debate. However, I shall, of course, study the *Hansard* reports of the speeches that I shall be unable to hear in person.

Also like the Home Secretary, I pay tribute to the work done by Lord Burns and his team. They were clearly given a difficult, complicated and controversial task and a tight time scale within which to complete it. It is a tribute to the thoroughness and impartiality with which they set about that task that, by and large, their bona fides have been accepted by partisans on both sides of the debate.

At one stage, Lord Burns and one of his colleagues visited my constituency, to visit the hunt kennels of the Old Berkeley Beagles. From talking to constituents who met him, his team and the observers from the campaigning organisations on each side of the argument, I know that my constituents were impressed by the courtesy and thoroughness of the questioning and by the serious approach that Lord Burns and his colleagues brought to their inquiry.

The report discussed numerous issues, such as the relationship between hunting and conservation, the economic impact that a ban would have, particularly on upland rural areas, and hunting's social and cultural importance in some of the country's most remote rural districts. I should like to deal first, however, with what I regard as the central issue of the debate: the conflict between two principles, each of which is admirable and important—individual liberty, and the improvement of animal welfare and the prevention of cruelty.

Ultimately, the judgment that each hon. Member will have to make in a free vote will depend mainly on how we deal with the tension between those two principles. My view, having studied the Burns report, remains that the principle of civil liberty and individual choice should be overturned by legislative actions only if there is an overwhelming case in favour of such Government intervention. I believe that the evidence presented by the committee of inquiry, far from providing evidence that such an overwhelming case exists, leads one to conclude that there are very good reasons why, in this debate, we should indeed prefer the cause of individual liberty.

Even those who argue for a ban generally concede that, by its very nature, a ban generally amounts to a serious intrusion by government and legislative action into individual freedom. One thing that comes through in the report is that many of our fellow citizens—even though they are in a minority—enjoy hunting, as participants or spectators. The statistics are printed in appendix 7 of the Burns report on page 203. About 27,500 people are subscribers to hunts and 38,500 are members of hunt supporters' clubs. Elsewhere in the report, the inquiry team draws attention to the fact that far greater numbers of people attend hunt functions, point-to-point events and other social and sporting activities related to hunting, even if they do not participate in hunting in person.

Dr. Nick Palmer (Broxtowe): The hon. Gentleman initially argued that the question was a balance between animal welfare and liberty. He now appears to be arguing that the number of people involved is crucial. The logic of that, to take a classic example, would be that bear baiting would be all right if it were popular, but that we could ban it if it were not.

Mr. Lidington: An important point of principle would still be at stake if Parliament outlawed a lawful recreation enjoyed by 65 people, let alone more than 65,000. The fact that hunting is a minority activity is not in itself a reason to introduce a statutory ban. Many of those involved in hunting or who support it feel strongly and passionately about their case. Whenever I talk to some of my constituents, such as the Baroness Mallalieu, I realise how passionate is their commitment to hunting, which they regard as having an economic and cultural importance to rural areas, quite apart from the principle of individual freedom which I have discussed.

Sir Nicholas Lyell (North-East Bedfordshire): On the widespread support in the country, it is not only a question of numbers and passionate feelings. Is it not the case that every acre in the United Kingdom over which the 150 or so hunts pass is hunted over with the active permission of the farmers who own and farm that land and who strongly support the continuance of hunting?

Mr. Lidington: My right hon. and learned Friend makes a powerful point, which I shall develop shortly.

I have never taken part in hunting or felt that I wanted to do so. I do not share the strong and passionate feelings of those who participate in hunting. However, I feel strongly that, in the absence of an overwhelming case for legislative intervention, it is wrong for the state and the law to intervene to stop people participating in activities which at the moment are lawful. The Burns committee draws attention to the issue of civil liberty and individual freedom when it discusses the possible grounds for challenging a statutory ban on the basis of the European convention on human rights which, of course, the Government have incorporated into domestic law. The committee singles out two possible legal grounds on which such action could take place.

Paragraph 10.9 of the report refers to article 8 of the ECHR, which deals with

> the right to respect for private and family life.

Article 8 states:

> There shall be no interference by a public authority with the exercise of this right except as is in accordance with the law and is necessary in a democratic society in the interests of . . .

certain criteria which would justify such legal intervention, including

> national security, public safety, . . . the economic well-being of the country

and

> the protection of health and morals.

The committee concludes that there is a debate about the application of article 8 to a possible ban on hunting and states that, at the very least, it is arguable that hunting is a private, not a public, activity as it takes place because individuals choose privately to get together and engage in hunting on privately owned land with the permission of its owners. The committee goes on to argue that a challenge under article 8 would presumably have to be resisted by the supporters of a ban on the grounds that a ban was necessary for the protection of morals. That is quite a problematic argument, and I counsel those who argue strongly for a ban to consider whether their support for that would be compatible with their support for the incorporation of the ECHR.

Mr. Beith: Does that not present the Home Secretary with a problem? When the Home Secretary certifies that the Bill is compliant, will he not have to specify the effect of the different options? I hope that the Home Secretary will consider that. Would the hon. Gentleman like to encourage the Home Secretary to reflect on the procedure involved, as the Bill would require a conditional certificate?

Mr. Lidington: The right hon. Gentleman makes a very good point indeed, and I endorse his request to the Home Secretary to make such provision on each of the options that the Government are currently drafting.

Mr. Ivor Caplin (Hove): Is the hon. Gentleman aware that Deadline 2000 presented evidence about the ECHR from an eminent QC?

Mr. Lidington: Yes, indeed. The Burns report refers to the different legal opinions that Deadline 2000 and the Countryside Alliance presented to the committee of inquiry. I am struck by the committee's conclusion on page 160 of the report. As always, it uses cautious language, and states:

> Legislation to ban hunting might be open to challenge under Article 1 Protocol 1—

which I want to discuss in a moment—

> and . . . Article 8 (respect for private life) of the European Convention on Human Rights.

Article 1 of the first protocol deals with the right to

> the peaceful enjoyment of . . . possessions.

It states:

> No-one shall be deprived of his possession except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

It goes on to state that those provisions

> shall not . . . impair the right of a state to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Two points arise from that aspect of the law. First, could restrictions on the use of property such as land and animals—in this case, horses and hounds—be justified as a point of principle under the ECHR? Secondly, if a ban could be justified, could it be enforced in compliance with the ECHR in the absence of compensation for the owners of property for the deprivation of the right to which they were entitled under the convention and the Human Rights Act 1998?

Clearly, the question whether there could be an effective challenge brings us either to an argument of principle or to a legal argument relating to the Human Rights Act and whether a ban could be demonstrated to be justifiable on the grounds that it was necessary to prevent cruelty to animals. Burns addressed that point directly. In the context of human rights legislation, he asked whether legislators could point to unnecessary suffering or some other reference point beyond mere disapproval to reflect the general interest.

The central argument of those who support a ban is that hunting inevitably involves cruelty, and that the need to end that cruelty outweighs the restriction on individual freedom. The Burns committee chose its words carefully when it concluded that hunting with hounds

> seriously compromises the welfare of the fox.

By extension, therefore, the implication is that it would seriously compromise the welfare of any hunted animal.

However, the committee added that the question of hunting with hounds should not be considered in isolation. I have never heard it argued in any debate that foxes or any of the other quarry species should be protected by law. The assumption, even among ardent supporters of a ban, is that some methods of control, culling or wildlife management would still be needed. People do not argue that foxes should enjoy the legal protection granted to badgers, for example.

Mr. Desmond Swayne (New Forest, West): Another question has to do with what a natural death for foxes in the wild consists of. Some hon. Members seem to believe that elderly foxes go into retirement care homes. Life in the wild can be unpleasant, even without hunting.

Mr. Lidington: My hon. Friend makes an important point. Foxes do not go to retirement homes, and they are not taken to the vets to be put to sleep when they hit old age or are injured in the wild.

The Burns report makes it clear that arguments about alleged cruelty caused by hunting must be considered alongside an assessment of the alleged cruelty intrinsic to other methods of animal control. It states that

> the welfare of animals which are hunted should be compared with the welfare which, on a realistic assessment, would be likely to result from the legal methods used by farmers and others to manage the population of these animals in the event of a ban on hunting.

I submit that any method of control that results in death should be considered to "seriously compromise the welfare" of the animal concerned.

The report deals with other methods of control. Several of my hon. Friends have referred to lamping, which is the method that the committee appears to prefer. The inquiry reported that, in many areas of the country, lamping would be neither feasible nor safe.

The inquiry team also discussed shooting with shotguns, snaring, and trapping, and it referred in passing to the poisoning or gassing of animals. It is currently illegal to gas or poison foxes, although the Government have a gassing programme for badgers.

Mr. Luff: The National Farmers Union sent a letter to Members of Parliament this week, in which it stated:

> Effective and humane lamping requires a level of expertise which is in short supply; moreover there is increasing evidence of it becoming less effective due to foxes becoming "lamp-shy".

It is therefore wrong to regard lamping as some sort of panacea.

Mr. Lidington: My hon. Friend makes a good point. The inquiry concluded:

> None of the legal methods of fox control is without difficulty from an animal welfare perspective.

It is difficult to shoot a fox accurately without wounding it, and snares and traps may affect species other than the quarry species that landowners want to control. Most reasonable people would appreciate that other methods of control are no less cruel and inflict no less damage to animal welfare than hunting with hounds.

I would go further. I think that the Burns report's discussion of animal welfare gives too little weight to the fact that, because hunting exists, many farmers and landowners tolerate the presence on their land of foxes—and deer—in much greater numbers than they would otherwise allow. Burns acknowledged that when he concluded that a ban on deer hunting would make an alternative system for culling on Exmoor and in the Quantocks essential and urgent. He also recognised that getting agreement from local farmers and landowners to such a culling programme would probably be very difficult to achieve, and that considerable resentment would be aroused if deer hunting with hounds were to be banned.

Mr. Robathan: We hear a great deal about how much more effective and humane shooting would be. I suspect that, given my previous career, I have fired more bullets from rifles than any hon. Member currently in the Chamber. My aim was sometimes accurate, and sometimes not. What is certain is that there is no certainty that one will hit the target at which one shoots. I have also shot many animals, with mixed success. Even my hon. Friend the Member for Mid-Sussex (Mr. Soames), who is rabbiting on behind me, may have missed the odd target from time to time.

Mr. Lidington: Some people who support a ban find it difficult to accept that Conservative Members who take part in various field sports, such as my hon. Friend the Member for Blaby (Mr. Robathan), speak from experience about alternative forms of control.

Mr. Malcolm Savidge (Aberdeen, North): Given what the hon. Member for Blaby (Mr. Robathan) said, does the hon. Gentleman think that the hon. Member for Mid-Sussex (Mr. Soames) should feel a little worried about being compared with a rabbit?

Mr. Lidington: Perhaps I should not have accepted that intervention. Moreover, the hon. Gentleman should remember that we are debating a possible ban on hunting in England and Wales. He might prefer to make representations about this matter in respect of his constituency to the Scottish Parliament.

The Government must answer a number of questions when they come to frame the Bill for inclusion in the Queen's Speech this autumn. A number of hon. Members have mentioned the economic impact of a ban. The right hon. Member for Berwick-upon-Tweed pointed out that the economic impact would be felt disproportionately in the most remote areas of England and Wales—and especially in remote upland areas, where the crisis facing agriculture is greatest, and where it is hard to see how alternative forms of employment could be provided.

Mr. Gray: I want to allay a myth that comes from the Burns committee, about which the NFU is particularly upset—the entirely false distinction between upland and lowland areas. The NFU makes it plain that, agriculturally and in terms of pest control, we should not make that distinction.

Mr. Lidington: My hon. Friend makes his point. It is clear from the Burns report that the loss of jobs is a burden that would fall especially hard on the remoter upland areas, precisely because alternative employment is rare and because the interconnection between agriculture, hunting and other forms of economic activity is more intricate and delicate in those areas.

I hope that, when the Government introduce their Bill, they will say how, if at all, they plan to assist those people and parts of country that would be most hard hit if a ban were enacted by Parliament. I hope, too, that the Government will make it clear how they intend to help farmers to replace the fallen stock service that hunt kennels currently provide. On the evidence presented in the Burns report, the 200 hunts that were surveyed dealt with 336,000 carcases. Every sector of farming is facing deep recession, so it will be hard for farmers to shoulder the burden of additional charges for the disposal of fallen stock, quite apart from the animal welfare implications involved if farmers have to send injured stock long distances so that they can be disposed of humanely at a distant abattoir.

I am conscious of the fact that many hon. Members on both sides of the House wish to take part in the debate.

Mr. Paterson: Does my hon. Friend agree that it would be helpful if the Government were to provide a schedule not only of the costs of compensation and the fallen stock service, but of the estimated costs of the extra policemen and, possibly, prison space that will be required, given that resistance to such a measure will be massive?

Mr. Lidington: It would be interesting if the Home Secretary were to make available to the House as background information for our debates on the Bill the representations made to him by the Association of Chief Police Officers about the challenge that the police would face in implementing any ban. Again, attention is drawn to that point in the Burns report.

I believe that this thorough report makes no case whatever for a ban on hunting with hounds. On the contrary, I argue that running right through the report is evidence to show that hunting plays an important part in rural areas and that the harm to animal welfare of alternative methods of control would be at least as great if hunting were abolished by law. I hope that those hon. Members who have campaigned and argued for a statutory ban will not just pay lip service to the report, but will weigh its evidence and learn from its conclusions.

10.34 am

Mr. Gordon Prentice (Pendle): I apologise to the House because, unfortunately, I will not be able to stay for the entire debate. I have to go to Exeter to attend Labour's national policy forum, where we are forging the policies that will take us into our second term. One of those policies will not be a ban on hunting with hounds because the issue will be resolved in this Parliament. That is the reason why I have publicly congratulated my right hon. Friend the Home Secretary on giving a commitment to introduce a Government Bill in November. There will be a free vote on a multi-option Bill, which will put the issue to bed at long last.

Burns has produced a good report, packed solid with facts and figures on hunting with dogs, but of course it does not touch on the ethnical dimension, which was outside the Burns committee's terms of reference. That is unfortunate because many people believe, as I do, that it is repulsive to kill animals for fun. That is what we are talking about.

Mr. Robathan *rose—*

Mr. Lembit Öpik (Montgomeryshire) *rose—*

Mr. Prentice: I do not have much time, but I shall give way.

Mr. Öpik: I shall not detain the hon. Gentleman for long. He says that it is repulsive to kill animals for fun; presumably he would include fishing and shooting in his list.

Mr. Prentice: That is so predictable.

A couple of years ago, during the debate on the Bill introduced by my hon. Friend the Member for Worcester (Mr. Foster), Polly Toynbee wrote an article entitled "Labour should go to earth on fox-hunting". She was against Labour introducing a ban, but she said:

> Fox-hunters are not pest-control exterminators on horseback nor a mounted job-creation scheme. They are people out enjoying themselves.

Their best argument is that hunting is fun. Many people go hunting because they enjoy it. There is a difference of opinion on the ethical position. I think that killing a wild mammal for fun is repellant, but the hon. Member for Montgomeryshire (Mr. Öpik) disagrees with me.

Mr. Öpik *rose—*

Mrs. Llin Golding (Newcastle-under-Lyme) *rose—*

Mr. Prentice: I shall not give way for the moment.

The key conclusion in the Burns report is that hunting with dogs compromises the welfare of the hunted animal. It is cruel. Deadline 2000—the umbrella organisation that includes blue chip animal welfare organisations, such as the Royal Society for the Prevention of Cruelty to Animals—endorses the view expressed in the Burns report that the central issue is that the killing of foxes and other animals is cruel. The formulation used in the Burns report is that the welfare of the hunted animals is "seriously compromised," which, in effect, means that it is cruel.

Mr. Robathan: Will the hon. Gentleman give way?

Mr. Prentice: Not for the moment, no.

The issue is not one of town versus country, nor of Labour versus the Conservatives. I visited the Burns website this morning and read the evidence that had been submitted to Burns from the Conservative Anti Hunt Council. I do not know whether the shadow Home Secretary, the right hon. Member for Maidstone and The Weald (Miss Widdecombe), is a member, but, Mr. Deputy Speaker, your distinguished predecessor in the previous Parliament, Dame Janet Fookes, is a member of that council. The man who was the standard bearer in the London mayoral elections, Steven Norris—a prominent Conservative—is leading member of that council. In fact, he is a vice-president. Other Conservative luminaries are members, including the stargazer, Dr. Patrick Moore, and the hon. Member for Rochford and Southend, East (Sir T. Taylor). Many Conservatives believe, as I do, that hunting is cruel and should be banned. The issue is not about Labour versus the Conservatives, nor the town versus the country; it is about cruelty and killing for fun.

Mr. Robathan *rose—*

Mrs. Golding: Will my hon. Friend give way?

Mr. Prentice: Not for the moment.

When I was minded to table my amendment to the Countryside and Rights of Way Bill, I received lots of letters from people all over the country on this issue—80 per cent. in favour of an outright ban and 20 per cent. very hostile.

Mr. Gray: Will the hon. Gentleman give way?

Mr. Prentice: Not for the moment.

I received a charming letter from a shepherd, although those who believe the propaganda might think that if anyone would be hostile to people such as me it would be a shepherd—someone who cares for his flock. However, he is a

> shepherd, a countryman, and I know exactly what these sadists do . . . to think that people make a living on the torture of animals is obscene.

I think that it is brutalising.

There was a demonstration in Parliament square a fortnight ago when my right hon. Friend the Home Secretary made his statement. I went out to see what was happening, and came back here to call the demonstrators a rabble. Two men positioned themselves directly behind me and from them came a constant stream of vitriol. I would not engage them in conversation nor would I move. I received a stream of abuse. Killing animals for fun and engaging in systematic cruelty brutalises people.

Mr. Robathan: Will the hon. Gentleman give way?

Mr. Prentice: Not for the moment.

I have a letter here that says, "You stinking little rat." It comes from Christopher Baker of Broad Oak House, Odiham, Hampshire.

Mr. Ian Cawsey (Brigg and Goole): What is his phone number?

Mr. Prentice: It is 01256 702482. Mr. Baker says:

> GO TO HELL. May you rot.

That is what we are dealing with. People feel very strongly about these things.

Mr. Gray: Will the hon. Gentleman give way?

Mr. Prentice: Not for the moment.

Mr. Luff: Will the hon. Gentleman give way on that point?

Mr. Prentice: Yes, on that point.

Mr. Luff: It should be made clear that Members on both sides of the House have been sent abusive letters on this subject. I have received some of the most upsetting correspondence that I have ever had, damning me and my family to hell for daring to propose a compromise. It is not right for the hon. Gentleman to suggest that the traffic is one way.

Mr. Prentice: I do not resile from what I have said. Today, the Countryside Alliance is demonstrating outside my constituency office. Members would not necessarily wish that on my staff.

Mr. Garnier I am most grateful to the hon. Gentleman for giving way. Does he agree that rather than rehearsing some of the abusive correspondence that he has no doubt received, it would be far better for us all if he and I agreed that there should be a much more relaxed and rational debate about access and field sports, which is what we agreed while sipping champagne on a first-class aeroplane journey to Korea not long ago?

Mr. Prentice: At least the hon. and learned Gentleman did not revisit the cost of the Burns report, which is a relief.

I am concerned about the understated threat that there will be a reaction if Parliament is minded to legislate to ban cruelty and killing for fun. A correspondent got in touch to say:

> The Poll tax unrest was nothing compared to what is now going to happen.

To people who write such letters, I say that the House is the democratic forum of the nation. If we decide that the law is to change, people will just have to accept the fact and move on. In that respect, I shall refer to correspondence from the master of my own fox hunt in Pendle.

I do not represent an urban constituency, and in the northern part of my area there is a hunt, which runs over the border in Ribble Valley. The master wrote to me last month in measured terms, saying that were Parliament to ban hunting with hounds, that would have a devastating effect on the countryside—as if I do not live there; as if I do not hold surgeries there week in, week out; and as if I do not speak to people in the countryside. The master tells me that there would be problems in the countryside and that a ban would be an economic catastrophe. The whole thing is completely fanciful.

The master says that

> the Hunt acts as an important social base for farming communities

and refers to "dances and social evenings". That may be so, but it can still have its dances and social evenings without those being linked to cruelty and killing for fun. There is a big drag hunt in Cheshire and I am sure that it holds social evenings and dances. People can dance the night away, but that need not be connected with killing for fun. In his last paragraph, Mr. Bannister echoes the previous letter that I read to the House. He tells me:

> There is considerable unrest in the countryside and it would be very sad if hunting were abolished by law.

Here is the vision of "Apocalypse Now":

> This could see the countryside on the march again, where some one million people would certainly descend on London and the police would have an incredibly difficult job of policing the countryside where there could be a possibility of thousands of law abiding citizens breaking the law for the first time.

When I read that letter, I wondered what my reaction would have been 15 years ago had I received from the president of a miners lodge in Nottinghamshire a letter written in such terms saying that the miners would be on the march against the Thatcher Government, that a million people would descend on London and all havoc would be let loose. There would have been an incredible reaction.

To Mr. Bannister and those who think like him, including Opposition Members, I say that I am relieved that my right hon. and hon. Friends on the Front Bench have decided to introduce a Government Bill that will not put anyone in a corner. A multi-option Bill will accommodate the views of Liberal Democrat Members and some of my hon. Friends as well. I believe that that is the way forward and I wish the Bill well.

10.48 am

Mr. Tom King (Bridgwater): I owe the Minister an apology. I fear that he might be a lonely man when he makes his winding-up speech, as I am afraid that I, too, am unable to stay. He faces the awful prospect of speaking to an empty House.

Mr. Leigh: On a point of order, Mr. Deputy Speaker. As every Member who has spoken so far has to leave the debate early, might those who will stay to the end be given precedence?

Hon. Members: Hear, hear!

Mr. Deputy Speaker (Mr. Michael Lord): Unfortunately, the occupant of the Chair is not always aware of the detailed plans of every Member of the House.

Mr. Soames: Further to that point of order, Mr. Deputy Speaker. I will be here to the very end. May I be advanced accordingly?

Mr. Deputy Speaker: The Chair carefully notes that point of order.

Mr. King: I have no doubt that my hon. Friend the Member for Mid-Sussex (Mr. Soames) will stay to the end and longer.

The Home Secretary rightly said that this will be the 15th debate on hunting in 20 years. I have taken part in almost all those debates, and I have heard too many speeches like that by the hon. Member for Pendle (Mr. Prentice). We owe it to Lord Burns and his report to discuss the matter more sensibly and with rather more insight, instead of speaking from entrenched positions and expressing entrenched views. As far as the hon. Member for Pendle is concerned, the Burns report might as well not have been produced. In the past, we had what could be described as a dialogue of the deaf. We knew before the debate started what people would say and, to put it bluntly, there was considerable ignorance about a number of the issues involved.

In his foreword to the report, Lord Burns makes the point that the issue is not simple; it is not a simple matter of cruelty and killing for fun. In some parts of my constituency, hunting is an extremely important and significant issue. Burns and his colleagues identified that in the report. However, in other parts of my constituency, there are people who write exactly the sort of letters that the hon. Member for Pendle referred to. They are appalled, disgusted and sometimes very irritated by the behaviour of the hunt and the conduct of its supporters on occasions. I am familiar with the issues on both sides.

Now there is no excuse for anyone to speak from ignorance, because the Burns report makes an important contribution to the debate. I trust that anyone involved with the issue in future will make themselves familiar with it. I welcome the report. I pay tribute to Lord Burns and his colleagues and I am grateful for the time that they spent on it. Part of Exmoor is in my constituency and, although I do not think that this is a reflection on the hon. Member for Taunton (Jackie Ballard), the boundary commission is now proposing to transfer the rest of Exmoor from her constituency to mine. That may be a coincidence, but I do not think that the people of Exmoor will fight passionately to keep the hon. Lady as their Member of Parliament in future.

Turning to the Burns report and its appendices, I do not think that the hon. Member for Pendle has read Contract 7, which appears in one of the appendices. It is available only on CD-ROM. I understand that in the interests of speed in producing the report, there has to be a whole series of additional volumes. God knows what the report would have cost otherwise. However, I understand that public libraries will provide photocopies of 100 pages, if necessary. The seventh contract is the research contract for Sir Patrick Bateson and Professor Harris. My point is that the material is now available to enable people to talk with rather more knowledge and information.

I shall concentrate on two issues of particular significance in my constituency—stag hunting and the hunting of deer. I shall leave others to address fox hunting. I add in passing that Lord Burns and his colleagues dealt with two issues very usefully. The first is the silly argument about drag hunting that has come up before; it has been difficult to explain to some hon. Members why drag hunting is not an alternative, and it is sometimes proposed as if it were a way out. My hon. Friend the Member for Mid-Sussex has referred to that. Secondly, Burns addressed the silly and rather offensive argument that people go hunting to kill for pleasure.

The Burns report acknowledges that hunting is a minority pursuit. As my hon. Friend the Member for Aylesbury (Mr. Lidington) made clear from the Front Bench, there is nothing wrong with that. Burns makes it clear from the start that if the majority want to make any changes, the onus is on them to determine their entitlement and the grounds on which to take what in many circumstances any democratic society would consider an unacceptable step. The majority have a duty to the minority, especially given that in this case a huge number of that majority are totally uninformed about the issues and the facts.

As the Burns report made clear, in certain areas hunting is a majority pursuit that commands majority support. The following quotation from paragraph 4.43 of the report relates particularly to my constituency. It states:

> support for hunting and a belief in its importance to individuals and the community, is substantially greater for residents and interviewees in the Devon and Somerset study area . . . For example, a half of all respondents in the Devon and Somerset study area thought that hunting was very important or fairly important to their daily lives.

The hon. Member for Pendle made some rather flippant comments about whist drives and dances.

Mr. Clifton-Brown: On a point of order, Mr. Deputy Speaker. Is it not a long-held tradition of the House that an Member who makes a speech should stay in the Chamber at least to hear the following speech, instead of leaving after five minutes?

Mr. Deputy Speaker: It is indeed understood that when an hon. Member has addressed the House it is normal for him to remain at least to hear the next speech.

Mr. King: Paragraph 4.54 of the report states:

> It is clear that, especially for participants in more isolated rural communities, hunting acts as a significant cohesive force, encouraging a system of mutual support. Farmers and other landowners—many of whom feel increasingly isolated—are both the linchpins and the main beneficiaries of the system. Many of them also value hunting as an expression of a traditional, rural way of life and would strongly resent what they would see as an unnecessary and ill-informed interference with it. As a result it would increase their sense of alienation.

I have tried to make that point in the House on previous occasions. It is a conclusion of Lord Burns and his colleagues in their report, and they are absolutely right.

Mr. Soames: I have heard my right hon. Friend make this point before, but I had not previously seen it for myself until this year when I went down to visit the Devon and Somerset staghounds. One gets some idea from being there and seeing it that hunting is one of the most important aspects of their lives for hundreds of people for whom there is very little else in that part of the world, and for whom the hunt truly provides a framework for their lives.

Mr. King: My hon. Friend is absolutely right. We are talking about a whole lot of people, many of whom do not hunt and are not involved in the hunt in any way, but for whom it provides a framework for community life. It is important to understand that the issue is more complex and difficult than one would think from the simplistic comments that we have heard from the hon. Member for Pendle.

The Burns report refers briefly to the history of stag hunting. The Devon and Somerset stag hunts were formed in 1855—150 years ago—because of concern at the virtual disappearance of the herd of deer on Exmoor.

[Mr. King]

At that time there were thought to be fewer than 100 deer on Exmoor. Since hunting was introduced and the deer management system, of which hunting is a key integral part, the deer population has increased. There is a considerable spread in the estimated numbers. The figure given by the staghounds on their best count from visual observation was about 2,500, but the Langbein study on dung deposits produced a figure of between 3,000 and 6,000. Whatever the figure, it is clearly a herd in very good health that is well cared for under a deer management strategy that has ensured the survival of the deer—which, as I have often said in the House, have not survived as well in almost any other constituency in the country.

Lloyd George, in 1917, was concerned about the virtual disappearance of stags from the deer herd in the Quantocks. The Quantock stag hounds was established then and the deer management system was developed, and now there is an extremely healthy herd of between 700 and 800 stags. The deer are enormously valued. They are valuable for tourism, and people who do not want to hunt come to see them. The deer do not hide for fear of being shot at any moment. Every year, 1,000—Lord Burns confirms the figure—are either killed on the road or culled. That keeps the deer population in balance and protects their environment from being destroyed by the deer themselves. Most are culled by shooting and some by hunting.

Paragraph 5.75 of the Burns report says:

> It is generally accepted that red deer numbers in Devon and Somerset need to be controlled. Hunting with dogs presently accounts for about 15 per cent. of the annual cull needed to maintain the population at its present level. However, because of the widespread support which it enjoys, and consequent tolerance by farmers of deer, hunting at present makes a significant contribution to management of the deer population in this area. In the event of a ban, some overall reduction in total deer numbers might occur unless an effective deer management strategy was implemented, which was capable of promoting the present collective interest in the management of deer and harnessing such interest into sound conservation management.

That, far more lucidly than I could have expressed it, is precisely the argument that I have put to the House. We must maintain the community of interest of the people who live in Exmoor and the Quantocks, with the farmers and country people, the conservationists, the deer societies, the Exmoor Society, the Exmoor national park, the Quantock rangers and the Countryside Commission, all of which contribute to a complicated and subtle, but proven, system of deer management, which has led to the establishment and maintenance of those wonderful herds. An ill-thought-out ban, imposed in the absence of any alternative deer management strategy, would put at risk the very survival of the deer. That is the implicit concern in the Burns report.

Mr. Tony Banks (West Ham): If one wants to ensure that there is an adequate stock of deer, of course deer management schemes are absolutely necessary—they are there to provide good quarry—but how does the right hon. Gentleman explain the fact that there are good thriving herds of deer in Scotland, where, as I understand it, there is no deer hunting?

Mr. King: The problem in Scotland is entirely different. It is partly a matter of terrain. I have stalked in the great open hills of Scotland. Coping with deer management in the wooded combes of Exmoor and the woods and plantations of the Quantock hills is an entirely different problem.

There has to be culling, and most of it is done by rifle, but it is not easy. This is supposed to be a joined-up government, but new legislation allows everybody to wander at will at night over heath and moorland, at the same time as the Government are actively promoting more lamping and rifle shooting at night. That is heading for a serious problem.

Mr. Banks: Oh, come on.

Mr. King: If the hon. Gentleman does not understand the problem, that betrays his ignorance.

Mr. Banks: I can tell the difference between a fox and a human being.

Mr. Deputy Speaker: Order. We have had sufficient sedentary interventions now. Hon. Members who want to speak must seek to catch my eye later.

Mr. King: The key point is that the farmers, in particular the hunting farmers, feed the deer. The Forestry Commission and the National Trust have plantations and woods on the top of the Quantocks. That is where the deer lie up by day. By night, they come off the hills and down to all the 280 farms that are contiguous with the Quantocks. They graze there and in some cases do significant damage. From time to time, a non-hunting farmer comes to me to ask for a night licence to shoot, because 50 deer are standing in his crops.

The tolerance of the community has sustained the deer over the years. A lot of the farmers hunt and support the hunt. The House does not understand the gravity of the crisis and the scale of the depression in farming. The consequences of a ban could be very serious indeed for the deer.

Mr. Gray: My right hon. Friend makes a powerful point about a healthy deer population. Does he agree that Lord Burns implies a similar result with regard to foxes, saying that the healthiest populations tend to be in the areas that are most heavily hunted—the west country and the midlands—whereas in East Anglia, where the concentration is exclusively on game shooting and the gamekeepers are very active, there is an extremely unhealthy population of foxes?

Mr. King: That is a powerful point, but if my hon. Friend will excuse me, I will not get on to the subject of foxes.

Were the cruelty so great as to be unacceptable, we would have to consider whether, notwithstanding the considerations that I have outlined, the rights of a minority might have to be overridden by the power of a majority. That is why I was so interested to read Contract 7, the research contract attached to the Burns report. I significantly prefer Contract 7 to the earlier, solo version by Professor Bateson, which members of the National Trust council were given 24 hours to read before the meeting at which they decided to ban stag hunting on National Trust property.

I did not regard that version as a fair representation of the situation and I am glad that a more measured approach, with more balanced science, was taken in the joint universities study, led by Roger Harris. That study has now been incorporated into the report, and I much prefer Bateson 2 to Bateson 1, as it puts the issues of cruelty and suffering in relation to hunting in a much more balanced context.

There are undoubtedly passions on both sides, but it must be recognised that for the deer of Devon, Exmoor and the Quantocks, a deer management strategy, incorporating hunting, has led to the survival and improvement—nay, restoration—of those wonderful herds. Now that the Burns report is available, the House has no excuse for taking a sudden and impetuous decision, based on emotion and ignorance. Ignorance is no longer possible, because the evidence is available. I hope that people will now understand the issues more clearly.

The report contains a strange phrase about seriously compromising the welfare of an animal. What does shooting do to the welfare of an animal? Shooting has its problems, hunting has its difficulties, and gassing, trapping and snaring have even more. The basis of certainty—which the majority would need to have to take away from the minority the right to pursue a legitimate activity—does not exist. The onus of proof lies on the majority, and that is the challenge. The Burns report has made it clear that that onus of proof is not achievable.

Mr. Deputy Speaker: Several hon. Members *rose—* Before I call the next hon. Member, I recognise that many hon. Members are seeking to catch my eye. Unless contributions are reasonably brief, several of them will be disappointed.

11.11 am

Mr. Ivor Caplin (Hove): First, I can tell the House that I intend to be here until the bitter end today. I pay tribute to Lord Burns, who did an invaluable job in informing this important debate. The right hon. Member for Bridgwater (Mr. King) made a point about the Countryside and Rights of Way Bill that I did not understand. People want to walk through the countryside in the daytime in order to see it, so the right hon. Gentleman's point about night-time access is something of a red herring.

It is good to see several members of Standing Committee C, of which I enjoyed being a member of in 1997-98, in their places. My memories of the Committee were reawakened by reading the report of its proceedings in the past few days and by seeing the hon. and learned Member for Harborough (Mr. Garnier) on television yesterday. I managed to continue to disagree with almost everything he said when he was interviewed with my hon. Friend the Member for Basildon (Angela Smith), except his valid point that the Burns report is now an important document that all hon. Members should consider.

I congratulate my right hon. Friend the Home Secretary on setting up the Burns Committee, on the way in which it was conducted, and on bringing the matter to the House for debate. I have exchanged correspondence with Mr. John Jackson, the chairman of the Countryside Alliance, who is also the chairman of a company in my constituency. His letter to me of 1 October 1999 states:

> I gave you my own views on the desirability of an independent public inquiry when we first met. The more I have become involved in all this, and particularly now that we have the Joint Universities Study, the more I am convinced that this is the right thing to do. The hunting community and others who would be affected by any ban on hunting will follow the lead of the Alliance on this matter. The march at Bournemouth this week—

which, for the benefit of the uninitiated, was during the Labour party conference there

> was in essence a demand for a public inquiry in support of my own open letter to the Prime Minister.

That is clear evidence of the Countryside Alliance's preference. It wanted a public inquiry and the Home Secretary responded positively to that request, although any of us who have been involved in animal welfare for some years had some deep suspicions about the make-up of the Burns committee and what it was set up to do. However, the report allays those suspicions and I share the view that both sides of the argument appear to have reached in favour of accepting the outcome of the Burns committee.

I shall examine three key areas of the committee's report—the control of pests, the rural economy and the question of replacements for hunting, such as drag hunting. The issue of pest control is especially interesting. In the report, the committee reaches several conclusions. On page 89, it states:

> the overall contribution of traditional foxhunting, within the overall total of control techniques involving dogs, is almost certainly insignificant in terms of the management of the fox population as a whole.

It continues:

> shooting, however, has a much greater capacity to reduce fox populations.

It also makes the point that cubbing

> has no significant effect on the longer-term population unless it reaches very high levels.

Mr. Öpik: Does the hon. Gentleman recognise that Lord Burns acknowledged large regional variations? For example, in upland areas such as mid-Wales, hunting makes a more significant contribution to fox control.

Mr. Caplin: I do not know whether the hon. Gentleman has been listening at my office door, but my next point is about the difference between lowland and upland areas, which Burns addresses on page 91.

Mr. Garnier: We had many interesting discussions in Standing Committee C, but does the hon. Gentleman accept that Lord Burns—through no fault of his own, but because of the timetable he faced—was not able to take evidence during the cub hunting season in the autumn? He was appointed in December and had to report by June, so much of the evidence that he might have taken was unavailable to him.

Mr. Caplin: Lord Burns had plenty of time to complete his inquiry and I do not sense from the report that he needed more time.

I return to the point made by the hon. Member for Montgomeryshire (Mr. Öpik). The Burns report states:

> In upland areas, where the fox population causes more damages to sheep-rearing and game management interests, and where there is a greater perceived need for control, fewer alternatives are available to the use of dogs, either to flush out to guns or for digging-out.

[Mr. Caplin]

It is obvious that the report takes a rounded approach to the issue of control. The committee advocates the use of dogs to locate foxes and flush them to waiting guns, an issue that we discussed at length in Committee. The report specifically mentions the upland areas of Wales.

When we consider the role of traditional hunting as an efficient method of fox control, and put it into the context of the quotations I have cited from Burns, it is apparent that the effect of hunting is negligible in lowland areas. In upland areas, however, dogs may play an important part. While the use of terriers seriously compromises foxes' welfare, the use of dogs to flush foxes to waiting guns can be humane and effective if properly controlled.

The right hon. Member for Bridgwater mentioned deer and stag management, but pest control and management can be oversold. I had hoped that the hon. Member for Isle of Wight (Dr. Brand) would be here, because he could tell the House that the Isle of Wight had no foxes until they were introduced so that they could be hunted.

Mr. Swayne: The New Forest lost its buck hounds a couple of years ago. This year, I have received a huge number of representations complaining about the intensity of the deer cull being carried out by the Forestry Commission. The buck hounds never killed many deer, but they did disperse the deer throughout the forest. Now, deer congregate in remoter parts of the forest, precisely where the Forestry Commission does not want them; as a consequence, many more have to be killed.

Mr. Caplin: I enjoy driving through the hon. Gentleman's constituency and seeing the wildlife of the New Forest, but I do not make a habit of stopping.

Next, I come to the issues relating to the rural economy, which Lord Burns addressed at some length in chapter 3. In a crucial passage, he says:

> We estimate that somewhere between 6,000 and 8,000 full-time equivalent jobs presently depend on hunting, although the number of people involved may be significantly higher.

However, he says that it is possible that, in the short term, as few as 700 jobs and a proportion of about 1,500 direct equivalent jobs are supported by hunt-related activities. That is a key part of the report, whichever side of the argument one is on. The Countryside Alliance and those who hunt have advanced the economic argument forcefully for years, but now is the first time that those issues have been properly studied. Lord Burns goes on to say that there might be some long-term impact arising from a ban and that it might take seven to 10 years for diversion of activities.

I started to think about a similar example of an argument about jobs. As the Member of Parliament for a seaside town with a nearby airport and ports, I remembered the odd debate that we had just over two years ago about duty free. We were told by campaigners that 10,000 or 15,000 jobs would be put at risk by the ending of duty free, but what has happened since it was ended? There has been no impact in terms of job losses at Gatwick airport or Newhaven port or anywhere else in Sussex. Sometimes, it is fair to take accusations about job losses with a pinch of salt.

Mr. Leigh: Does the same argument apply to Rover?

Mr. Caplin: We are debating the Burns report and I am drawing out the economic arguments it contains. My point is that the forecast of 15,000 job losses resulting from the ending of duty free has not been realised, and Burns himself concludes that a ban would result in the loss of far fewer jobs than the Countryside Alliance has claimed, and also that they might take time to work through.

Mr. Gray: The hon. Gentleman is making light of job losses, which is rather worrying for the 10,000 to 12,000 people who Lord Burns says may be involved in hunting. He lightly dismisses Rover, but think of the fuss in the House when there was the prospect of 5,000 or 6,000 jobs being lost in the west midlands. My goodness, here we face 10,000 to 12,000 jobs being lost in already deprived and remote areas of the countryside, yet the hon. Gentleman makes light of it, saying, "Look what happened in respect of duty free—there's nothing to worry about, chaps." There is a heck of a lot to worry about and there are 10,000 to 12,000 people out there worrying about it right now.

Mr. Caplin: First, I did not dismiss the issue of Rover. I have been involved in economic discussions for many years, so the hon. Gentleman is not correct. Secondly, I did not dismiss the hunting job losses—I raised them to draw out Burns's conclusion that, although there is an economic argument to be made, it is not as significant as those who have campaigned to maintain hunting—to maintain the status quo—have claimed. I am using duty free as an example. I accept that we will have to wait and see what happens following a ban, but it strikes me that the economic argument is not as significant as has been claimed.

Mr. Ian Cawsey (Brigg and Goole): Is my hon. Friend aware that the Burns inquiry said that direct job losses would number about 700, but that other job losses would be linked to changes in horse riding habits, and that those jobs would not be lost if those habits did not change and people did not reduce the number of horses they kept? Is he also aware that, in a recent poll of horse riders, less than 1 per cent. said that they would reduce the number of horses they kept or their riding activities if hunting with dogs was banned?

Mr. Caplin: I am now worried that other colleagues have been listening at my door, because again that is precisely the point that I was about to make. Perhaps the corridor outside my office is full of colleagues listening out for the contents of my next speech.

Last week, a gentleman who holds what I consider to be sensible views on many issues told me that he was worried about a ban on hunting because of the impact it would have on point-to-point and its horses. That is a ludicrous argument, as the statistics cited by my hon. Friend the Member for Brigg and Goole (Mr. Cawsey) demonstrate. It would be helpful if the debate did not get side-tracked into point-to-point, shooting and fishing, which formed no part of Burns inquiry and are not on the agenda.

Mr. Paterson *rose—*

Mr. Caplin: I knew that that would get the hon. Gentleman on his feet.

Mr. Paterson: Only yesterday, I received a letter from the British Horseracing Board saying that point-to-point would be reduced by 25 per cent. in the event of a ban on hunting. The turnover of point-to-point is £22 million. There would be a significant loss which is not justified by Burns's conclusions.

Mr. Caplin: The hon. Gentleman is aware that I strongly support horse racing: we have a race course in Brighton and a dog track in Hove. However, I do not believe that point-to-point and racing would be affected by a ban.

On the question of whether drag hunting could provide a sufficient replacement for hunting with dogs, I thought that drag hunting was fox hunting without the fox. Burns does not share that view, which is fair. However, he does say that that the sport could be adapted, and that some drag hunts try to duplicate some of the typical hound work and unpredictability of fox hunting. Perhaps the masters of the drag hunt who are not in their places should consider whether that could be a possibility in the longer term.

Mr. Luff: That is such a distortion of the Burns report. Let me quote the crucial conclusion:

> It is unlikely that either drag and bloodhound hunting or drag coursing would of themselves mitigate to any substantial extent any adverse effects on the rural economy of the social life of the countryside arising from a ban on hunting.

Mr. Caplin: I accept that, but earlier the report states:

> There is also possible scope for developing other forms of cross country riding, possibly on a fee-paying basis.

My point is that there is an opportunity to develop drag hunting.

I welcome the idea of a Bill with options, which my right hon. Friend the Home Secretary and the Home Office have proposed. I hope that when the House takes a democratic decision, there will be no interference after the House of Lords has arrived at its conclusions and the democratic will of this House has prevailed, as it should. Ultimately, every individual Member of Parliament has to make up his or her own mind on the issues. Before the general election, I told my constituents in Hove and Portslade that I would support a ban on hunting with hounds. I stood by that statement in the vote in November 1997, and the Burns report has reaffirmed my belief that imposing a ban would be right. In the autumn, it will be time for us to move on and let the House make a necessary final decision.

11.29 am

Mr. Lembit Öpik (Montgomeryshire): Thank you, Mr. Deputy Speaker, for giving me the opportunity to contribute to the debate.

To some extent, my speech is a request for feedback from those who unquestionably follow such debates in *Hansard*. The Middle Way group hopes to act to some extent as a facilitator to those who are not comfortable either with the more traditional position of no change, or with a total ban on hunting with dogs.

Much has been said about the Middle Way group. We have been called the Trojan horse by the League Against Cruel Sports, which says that we are advocates for the status quo. Interestingly, the Countryside Alliance has accused us of being a Trojan horse for those who support a ban. I am encouraged. The Middle Way group has drawn succour from the fact that both sides at times have been suspicious of our motives, but here we stand. I hope that down the years people have become a little more confident that that cross-party organisation is genuinely seeking to find an accommodation that balances the concerns that all hon. Members have, and balances animal welfare considerations with human rights.

Dr. Palmer: Just to clarify, the hon. Gentleman refers to the Middle Way group quite grandly as an organisation. How many hon. Members belong to it?

Mr. Öpik: We may be small, but we are perfectly formed. Despite accusations that we have received £50,000—I think that that was the figure—from the Countryside Alliance, having done the calculation, we estimate that the entire expenditure of the Middle Way group in the roughly two years of its existence is under £3,000, including room bookings and stationery, so we are a small group. We have enough right hon. and hon. Members and Lords to constitute the organisation, but our resource is our idea. That is what we stand on, although if anyone wishes to make significant contributions to the group, no reasonable offer will be refused.

The goal of the group is straightforward. We aim to put forward proposals that, nominally, at least 80 per cent. of the British population would find reasonable and a sensible way forward. A secondary but necessary step in achieving that leads us to our second goal: to act as the facilitator in the wider debate, if we can. We would like to develop that role, if hon. Members and organisations found that helpful, and perhaps even to promote public debate and public meetings, where all sides were able to put their views forward and the public were able to judge the merit of what was said.

The principles of the Middle Way group are straightforward. First, we seek to balance animal welfare concerns with human rights. Secondly, we believe that fox numbers need to be controlled. I think that all sides agree on that point now. The question, therefore, is not, in the group's view, whether we kill foxes. The question is how best to do it.

Thirdly, we believe that there is a civil liberties issue that must be addressed. Of course it is right to be concerned about welfare of animals, but we believe that sometimes in the debate the animal welfare considerations have overridden concerns that we have had about human rights considerations.

That is a vexed issue. For example, I asked the hon. Member for Pendle (Mr. Prentice) whether he would also ban fishing and shooting. There is no doubt that fishing seriously compromises the welfare of the fish. Again, the hon. Gentleman did not respond to that explicitly. Our view in the Middle Way group is that there is a lack of consistency at times in how some people treat the question of hunting foxes with dogs—proposing a ban—and how they handle other sports which they have explicitly said they would not ban.

Mr. Banks: The hon. Gentleman is a perfectly decent fellow. I have heard him use those arguments before about fishing. Perhaps he could tell me the position of the Middle Way group with regard to angling. While he is at it, what is the position of the Middle Way group with

[Mr. Banks]

regard to hare coursing and deer hunting? He must appreciate that the person who takes the middle way usually gets shot at by both sides.

Mr. Öpik: I am sure that that is not an implied threat by the hon. Gentleman, who I do not believe has a gun licence, I am relieved to say. The Middle Way group's position is clear. We do not seek to stray beyond the question of fox hunting at this stage. The hon. Gentleman is entitled to ask that question, but the reason why we have restricted ourselves, for now at least, to fox hunting is not that we do not have personal views—I do have personal views, which I have privately shared with him and others; I am not worried about doing that—but that the group is limited in its resources, and the key issue facing the House at the moment is fox hunting. As we get feedback, which I hope we will do, and as the debate evolves, it may be constructive to discuss the issues relating to hare coursing, and deer and stag hunting, as the Burns inquiry does. Perhaps that is the right way forward, but in this brief speech I would not wish to go that far. I hope that the hon. Gentleman, even if he is a bit frustrated by my answer, at least acknowledges its sincerity.

The reason why I mentioned fishing is that we are concerned that there is consistency in how we handle all the issues. I have made that point; I do not wish to repeat it. It is worth bearing it in mind that the Royal Society for the Prevention of Cruelty to Animals has determined that, in its judgment, fish do feel pain, so the issues that we are discussing with regard to fox hunting could be validly applied to fishing, too.

The final principle by which we operate is a belief that dialogue will improve the outcome of our debate as a whole. We work on the assumption that, if we enter a genuine dialogue, listen, and use the Lord Burns report as our biblical guide to the debate, the sum total of the legislation that we produce will make more sense and will be regarded as fair by the public, even if, at this point, there are still entrenched views on the matter.

It is worth stating that the Middle Way group was one of the first to call for an inquiry last year. We were glad when the Government were clearly thinking along the same lines. In that context the group said that we would respect and honour our commitment to take the inquiry's position as an objective input, and that therefore, even if some of the outcomes were not what we would have wished, we would use them as a starting point. On that basis, I am encouraged to hear what the hon. Member for Hove (Mr. Caplin) has said. He too is illustrating that people who have had strong views on the subject are beginning to think about it in a more informed and objective fashion. I praise him—I had lots of exchanges with him on Standing Committee C—for seriously and constructively entering the debate.

The Middle Way group has looked at the Burns inquiry. There are some clear implications. I do not wish to go into those in any detail because other hon. Members will unquestionably explore them further. If the hon. Member for Mid-Worcestershire (Mr. Luff) catches your eye, Mr. Deputy Speaker, he may do so, but it is interesting to note the recognition that practice varies widely between, for example, upland and lowland areas, and that hunting with dogs is a significant form of fox control in many upland areas, including mid-Wales. It is also interesting that guns are not a surefire way to dispatch foxes. There are cases of foxes being wounded. That could be regarded in some ways as more compromising than killing a fox outright with dogs. Other arguments have already been advanced—I do not wish to repeat them—with regard to economic considerations.

The Middle Way group has tried to include all that in its deliberations. I should like to lay out what we believe should be the way forward. We will make the submission to the Government in the hope that it is constructive to the debate. Any hon. Member or member of the public who wishes to examine our proposals in detail will be most welcome to contact us. We will do our best to supply the information that they need.

In one sentence, the Middle Way group's proposal is to set up a statutory independent hunting authority, known as Offox, with the power to regulate fox hunting and fox control with a series of regular—

Mr. Savidge: Foxoff.

Mr. Öpik: I knew that I would regret calling it Offox here, but there we go. I hope that the name sticks.

It would have a series of inspectors who could drop in unannounced to any of the fox hunts throughout the country to ensure that standards of welfare and procedure were in line with the code of practice. The whole thing would be paid for through a licensing system. Our intention would be that it cost the taxpayer nothing.

Mr. Gray: Has the hon. Gentleman noticed that there is a curious omission from the Burns report? It talks briefly about licensing, but then says that there are no examples in this country of licensing of fox hunts, ignoring the fact that the Government themselves license 25 packs that hunt on Ministry of Defence land and 100 or so packs that hunt on Forestry Commission land. Would that not be a good exemplar to use in the possible licensing regime that he describes?

Mr. Öpik: That is the case. I interpreted Lord Burns as saying that there was no nationally established formal and statutory licensing system. As the hon. Gentleman says, however, there are local examples and the industry has made efforts at self-regulation. There are established licensing procedures in other countries, and other hon. Members may wish to expound those.

In giving a little more detail on the Middle Way group's proposals, I shall highlight the areas in which we should most welcome feedback from the public or from hon. Members.

First, there are two choices on the make-up of the independent hunting authority. We could take the approach exemplified by the Northern Ireland Executive and Assembly, in which people explicitly aligned with one or other side of the debate are appointed according to quotas that ensure a consensual way forward. If that can be done in the vexed political environment that used to exist in Northern Ireland, it can surely be done in a hunting authority.

Alternatively, we could have a regulator with no personal interest in or stated concern about the subject. He or she could invite contributions and make an objective analysis. Both options are viable, and we shall make a decision on where we stand during the next two weeks. All contributions on the matter are welcome.

The next point at issue concerns who would create the code of practice. We believe that the Government should provide a steer on aspects of the code such as hunting with dogs, and the many other possible ways of dispatching foxes. The details, however, should be developed by the independent hunting authority, perhaps after informal liaison with the Home Secretary.

What should the code cover? We think that it should involve all forms of hunting, including hunting with dogs, gun packs, foot packs, horse-borne hunts, snaring, lamping and other forms of fox control. It should cover the use of terriers, which has been highly contentious. It should also cover dog welfare standards and the breeding of foxes, the blocking up of earths and the use of artificial earths. The code should include guidance on seasons and on trespass and public safety. That list may not be exclusive, and we should be happy to consider other contributions to it.

Mr. Leigh: I have considerable sympathy with what the hon. Gentleman advocates, which ties in with what the Burns report says. The problem, however, is that we must ask whether the other side is prepared to compromise. If we give concessions on all those matters—terrier work, artificial earths, stopping up or even agreeing restrictions on the areas hunted—will the other side be prepared to compromise? I fear not.

Mr. Öpik: If the Middle Way group had £30 million, we would put all our proposals on billboards, which would hopefully influence the other side. As it is, our only weapon is the strength of our argument. To be fair to the other side, however, my colleagues and I are beginning to detect increasing dialogue, largely prompted by the Burns report. If we are to be successful, it will be on the basis of good faith, and that is beginning to develop. Time will tell.

We believe that it would be inappropriate to tie up the police in enforcement, so inspectors should have strong powers allowing them to drop in on hunts unannounced to determine whether codes are being adhered to. Sanctions should involve anything from cautioning to revocation of licences. Civil proceedings should be appropriate if the statutory code is violated. We could revoke a licence either for an individual huntsman or for an entire hunt. Certain qualifications should be necessary before a licence is granted. There are many superb huntsmen in the country, and any worth his or her salt would not be frightened by having to qualify for a licence.

Licences should also include details that will cover the cowboys who have brought hunting into disrepute. It should be required that a huntsman telephones a central number before going outside his or her prescribed area of normal operation. That would ensure that a record was kept, which would stop cowboys going out of towns to operate in unprescribed and unregulated ways.

How would all that be paid for? A licensing fee of somewhere between £35 and £70 per head of those who hunt would allow the operation to be self-funding. It would cost about £1 million to do all that I have described, although my group is looking into the figures in detail.

Mr. Clifton-Brown: The hon. Gentleman is offering a useful solution in a reasonable and moderate way. My only criticism is that he may be suggesting a very bureaucratic regime. How would the independent supervisory body mesh with his regulator and the licensing system? He may be suggesting considerable bureaucracy to deal with a relatively simple problem.

Mr. Öpik: I can answer that in a single sentence: the independent hunting authority would have direct responsibility for the inspectors, who would report back to it. We do not envisage a separate regulator and authority; they are one and the same. The hon. Gentleman is right, however, to say that we must not disappear into bureaucracy. The scheme could work efficiently because there are hundreds rather than tens of thousands of hunts. In addition, as the inspectors would operate geographically, some informal contact could be swiftly made.

I have outlined the key areas that the Middle Way group seeks to promote. The system would cost about £1 million a year, and we shall make a specific submission on that to the Government. We hope that our proposals will provide a constructive dialogue that satisfies the needs both of those offended by what they regard as the barbaric practice of fox hunting and of those who feel that their civil liberties will be put at risk by a ban.

Let us talk: the Middle Way group has no monopoly on good ideas, although our principles mean that we can only support an outcome that is fair, that balances animal welfare with human rights and that respects individual liberties. We must listen to each other and respect the strong emotions that the subject raises. We ask only that other organisations on both sides of the debate do that. If we do, we may find a way forward that satisfies the needs of the main organisations as well as the need for freedom.

The Middle Way group is happy to discuss, in bipartisan terms, the possibility of regional debates on the matter, perhaps covered by the regional media, so that we can widen discussion among the public. At a time when we are on the brink of securing a lasting peace in Northern Ireland, where so many deep divisions existed, it would be ironic and a tragedy if the combined might of the British political system were unable to find lasting, cross-body agreement on fox hunting.

11.48 am

Mr. Ian Cawsey (Brigg and Goole): I pay tribute to the hon. Member for Montgomeryshire (Mr. Öpik) for the way in which he made his case. I served with him on Standing Committee C, so the manner in which he spoke did not surprise me. We have had many interesting debates, and I am sure that we shall continue to do so.

I join the general welcome for the report of the Burns inquiry, and I congratulate Lord Burns on his work. I was among those hon. Members who signed an early-day motion expressing concern about the membership of the inquiry. Having expressed that opinion so publicly, it is right that I should say publicly today that I think that they have done a good job. I want to make sure that that sentiment appears in *Hansard* so that people may know where I stand.

My right hon. Friend the Home Secretary made the reasonable point that the report is so comprehensive that no one can be expected to speak on every part of it. If anyone did, only one or two speakers would take us all the way to 2.30 pm. I shall speak mainly on the report's animal welfare implications, and a little on the way ahead.

[Mr. Ian Cawsey]

I am glad that there will be a free vote, so that hon. Members from all parties can reach their own conclusions. When considering mink, hares, foxes and deer, we need first to ask whether those animals should be controlled at all. If the answer is yes, then the debate should be about the best, most effective and most humane way to do that.

Is it necessary to control foxes? Some people do not believe that it is, but foxes are classed as a pest and their numbers have to be controlled. However, is hunting with dogs necessary to achieve that control? The submission of the Ministry of Agriculture, Fisheries and Food to the Burns inquiry stated that hunting with dogs was irrelevant in pest control.

The hon. Member for New Forest, West (Mr. Swayne) made the interesting intervention—if I understood him correctly—that, in effect, hunting with dogs was a service to elderly foxes. I am not sure whether the foxes would see it in that light or whether they would welcome it. However, that point does not stand up to examination according to the inquiry; it pointed out that 40 per cent. of fox deaths were of cubs and took place during the cubbing season—those are not elderly foxes by any stretch of the imagination. Many fox cubs will, of course, die of natural causes—perhaps as many as half of them. If we remove that number from the total of those hunted by dogs, the remaining number is small, so hunting with dogs as a form of pest control for foxes is not necessary.

Mr. Gray: With respect, I think the hon. Gentleman has missed the point that my hon. Friend the Member for New Forest, West (Mr. Swayne) was making. Hunting with hounds is selective killing. Those foxes that are least able to look after themselves—the old, infirm and sick—are the most likely to be caught by hounds. Young, fit foxes are much more likely to escape. Hunting with hounds carries out a useful animal welfare function that could not be achieved by lamping, for example, which is indiscriminate; it kills pregnant vixens, dog foxes and cubs. If there is a fox, the farmer shoots it. Hunting with hounds is selective.

Mr. Cawsey: I am grateful for the hon. Gentleman's intervention. He used the word "young". I can only repeat that 40 per cent. of the foxes killed by hunting with dogs are cubs—young foxes. Furthermore, they are killed by a different form of hunting—one that many people feel is most offensive. The cubs are encircled and driven back. Indeed, foxhound puppies are trained to kill the fox, and if they are not able to do so—even as puppies—they are promptly dispatched with a shot in the head. Those practices do not provide good animal welfare arguments.

I was pleased to see that the Burns report dealt with the argument that, when a fox is hunted by a pack of dogs, it will be killed instantly by the lead hound with a bite on the back of the neck. I have never believed that claim and am pleased that Burns seems, finally, to have destroyed that myth—*[Interruption.]* If the hon. Member for North Wiltshire (Mr. Gray) wants to speak, I am happy to take an intervention.

Mr. Gray: I did not want to intervene twice on the hon. Gentleman, but he plainly has not read the report. Lord Burns concludes that nearly all hunted foxes are killed almost instantly. Of the 16 post-mortems that are included on the CD-ROM, 14 demonstrated that the fox had been killed by a single bite on the back of the neck. The Burns report makes it clear that fox hunting with hounds does indeed result in the instantaneous death of the fox.

Mr. Cawsey: I am grateful to the hon. Gentleman. I have read the Burns report two or three times in great detail. It states that it is not the case that, when a fox is killed by a pack of dogs, it is always by a single bite on the back of the neck.

In Standing Committee, on 28 January, the hon. Gentleman stated that it was always the case that the fox was killed by a bite on the back of neck. The Burns report has shown that that is not the case, so I do not withdraw a word of what I said.

Mr. David Maclean (Penrith and The Border): May I quote a sentence from page 117 of the Burns report? Paragraph 6.48 states:

> There seems little doubt, however, that in the vast majority of cases the time to insensibility and death is no more than a few seconds, bearing in mind the great disparity between the size and weight of the fox and the hounds.

Mr. Cawsey: Indeed. However, that does not get away from the point that foxes are not killed by a single bite on the back of the neck by the lead hound. Furthermore, as we know, hunting with dogs is not relevant as a form of pest control. I find the whole process objectionable—including the chase and the stress to the fox.

Mr. Maclean: I am grateful to the hon. Gentleman for giving way again. For the sake of brevity, I quoted only the last part of paragraph 6.48. The first part states:

> Arguably, the precise cause of death is irrelevant. What is more critical is how quickly insensibility and death result and how much suffering, physical or mental, the fox experiences.

The paragraph then continues with the sentence about death taking only a few seconds, which I quoted earlier.

Mr. Cawsey: I am most grateful to the right hon. Gentleman for those helpful comments. Burns also notes that the process can take up to 31 minutes and sometimes longer. That is objectionable.

I have never believed the argument that, once the dogs catch the fox, death is necessarily instantaneous. Although it is not the intention of anyone who hunts, every year, some domestic animals or pets are attacked—they are in the wrong place, at the wrong time and the dogs chase the wrong quarry. When that happens, the hunt instantly acts to rescue the pet; sometimes, sadly, it is dead, but if it is alive, it will be treated by a vet. The fact that those animals survive tends to militate against the argument that death is instantaneous. Furthermore, the treatment is usually for bites to the belly, the back leg or the tail—it is far more likely that packs of dogs approaching an animal will attack in that way. Such incidents occur every year.

I do not believe that hunting is necessary for pest control or in order to avoid cruelty.

Dr. Palmer: Perhaps we could include paragraph 6.44 of the report in our reading. It states that

there is evidence from farmed foxes that fear and anxiety are experienced by foxes in response to stressful stimuli—

such as the chase.

Does my hon. Friend agree that many of us are worried as much about the stress caused by the chase as about the death itself? The chase will affect all foxes alike—be they healthy, young or old. Any fox that is chased will suffer stress.

Mr. Cawsey: I agree with my hon. Friend. The right hon. Member for Maidstone and The Weald (Miss Widdecombe), who is now the shadow Home Secretary, made that case very well on the Second Reading of the Bill promoted by my hon. Friend the Member for Worcester (Mr. Foster). She said that the whole issue was about the chase. If one agrees that foxes have to be killed in one way or another, we must consider whether they have to be put through an unnecessary process before that takes place.

Mrs. Golding: My hon. Friend keeps saying that he does not believe that hunting with dogs has anything to do with pest control. However, if man wishes to take the trouble to try to preserve our indigenous species, that is the only way of controlling mink, which has no known predator.

Mr. Cawsey: I thank my hon. Friend for that intervention. Her support for mink hunting is legendary in the House, and I shall come to the subject of mink hunting later in my speech.

If one accepts that hunting with dogs is not necessary for the pest control of foxes and one believes that there are better methods of controlling their numbers, surely we should use those other methods in the localised areas where that is necessary. I was pleased that the Burns report said that lamping

has fewer adverse welfare implications.

We all know that lamping takes place, and it is the way ahead. Before the hon. Member for Montgomeryshire jumps up to intervene, I should say that the report accepts that that argument might not apply in uplands areas. There are problems to be dealt with in such areas and we must consider them. I hope—I am sure that my hon. Friend the Minister is listening to this—that, when we receive the list of options to vote on, the use of dogs for flushing out in upland areas is included on it. Hon. Members will then be able to decide for themselves whether the use of dogs in that way should be allowed.

Nobody in the House would argue against the need to control the number of deer. However, as has already been pointed out, the use of dogs in the hunting of deer is already banned in Scotland. The Burns inquiry clearly concluded that stalking and shooting was the best method of controlling deer and it made the further good suggestion that competency and training should be part of that process. I hope that hon. Members will take that suggestion on board.

The process of getting rid of deer is unnatural. As Burns points, it can often take two days. The deer is tracked on the first day and one returns the next morning to see whether it is still there. The chase then begins and it can take place over an extremely long distance because the deer is quick but low in stamina and the dogs are slow but high in stamina. The deer will be chased to the point of exhaustion and it will be shot anyway.

The Bateson report and Contract 7 show that there are stress factors involved in that. I should be surprised if any hon. Member needed to see a report to work that out. Although they are not easy to watch because they are distressing, there have been videotapes showing the end of a hunt when the deer has reached the point of exhaustion. We have seen a deer trying over and over again to jump over a fence, and being unable to do so because it is exhausted. It looks over its shoulder to see the dogs getting nearer and nearer, and eventually the dogs reach the deer. It is surrounded and hounded and finally dispatched. It is time that, as in Scotland, we banned that practice.

Most hon. Members know that the number of hares in this country is declining. The former Government, under the right hon. Member for Huntingdon (Mr. Major), signed up, as part of the United Kingdom's biodiversity action plan, to increasing the number of hares in Great Britain. We have yet to stop the decline, let alone achieve a growth in their numbers; hunting hares in that context seems almost perverse. I accept that there are local issues, but it is interesting to note that gamekeepers in those areas say that shooting is the best method of dispatch. From an animal welfare perspective, I hope that most hon. Members agree with the point in the Burns report that dogs do not always kill hare quickly. I hope that we shall bear that point in mind when we consider the options before us.

Much anger and irritation is expressed in these debates when the people against hunting refer to it as the killing or abuse of animals for fun. A Conservative Member said that most people who take part in hunts do not do so to kill animals for fun, and I agree with him. However, if there is one form of hunting that is an abuse of animals for fun—and even for gambling—it is hare coursing. That takes place in my constituency and I wish to praise my local newspaper, *The Epworth Bells*. It may not be read too widely by hon. Members, but it is a good read and has an excellent monthly column from the local Member of Parliament. Because of its readers' views on hare coursing in the Isle of Axholme, it is has expressed its great concern about the practice. I hope that we can all reach the rapid conclusion that hare coursing has to go.

On mink, I do not disagree with my hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding) that mink numbers need to be controlled. However, like Burns, I would argue that very few mink are controlled by hunting with dogs. Trapping is the method used to control mink numbers in a particular area. The Burns report says that hunting mink has no significant effect on mink numbers nationally or, indeed, regionally. I should be surprised if hon. Members wanted to pursue that.

Mrs. Golding: I agree that hunting mink has little effect on mink numbers, which is why they are increasing and more and more of our wildlife is being destroyed. If any action against mink is prevented, the risk to our wildlife is increased.

Mr. Cawsey: I do not disagree with the need to control mink numbers. It is a great shame that there are mink at all. That problem originates from fur farming, which I am pleased to say the House is dealing with.

[Mr. Cawsey]

Research shows that hunting with dogs for mink on river banks destroys wildlife and damages the environment. A balance must be struck.

Mrs. Golding: I thank my hon. Friend for his indulgence. The Burns report says that, although temporary damage may be caused to the environment, it is of no significance.

Mr. Cawsey: I am grateful once again to my hon. Friend.

I want to move on to the control of mink. When the issue was raised in Standing Committee C, there seemed to be some disbelief about it. Last week, an excellent article in *The Independent on Sunday* pointed out that the increase in the number of otters is doing more to depress mink numbers than anything else. Not for the first time, we find that nature balances itself better than interventions by man. As otters reclaim their natural environment and mink numbers decline as a result, it would be interesting to know why otter numbers are increasing. One reason is that they can no longer be hunted with dogs. Ironically, mink numbers are better controlled because of the ban on hunting with dogs than they are by hunting with dogs.

Mrs. Golding: I am sorry to intervene again, but the truth is that mink are moving further and further afield, not disappearing. They can travel long distances very quickly.

Mr. Cawsey: I can only point my hon. Friend to the latest reports, which show that mink numbers are falling as the creatures move away from their natural environment. I agree with my hon. Friend that we need to control mink numbers, but I do not agree that hunting with dogs is the right method of doing so.

I wish to pick up one or two minor issues that have been raised. People talk about the welfare impact on the animals used in the hunting process: the hounds, terriers and horses. It has been argued that, if hunting were banned, the hounds would all have to be shot and could not live a natural life. It is no longer denied that the hounds would have to be shot anyway. I understand that the Royal Society for the Prevention of Cruelty to Animals has said that, in the event of a ban, it will ensure that all the dogs are housed and cared for.

Mr. Gray: That is ridiculous.

Mr. Cawsey: The RSPCA is an honourable organisation and I have no reason to disbelieve it.

The welfare of hounds can be compromised in the hunting process, not just because they are shot if they cannot keep up with the pack, but simply through the act of hunting. Sadly, we have seen that happen during hunt seasons, when dogs have run on to railway lines and been killed. Earlier in the debate, an Opposition Member said that hunts never go on land without permission. Unless Railtrack has actively given its consent for hounds to run on to its lines, which is unlikely, another myth falls to the ground. That is also true of terrier work, although I accept that hon. Members on both sides of the House do not support the continuation of terrier work.

It is inevitable that, from time to time, horses will get injured, but if one considers the range of activities for which horses are used, they are no more at risk when hunting with dogs than as a result of the other work that they do.

Drag hunting has been mentioned several times today. To what extent can that make a difference if hunting with dogs is banned? It can make a difference, but it is difficult to predict what will happen if hunting with dogs is banned, although Lord Burns makes the point that people who own and ride horses will want to find alternatives because of their love of their horses and their love of horse riding. I think that there will be a growth in drag hunting, but I cannot predict to what extent.

Other equestrian events will also take the place of hunting with dogs. Burns said that some farmers felt that there would be little incentive to allow hunts on to their land if they were only drag hunts, but I am not convinced about that. Drag hunts would generate income for farmers, and one of the most useful tasks that hunts can perform is to provide farmers with a fallen stock service. If farmers keep a drag hunt on their land, that service would continue for the future.

It is worth bearing in mind the fact that many fallen stock initiatives are businesses that charge for taking the fallen stock and sell the fleeces. They use some of the meat to feed to the hounds, but much of it has to be incinerated. The Government provide for small incinerators to deal with fallen stock, and that will continue into the future. There is no reason why fallen stock services, equestrian events and drag hunting cannot replace hunting with dogs if it is banned, and provide that useful service for the countryside in a different way.

The hon. Member for Aylesbury (Mr. Lidington) made an extremely good point at the start of his speech. He said that this is a matter of individual liberty against animal welfare considerations. That is exactly the point that all hon. Members should consider as the debate continues. Unlike the other parties, the Labour party made a manifesto commitment to have a free vote on legislation to deal with this issue. It is important to ensure that that takes place during this Parliament.

The very thorough and comprehensive report that Lord Burns and his team have given us is a great help to all hon. Members in coming to a conclusion on this issue, as is the Government's offer of options so that we do not have to give a straight yes or no. Hon. Members can consider the Burns report and decide how they want to vote.

Lord Burns has done us a service. I sincerely hope that all hon. Members will read and carefully consider the report before deciding on the options they are willing to support or not, as the case may be. In that way, we will produce good legislation that will command widespread support throughout the country.

12.12 pm

Mr. Nicholas Soames (Mid-Sussex): I join my right hon. and hon. Friends and other hon. Gentlemen in warmly congratulating Lord Burns and his team on producing a remarkable, fascinating, important and relevant report. For those who have studied it, perhaps one of the most impressive things—apart from the way it is written, and the fact that it has gone into the issue in great depth—is the astonishing efforts that those people made to cover the ground. They made many visits to different types of field sports and occasions, on which they had a chance to put together the patchwork that makes up this profoundly difficult question. Lord Burns deserves the greatest credit for having done in such a short time what seemed to me at the beginning to be impossible. My anxieties were different from those of the hon. Member for Brigg and Goole (Mr. Cawsey), but I applaud the fact that he said that he had been anxious that Lord Burns would not have the time to carry out the work. Lord Burns has done it, and the House should be extremely grateful to him.

The hon. Member for Pendle (Mr. Prentice) referred to the Pendle Forest and Craven hunt and its master, Mr. Bannister, who wrote to him. I had the honour of being invited to speak to that hunt's supporters dinner last year. If ever there was an occasion on which one could see the tremendous strength of the tentacles of hunting that spread through the countryside, it was that dinner. People from all backgrounds and walks of life, of different persuasions and none, were together with a shared interest. They had a strong bond and an absolute commitment not just to hunting but to the countryside. I felt that the hon. Gentleman dealt with Mr. Bannister's letter in a disgraceful way. In my view, Mr. Bannister was making a profound and important comment.

My second point concerns a matter that was raised by the hon. Member for Hove (Mr. Caplin). He is a nice man who has been led astray. He knows absolutely nothing about hunting—and I mean nothing. For that reason, his speech must lack all credibility, although I was delighted to note that he had clearly studied the Burns report. We are near neighbours in Sussex, and I have regularly asked the hon. Gentleman whether he has ever been hunting, or has any idea what actually happens. No, he has not; he has not a clue. I therefore believe that, although he made a good speech about Burns, that speech cannot have credibility because of his fundamental ignorance of what takes place. He is in the same position as all the people who have never looked at hunting, or tried to understand it.

The report's main conclusion is that there are no good policy grounds for banning hunting. Lord Burns concludes that hunting with hounds has a role to play in pest control and species management, in rural employment, in social activities and in conservation. He does not conclude that it involves unnecessary suffering. I shall say more about that shortly, because it is an important and difficult issue.

Let me make an important point about the Government's behaviour. Before the Burns report had even been produced, the Government decided to present a Bill with a format similar to that used for the Sunday trading legislation. That, in my view, makes the Government guilty of a serious deceit. It is outrageous that they should make up their mind before even seeing the report.

The truth is that this is above all a matter of personal liberty, freedom and democracy. It is no part of the parliamentary process to foist on a minority the opinions and prejudices of a majority. Parliament should legislate to deal with activities that cause harm, as opposed to activities that certain people—for their own subjective reasons—profoundly, and in many cases entirely understandably, dislike.

I accept that a majority of our fellow citizens disapprove of hunting with hounds. They are genuine in their disapproval, feel strongly about the issue, see it as a moral issue, and would support a ban criminalising the activity. My argument is that those reasons do not begin to justify depriving the individual citizen of the right to take part in a lawful activity, and that the day on which that was held to be so would be a damaging day for all our freedoms.

Hunting with hounds is a lawful activity, engaged in for centuries by ordinary men and women in the United Kingdom. Each person in this and every other civilised country has now, and always has had, the right to engage in, or desist from, such activities, according to his or her private inclination. Such freedoms are inherent in citizenship, and membership of a civilised society.

Mr. Simon Hughes (Southwark, North and Bermondsey): The hon. Gentleman is making a central point. Does he accept that, although of course public opinion should not be a determinant—that is why we have a parliamentary process—it is entirely possible to argue that it is right to make something that was legal illegal, however long the legality has gone on? Indeed, the House did that quite recently in relation to firearms, because society's attitude had moved on. It is perfectly proper for Parliament to choose to make a practice illegal if it considers that to be in the country's interests.

Mr. Soames: What is proper and what is not is a decision for individuals and Governments to make. I shall shortly deal with the only circumstances in which I think a ban could be imposed.

The general public are not damaged by hunting. No one is compelled to hunt, nor are the rights of those who do not hunt infringed by those who do. It is hard to determine what most people know of the matter, or how it could be their business to intervene.

Mr. Leigh: Does my hon. Friend think that we would have this problem if hunts were operated only in deep rural areas, away from towns, and people did not wear scarlet jackets? How much of this is inverted snobbery?

Mr. Soames: I do not really buy very much of that. I think that wherever hunting took place, it would attract the type of opposition that it does. I shall deal in a moment with some of the objections to hunting that my hon. Friend has mentioned, concerning the type of ceremony attaching to it.

Dan Norris (Wansdyke): Will the hon. Gentleman give way?

Mr. Soames: No; I must get on. Mr. Deputy Speaker has made the point that many other hon. Members wish to speak. I am not being rude, I am merely asking the hon. Gentleman to allow me to make some progress.

We will all be on dangerous ground if we genuinely begin to think that the views of casual majorities should be decisive in the framing of criminal legislation. Opinion polls in my constituency—which I have conducted myself in my constituency newspaper—have shown that a majority of the general public seem to disapprove of almost everything, including, inter alia, the Conservative party, buggery, tripe and black pudding, smoking, immigration, Radio 3—and, very likely, Mr. Deputy Speaker, the colour

[Mr. Soames]

of your front door, and indeed of mine. If all those, or more, are to be made the subject of criminal offences, we shall all be in jail before too long.

The point that the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) made about a ban is very serious. I believe that a ban could never be justified unless its proposers could show that hunting is positively harmful to society. An appeal to the strong disapproval of a majority does not begin to prove the case for a ban.

I should like to make a few remarks on the question of cruelty, about which people understandably, and rightly, feel strongly. I preface those remarks by saying that in no part of his report does Lord Burns conclude that hunting is cruel. Nevertheless, the issue of cruelty is important, and we have to make an objective judgment about what is or is not a tolerable level of cruelty to animals.

I should therefore like the Minister to make for me an assessment of the following questions concerning cruelty, and to send it to me by letter. I should like him to assess—out of 10, with 10 being the maximum for pain and zero for none—the relative pain and suffering to animals caused by the following happenings: a man hunting a fox with hounds; a man shooting a fox; a man poisoning a fox—

Mr. Cawsey: That is illegal.

Mr. Soames: Exactly.

The list continues: a man trapping a fox; a fox killing a pheasant; a fox killing a newborn lamb; a fox eating a pheasant chick as it hatches; a man shooting a pheasant; a man poisoning a rat; a greyhound coursing a hare; a stoat killing a rabbit; a cat playing with a dying mouse; a sparrowhawk killing a blackbird; a man keeping a wild bird in a cage; and a man keeping a dog on the wrong diet in an overheated house.

That should keep Home Office officials busy for a day or two. It is difficult to place those actions in any objective order, and it would be even more difficult if the question were which one of them should be banned by law.

Few of those who concern themselves with this debate challenge the need to control foxes. There are four ways of controlling foxes—shooting, trapping, hunting or poisoning—all four of which, of course, involve a degree of cruelty. However, for my part, I would guess that poisoning—which is illegal—is the cruellest, followed probably by shooting when the fox is wounded but not killed. Others, of course, will put the four in a different order. As I said, it is impossible to decide which action is crueller than any other.

However, it can never be agreed that fox hunting should be singled out as the cruellest, and unacceptably cruel at that. Thus the real motive of those who wish to ban hunting can only be that the activity gives much pleasure to many. They spitefully seek to frustrate that pleasure by pushing the cruelty argument. After hunting is dealt with, they will turn to shooting, another sport that millions enjoy. Indeed, if cruelty were the real concern, we should start with the poisoning of rats, which is probably the cruellest thing that we do to a highly intelligent mammal. However, that is not a sport that people enjoy.

Foxes are not pets, but magnificent wild animals living the life of freedom and danger for which nature brilliantly designed them, as they have done for countless thousands of years. For centuries, their lives have been inextricably linked to the patchwork of our magnificent countryside, much of which, throughout the length and breadth of the land, was laid out for hunting and shooting. Indeed, those interests still do a great deal to shape the beauty of the landscape, and foxes share the marvellous woods, fields, hedges and hills with farmers and their livestock.

On to this astonishingly intricate tapestry of history and ancient custom and practice, as delicate and fine as a silken thread, these bossy, largely urban know-alls are trying to thrust themselves with ignorance, arrogance and stupidity. They must understand, but they do not, that if they want foxes to observe—we would all love to have foxes to observe and enjoy—we must have hunting to make sure that they are there in the first place.

Sadly, the greater part of those who oppose hunting do so because, as my hon. Friend the Member for Gainsborough (Mr. Leigh) rightly said, fox hunting involves a blatant assertion of traditional English values which, unfortunately, are no longer admired as much as they used to be: good manners, ceremony, boldness and display, hierarchy, and easy courtesy—which, for its opponents, is almost impossible to understand. Above all, fox hunting involves the remarkable natural harmony between all those, whatever their background or occupation, who love hunting and enjoy comradeship in the life of our countryside and all that it means.

That is obnoxious to those who despise hunting, many of whom were brought up in the genuine belief that the classes are still at war. I do not believe that any polytechnic-bred lout can see the pink coats—the young men, women and children who are well turned out on ponies and horses, on which a great deal of time and trouble have been spent, and which can sense the enjoyment and fun of the thrill, challenge and pleasure of the hunt and all that goes with it—without feeling the urge to pull down the symbols of authority and spit on a piece of old England.

I conclude by saying that this wonderful and beautiful country, in which we are astonishingly lucky and privileged to live, is generally marked apart from less favoured nations by the tolerance, extraordinary good nature and generally civilised manner of its democracy and way of life.

Dan Norris: Will the hon. Gentleman give way?

Mr. Soames: No, I will not.

Those qualities are the envy of people the world over, and in many places, there remains in this land a richness and colour that is truly and wholly unique. Hunting is a part of that. All those who believe that to be the case, wherever they come from in the United Kingdom, will fight to the end to see that it is not cast aside.

12.30 pm

Dr. Nick Palmer (Broxtowe): I should like to review the arguments in favour of the retention of hunting, but before I do so, I apologise to Lord Burns and his committee because, like my hon. Friend the Member for Brigg and Goole (Mr. Cawsey), I was sceptical that the report would produce a result that would satisfy most people's expectations of fairness and balance. To my astonishment, he has produced a report that almost everyone accepts as satisfying those requirements. That is a remarkable, rare achievement, and I congratulate Lord Burns and his team on the report. I hope that they write more reports on other subjects; we need their talents.

I shall take up several issues that hon. Members—notably the hon. Member for Mid-Sussex (Mr. Soames)—have raised in defence of hunting and dispose of a couple of relatively exotic arguments. The hon. Gentleman suggests that critics of hunting are motivated by class hatred, perhaps because they come from polytechnics. I am not sure whether he would include the Conservative Anti Hunt Council or the shadow Home Secretary, the right hon. Member for Maidstone and The Weald (Miss Widdecombe) in the group of people possessed by class hatred. Speaking personally, I have a master of fox hounds in my family and my father rode to hounds until he decided that it was cruel. We should not allow ourselves to be distracted by the totally irrelevant class issue. If fox hunting were conducted exclusively by members of the Trades Union Congress and leader writers on *The Guardian*, I would still be equally opposed to it.

I shall move on to conservation. The hon. Member for Mid-Sussex says that foxes would not exist without hunting, from which we can conclude that, in those continental countries that do not have hunting with hounds, foxes have died out. That is manifestly not the case, and the argument cannot be seriously sustained that it would be the case in Britain.

On the more serious issue of jobs, the Burns report identifies 700 full-time-equivalent jobs that would be affected and up to 7,300 jobs that would be indirectly affected by a ban on hunting. That is equivalent to a medium-sized factory spread across the whole of Great Britain. Many of the jobs are not in the countryside; they are in towns. Many of them are specifically related not to hunting, but to horses, and will not be abolished because of the alternatives that Burns identifies. In short, the loss of jobs is within the normal weekly fluctuation that we all see in our constituencies. In my area of Nottingham, we have lost many more jobs than that in the textile industry alone, and I do not recall Conservative Members making passionate speeches in their defence.

Mr. Garnier: I most grateful to the hon. Gentleman for giving way not only because I am great friends with many members of his family, but because, like him, I represent a textile area. If he had been a Member in the previous Parliament, he would have heard many Conservative Members, including my hon. Friend the Member for Macclesfield (Mr. Winterton), make not only passionate but reasoned speeches about the demise of the textile industry. Although I am prepared to listen to the hon. Gentleman, I ask him not resort to generalisation.

Dr. Palmer: I accept that there are certainly exceptions. I was referring to the right hon. and hon. Members who have spoken so far in the debate. I have not hitherto associated them with the defence of people who lose their jobs in the textile industry. However, perhaps I am wrong.

In today's society, none of us—least of all Members of Parliament—have lifetime jobs. We have to accept that there may be circumstances under which our jobs disappear, and those circumstances include changes of attitude within society to whether the activities on which our jobs depend remain acceptable. I shall return to the interesting points made by the hon. Member for Mid-Sussex on what can be acceptable. First perhaps, I should say a few words about control.

Sir Nicholas Lyell: The hon. Gentleman is obviously making a thoughtful speech. Before he gets on to the detail, will he tell the House what the principle is which he thinks justifies the majority in a free society banning what has been until now the legitimate activity of a minority?

Dr. Palmer: The hon. Gentleman raises an important point to which I shall respond later in my speech.

Turning to the issue of control, Burns shows that around 400,000 foxes die each year. Of those, 10,000 are killed directly by hunts. That represents 2.5 per cent. A further 5,000 are killed by digging out, which many hon. Members, even among the supporters of hunting, seem willing to ban. If we add that figure, we end up with 3.75 per cent. Foot and gun packs kill between 7,000 and 10,000 foxes, adding another 2.5 per cent. So all forms of hunting kill a total of 6.25 per cent. of foxes killed each year. It is therefore not possible seriously to argue that hunting is a major form of pest control across the country. If right hon. and hon. Members speak to Lord Burns and his team—and I spoke to them at great length on this—they will confirm, as they do in the report, that in the Welsh uplands fox hunting with gun packs constitutes a significant element of control. In other areas Burns was convinced that it does not.

Mr. Leigh: Assuming that the hon. Gentleman is right that hunting is not a significant form of pest control, does he at least accept that it is a significant impetus towards the conservation of the species?

Dr. Palmer: No, I am afraid I do not. Obviously, I accept that people who want to hunt foxes have an interest in not letting them die out. That is why from time to time hunts breed foxes for hunting. I understand that the practice is disapproved of, but there have been recurrent cases. As I said earlier, foxes have not died out in countries that do not have hunting with hounds. There may be a greater or lesser degree of tolerance and the fox population may rise and fall for other reasons, but frankly, outside the Welsh highlands, the whole issue of pest control is a red herring. Elsewhere, foxes are not hunted primarily for the purposes of pest control.

Mr. Gray: Is the hon. Gentleman aware of a test case in the 1980s when, for a number of reasons, fox hunting was banned on the royal artillery impact area on Salisbury plain for five or six years? Local farmers petitioned the Government once again to allow fox hunting because of the appalling depredation on piglets, lambs and chickens in the surrounding area. That is a very good example of exactly what happens to pest control when fox hunting is banned.

Dr. Palmer: With respect, there are petitions on many subjects, but the figures show clearly that hunting does not have the impact that the hon. Gentleman suggests, because more than 90 per cent. of foxes die for some other

[Dr. Palmer]

reason. If we had a form of control of measles which affected only 6 per cent. of cases, we would say that it was not an effective form of control. The same applies to hunting with hounds.

On mink, the Burns report says quite explicitly that there is no significant impact at national or regional level on mink numbers. There may be a temporary local impact, but because of the high fecundity of mink, they rapidly breed again. Hunting is not an effective form of pest control. The situation is even more extreme with hares, because it is generally accepted that there is no need to control their numbers and that, in any case, coursing does not have that effect.

The Burns report expresses concern that the number of deer will fall if hunting is banned, because the tolerance of farmers will decline. It is disingenuous to suggest that hunting is there primarily for pest control. I concede the point in the Welsh highlands, but in other areas it is not the main factor. If we are honest with one another, we will admit that.

I agree with the hon. Member for Aylesbury (Mr. Lidington) that liberty is the central issue. We must consider whether the interests of animal welfare and a civilised society should outweigh the right of individuals to pursue a pastime that has existed for many hundreds of years, with the many colourful traditions described so evocatively by the hon. Member for Mid-Sussex. It was instructive to listen to him, because all the criteria that he listed for assessing whether a pastime is acceptable could have been applied to otter hunting or bear baiting. His central argument was that the freedom of human individuals should not be interfered with unless there is a risk of overwhelming damage to society as a whole.

Mr. Luff: That is a misapprehension. I am from the middle ground, and I would oppose any sport whose sole point was barbarity and cruelty, as with dog fighting and bear baiting. That is not the point of fox hunting, and that is what distinguishes it from those sports that I would want banned.

Dr. Palmer: I accept the hon. Gentleman's distinction, but I am not sure that all Conservative Members would agree with it. The history of debates on the matter shows that every such activity that is currently legal is swathed in a reassuring glow of familiarity. At the time, it was said that bear baiting was banned not because people were sorry for the bear but because it gave pleasure to the onlookers. That accusation recurs throughout the history of animal welfare legislation. Any practice that is legal is regarded as something that has always been done, that does not cause much of a problem and that it would be an intolerable intrusion to ban; but 20 years after it has been banned, people look back and wonder how we ever tolerated it.

The hon. Member for Mid-Worcestershire (Mr. Luff) says that intention is crucial, but the hon. Member for Mid-Sussex says that the effect on society is the most important factor. If we have a society in which it remains legal to have prolonged chases of animals, ending in their killing, for entertainment, that society is degraded. The fact that it has been degraded for many centuries is not a reason to continue. We lower our self-respect by putting our own entertainment before the animals' welfare. That is not something that our society, which is so rich in possible forms of entertainment, should continue to support.

Sir Nicholas Lyell: Is the hon. Gentleman opposed to fishing?

Dr. Palmer: I personally—and I do not speak for anyone else—am opposed to sport fishing in which the purpose is purely entertainment and to put the fish in a glass case on the wall. Many of my hon. Friends will disagree, but I think that it is wrong for the same reasons I have advanced.

Mr. Gray: What about game shooting?

Dr. Palmer: The same arguments apply, but I stress that I speak only for myself and I recognise that my views do not have widespread support.

The hon. Member for Mid-Worcestershire argued that intention is the crucial point. He said that people do not normally ride to hounds because they wish to cause suffering, and we accept that they are not gangs of sadists. People ride to hounds because they find it exciting and pleasurable, and they enjoy the fellowship and the day out. Nevertheless, we must accept—and those who hunt generally also accept—that it is a regrettable by-product that suffering is inflicted on an animal for a prolonged period. The argument that foxes enjoy being hunted has almost died out and one rarely encounters it now. Most people accept the balance: they enjoy hunting, but unfortunately the animal does not.

People feel that there is much misery in the countryside anyway and if the fox was not being chased by them it would be chased by something else. Hunting is their pleasure and they want to continue to do it. I argue, as I argued to the hon. Member for Mid-Sussex, that that attitude should not be protected in this day and age. We have moved beyond the point at which it is acceptable to allow entertainment that has prolonged animal suffering as its by-product. Hon. Members may argue that other practices, such as factory farming, cause animal suffering. We accept that those other practices also need examination, and that has overwhelming majority support.

Mr. Soames: The hon. Gentleman is making a serious speech and my intervention is not intended as levity. Does he favour a ban on football, given that the behaviour of many fans is wholly unacceptable in this day and age, that they degrade our society by their behaviour, and that policing them costs tens of thousands of pounds and the time of policemen who would be better occupied doing other things?

Dr. Palmer: Such analogies are always interesting, but in this case the analogy breaks down, partly because everybody present is a willing participant. I know people who do not go to football matches because they are afraid of being beaten up, but their fears are probably exaggerated. It is open to people not to attend football matches, but that option is not open to the fox in a hunt.

Mr. Cawsey: The hon. Member for Mid-Sussex (Mr. Soames) mentioned policing costs. Is my hon. Friend aware that football clubs have to pay for policing costs but that it is provided free for hunts?

Dr. Palmer: I did not know that. *[Interruption.]* If Opposition Members would allow me to continue, I would be grateful. It is always possible to draw human comparisons, but part of the problem for many of us is the infliction of suffering on an animal which, by its nature, cannot be consulted. Another borderline case, often raised in the debate, is boxing. I do not like watching boxing matches, but I accept that people have a right to bash each other for pleasure or for money, if they wish to do so. That does not bother me, because it is a matter of free choice.

In our day and age, we have moved beyond the stage at which we deny any rights to animals and deny them any consideration when we weigh up their interests against our pleasures. I do not want to sound puritanical: there are a great many pleasures in life of which I do not approve and of which Conservative Members would probably strongly disapprove, but which I do not believe should be banned. However, let us end the practice of sport at the expense of animal suffering. Let us pass a ban on hunting.

12.50 pm

Mr. Michael Howard (Folkestone and Hythe): In what I hope will be a relatively brief speech, I shall concentrate on fox hunting. In common with the constituents of every Member of Parliament, my constituents are divided on the question. The kennels of the East Kent hunt are at Elham in my constituency, but I know that many of my constituents strongly oppose fox hunting.

The merit of the Burns report, to which I pay tribute in common with every hon. Member who has spoken—even those who paid scant regard to its conclusions in their speeches—is that it focuses attention on the central question which, in my view, provides the key to an informed debate and decision on this subject. It is true that a ban on fox hunting would have some significant adverse consequences. It would lead to a significant number of job losses, although there is scope for argument about precisely how many. As several of my right hon. and hon. Friends have eloquently described, a ban would cause serious damage to the traditions of country life: it would cause real problems for farmers in terms of the collection and disposal of fallen stock; it would create extra problems for the police; and it would be seen by many people as a direct attack on their civil liberties.

I do not underestimate the significance of any of those detrimental consequences of a ban—they are important and should not be ignored. However, my view has always been that, whatever the difficulties, the case for a ban would have to be seriously considered if it could be demonstrated—clearly demonstrated—that fox hunting is unique in the suffering that it causes to the fox in comparison with other methods of controlling the fox population. That has always struck me as the central question. The burden of establishing that there is unique suffering as a consequence of fox hunting must rest fairly and squarely on those who want to ban a practice that has been lawful for centuries, and it is a burden that must be plainly discharged.

Therefore, for me, the key question is a comparative one, and I am encouraged to see that the Burns committee took precisely the same view. Paragraph 6.12 of the report states clearly:

> Animal welfare is concerned with the welfare of the individual animal, not the management of the wider population. In assessing the impact of hunting on animal welfare we are persuaded that it is necessary to look at it on a relative, rather than an absolute, basis. It should not be compared with only the best, or the worst, of the alternatives.

The report continues, in paragraph 6.13:

> In the event of a ban on hunting, it seems probable that farmers and others would resort more frequently to other methods to kill foxes, deer, hares and perhaps mink. There would be a mixture of motives: pest control; the value of the carcass; and the recreational value to be derived from shooting. It follows that the welfare of animals which are hunted should be compared with the welfare which, on a realistic assessment, would be likely to result from the legal methods used by farmers and others to manage the population of these animals in the event of a ban on hunting.

The committee went on to deal with those alternatives. In paragraph 6.59, it says:

> None of the legal methods of fox control is without difficulty from an animal welfare perspective. Both snaring and shooting can have serious adverse welfare implications.

At paragraph 6.60, it reaches a "tentative conclusion"—not a firm, definitive and settled conclusion—that

> lamping using rifles, if carried out properly and in appropriate circumstances, has fewer adverse welfare implications than hunting, including digging-out,

but it goes on to say that there would be a greater use of other methods where lamping is not feasible or safe, and that it is less confident that the use of shotguns, particularly in daylight, is preferable to hunting from a welfare perspective. It adds that the use of snaring is a particular cause for concern.

Therefore, if one adopts the comparative approach set out in the Burns report and looks at the comparisons that the committee made of the effect on foxes of hunting with other methods of controlling the fox population, there is no support whatever in the Burns report for reaching the conclusion that fox hunting should be banned. The burden to demonstrate clearly that fox hunting causes unique suffering plainly has not been discharged. Although, as the committee now famously concluded, the practice of hunting seriously compromises the welfare of the fox, the fact is that many other methods of keeping the fox population under control, which would be used in the event of a ban on fox hunting, compromise the welfare of the fox to an even greater extent.

Mr. Caplin: I am sure that the right hon. and learned Gentleman has had a chance to read paragraph 6.42, under the heading "The welfare of hunted foxes." It says:

> Unfortunately, there is very little by way of scientific evidence to help us in establishing the facts on these issues,

so one could argue either my position or his.

Mr. Howard: I am afraid that the hon. Gentleman—if he was listening—has already forgotten the point with which I started my speech. The onus is on him. It is for him and those who wish to ban the practice to demonstrate the need for that very clearly. It is for them to demonstrate clearly that the consequences of fox hunting uniquely cause suffering to the fox which is not caused by other methods of controlling the fox population. If he cannot discharge that burden, there should not be a ban. That is the answer to his intervention.

Dan Norris: In working out whether the burden has been discharged, does the right hon. and learned Gentleman agree with the hon. Member for Mid-Sussex (Mr. Soames) that we need to attend a hunt and to witness

[Dan Norris]

it first hand to make that judgment, or does he share my view that that is plainly daft? We do not have to experience directly a number of things to have a legitimate view about them.

Mr. Howard: My hon. Friend the Member for Mid-Sussex (Mr. Soames) has spoken for himself. I think that the more people know about any activity, the better informed their opinion is likely to be, but the hon. Gentleman's intervention is completely irrelevant because this is a debate on the Burns report and I am basing my observations entirely on that report.

It is not surprising that the Burns committee should have reached the conclusion that it did. The same question was considered by the Scott Henderson committee, which was set up by the post-war Labour Government and which reported in 1951. Its report also adopted the approach that I have set out and that is adopted by the Burns committee. The Scott Henderson committee concluded:

> Any field sport which has a reasonable level of support and is a traditional activity of the countryside, and which has some utilitarian value, should not be interfered with except for some very good reason. Interference on the ground of cruelty would be justified only if it was shown that the amount of suffering involved was excessive or unreasonable.

It went on to conclude, applying those criteria:

> None of the field sports at present practised (except possibly, after inquiry, and in certain districts, otter hunting) should be prohibited on grounds of cruelty alone.

I have attached great weight to the Scott Henderson report in reaching the view that I have always held about fox hunting. I could never quite see how, if it approached its task in good faith—as I was sure it would—the Burns committee would be able to reach any different conclusion. I was not surprised, therefore, to find that it had, in effect, reached precisely the same conclusion. In my view, it is the only conclusion that can be reached on the evidence.

Those who seek to ban fox hunting have wholly failed to establish that it causes more suffering to foxes than the other legal methods of keeping the fox population under control, which would be more greatly used if hunting were banned. In short, the Burns report makes it crystal clear that there is no animal welfare case for banning fox hunting. That means that there is no case for banning fox hunting, and it should not be banned.

I wish to make just one more point. The future of fox hunting in Scotland will be decided by the Scottish Parliament. There can therefore be no justification for right hon. or hon. Members of this House who sit for Scottish constituencies taking any part in the decision on fox hunting in England and Wales. Were they to do so, they would violate the most basic tenets of democracy. I very much hope that they will exercise restraint.

Mr. Deputy Speaker (Mr. Michael J. Martin): I hope that the right hon. and learned Gentleman has no objection to a Scottish Member chairing the proceedings.

Mr. Howard: I take the greatest pleasure in welcoming you to the Chair of our proceedings, Mr. Deputy Speaker. You may even be setting a precedent by intervening in a speech.

I hope that those Members who represent Scottish constituencies will exercise restraint. I am not hopeful that they will.

1.2 pm

Mr. Keith Darvill (Upminster): This is the first time that I have been able to contribute to a debate on animal welfare. I shall make a few points about democracy and Parliament before turning to animal welfare.

Before the general election in 1997, hunting was debated at length in my constituency. The previous Member, Sir Nicholas Bonsor, was closely attached to field sports organisations and held strong views in support of hunting. That was well known in the constituency, and was a matter of repeated debate when he attended public meetings and throughout the campaign. For those interested, the issue was one of those relevant in the general election. I made it clear that I felt that a ban would be right. In my election literature and newsletters, I advanced that position.

After the election, I, like all hon. Members, received a lot of correspondence on the matter. About 400 to 500 letters have supported a ban, and about half a dozen have supported hunting.

Mr. Gray: Has the hon. Gentleman spotted appendix 3 to the Burns report, which makes it plain that the committee invited the public to write to it? Some 5,945 people did so; of them, 5,669 supported fox hunting and only 263 opposed it. Why should that be?

Mr. Darvill: I cannot explain that. My own experience has helped me to reach my view of how Parliament should deal with the matter. I recognise that those representations were made to the Burns inquiry, but I shall outline the representations that I have received on the matter. As Parliament is making the decision, we need, as part of our deliberations, to weigh up what our constituents are saying. We also have to consider what we say to the electorate when we seek election. If, in the run-up to an election, we argue in support of a ban, we have a mandate to carry it out. If one changed one's mind after weighing up the evidence, one would be answerable to one's electorate.

I take this matter seriously. It is incumbent on all Members of Parliament to study the report and listen to the debates so that we can understand the issues on which we shall legislate. Because of that, I attended a hunt. One of my constituents, who hunts regularly, wrote to me acknowledging that I had taken a view on the matter, but asking me to go with him to the hunt. At some ungodly hour on a Saturday morning, I was taken to a hunt somewhere in mid-Kent. I was treated courteously. I was shown around and was told about stock, the welfare of dogs and so on. I did not witness the hunt itself, but I listened to the representations that were put to me. They certainly carried some weight, especially those concerning the social aspects of hunting. I acknowledge the points made by many Opposition Members on such matters. The hon. Member for Mid-Sussex (Mr. Soames) asked how many Labour Members had witnessed a hunt. Some of us take our responsibilities seriously and are prepared to listen and to engage in debate.

Another factor was the Labour party's point of view in the run-up to the election. We received election material on animal welfare, including a well-designed document with a picture of a fox on the cover, headlined "New Life for Animals". That sent a message to those who elected us that we would do something about the matter.

Our manifesto promised that there would be a free vote. That implied that Parliament would legislate. That is an important democratic issue—if candidates promise to legislate, but then move away from that, it leads to derision from the electorate. Many people feel that there should be legislation.

Mr. Öpik: If a report, such as the Burns report, changed perceptions of the merits or demerits of a course of action, does the hon. Gentleman agree that, in those circumstances, the Government would be obliged to do the right thing, rather than to follow a line that might have become redundant?

Mr. Darvill: Indeed. We have the duty to understand the Burns report. It is our right and duty to debate it, as we are doing. No doubt when the Bill is introduced there will be further detailed discussion. We are under a duty to hold that debate throughout the country so as to explain the issues. Opposition Members, including the hon. Gentleman, do that well; they make their views known. The hon. Gentleman and others have made their case on television.

The hon. Member for Aylesbury (Mr. Lidington) made a good point when he said that we had to find a balance in the legislation between the ethical and moral arguments and the removal of the rights of individuals. The legal arguments are set out clearly in the Burns report—although inevitably, there are two legal opinions on compatibility with the European convention on human rights. The first is the Fitzgerald opinion that was obtained by the Countryside Alliance. It considered whether a ban could be tested in the European Court. The other is the Pannick opinion, which concluded that

> we do not consider that hunting with dogs falls within the concept of private life at all.

The point behind that opinion is that if hunting with dogs were considered to be purely private, it could be tested in the European Court, which might well overturn any legislation to ban it.

We must consider those opinions when we decide whether any Bill that we pass will be successful. One significant issue is whether a ban would lead to the "protection of morals" and, notwithstanding the opinions of Opposition Members, I believe that there is significant evidence that the welfare of foxes and other animals is compromised by hunting. The implication that I take from the Burns report is that hunting has an adverse animal welfare effect. I appreciate that there are strong arguments on both sides, but I have come to the conclusion that the welfare of animals is paramount and that leads me to support the introduction of legislation.

Mr. Luff: In the context of the argument that the hon. Gentleman is making so moderately and reasonably, may I remind him of paragraph 59 of the Burns report? It says:

> None of the legal methods of fox control is without difficulty from an animal welfare perspective.

I invite him seriously to consider the Middle Way group solution about which at least three of us in the Chamber are anxious to speak—one already has. It might persuade an hon. Gentleman of such reasonable views.

Mr. Darvill: I said that it is incumbent on us to consider all the animal welfare issues—which, in a very good report, Burns highlighted. To that extent, the inquiry it has performed a service. I am pleased about today's debate and I will be pleased when we debate the Bill that is introduced.

If the matter is ever tested in the European Court, it will consider whether the House has appreciated the wider issues involved. When other European countries have introduced bans, they have not been tested and that fact must weigh in our minds when we are considering any Bill.

The arguments of hon. Members on both sides have been made perfectly adequately, but there is a strong case for introducing a Bill because of the democratic argument that I made earlier. I passionately believe that we should have a free vote and I shall be very interested to study the options that are presented. I will treat them with an open mind but bearing in mind the assurances that I gave my electorate. The sooner we have the debate and deal with the detail, the better.

I am pleased that the Government commissioned the report, that they have indicated that a Bill will be introduced, and that the debate will lead to a decision. If we do not come to a conclusion, the sovereignty of Parliament and the way in which we conduct our business will be prejudiced. People take the issue seriously and it is incumbent on us to do something about it.

1.14 pm

Mr. Geoffrey Clifton-Brown (Cotswold): I very much welcome the opportunity to contribute to the debate. I represent a substantial number of hunts—perhaps more than any other Member of Parliament—so my constituents will be greatly affected by any ban.

I welcome the Burns report as an authoritative and comprehensive work on the hunting of animals with dogs. It is a well-researched document that was produced in a short time, and I congratulate Lord Burns and his team on it. it is the first authoritative work since the Scott Henderson report of 1950. That report presaged the return of a Conservative Government after a Labour Government who had a majority of 145 in 1945. Just six years later, in 1951, the Conservative Government had a working majority of 65. Perhaps history will repeat itself.

I wish to raise one or two important issues. The Burns report deals with the governance of hunting. I would welcome a strong self-regulating body, so I welcome the creation of the independent supervisory authority for hunting. I have corresponded over a number of years with the Masters of Foxhounds Association, which has hitherto had that role. It has not always been as strong as it might have been and I have corresponded with it specifically about the blocking of roads, the uncourteous behaviour of hunting participants, and trespass. Those who participate in hunts should behave with the highest probity. Their maxim should be to cause as little inconvenience to the public and those who do not wish to participate as possible.

Equally, I would welcome greater openness through the creation of independent inspectors. That would take away some of the mystique of, and suspicion about, hunting.

Has the case for a ban been made by reasonable people? The report makes much of the social activities that hunts generate, but does not say an awful lot about the social fabric of the countryside—the fact that farmers plant and

[Mr. Geoffrey Clifton-Brown]

maintain woodland, hedges, fences, drains and other rural features. It is partly as a result of the tremendous co-operation between hunts and farmers that land management is of such high quality. I do not say that if hunting were banned tomorrow—I hope that it will not be—the countryside would start to run down immediately. However, I believe that over a period, the ban would have an effect on land management.

Is the case for a ban reasonable? Deadline 2000 argues, in paragraph 10.16 of the Burns report, that there should be no compensation. As I said in an earlier intervention, I have tabled a parliamentary question on aspects of compensation. If the Government get as far as introducing a Bill but do not prescribe some form of compensation, there will almost certainly be a challenge in the European Court of Human Rights. I did not mean to be unreasonable when I intervened on the Home Secretary, and I hope that the Under-Secretary will now consider carefully my parliamentary questions and answer them as soon as possible so that everybody can consider the implications.

Paragraph 10.33 of the report says that Deadline 2000 wants hunting banned within two months of Royal Assent. That seems totally unreasonable. It is even thought to be unreasonable by the Burns committee, which, at paragraph 10.35, says:

> There are stronger arguments for allowing a reasonable period of adjustment. This would enable more time, for example, to reduce naturally the number of hounds . . .

That must make sense. I sometimes wonder about the role of the RSPCA and Deadline 2000, and whether they are really concerned about cruelty to animals or merely about political correctness.

The strongest argument against a ban is the liberal toleration of minorities. Throughout the 18th and 19th centuries, this country had a tremendous reputation for housing philosophers, poets, writers and others who, had they remained in their own countries under the authoritarian regimes that existed in other parts of Europe, would have been sentenced to death. It is partly because we tolerated people whom other countries would not tolerate that our cultural history is great today. Once a Government, whether Labour or Conservative, start to become illiberal or oppressive and to ban minorities of which they disapprove, where will it all end? Will shooting be next? What about angling? What about the breeding of animals for red meat? Even racing may be considered cruel to horses.

Hunting is an entirely voluntary activity and should be a matter for individual conscience, not one with which a politically correct Government should interfere. I plead with Labour Members for tolerance. I do not like drunken football hooligans going abroad and giving this country a shocking name, but I do not want to see football banned. Vast numbers of the public are sympathetic to hunting but do not wish to participate. Indeed, at paragraph 4.45 the Burns report cites the MORI poll's finding that a mere 25 per cent. of respondents were opposed to hunting, which incidentally was lower than the number of those who supported it. A large number of people in the middle do not mind much either way. It also found that two-thirds thought that hunting played an important part in rural life.

I can testify that in my constituency hunting plays an important part in our rural fabric. I welcome the debate, and I sincerely hope that the Government are listening with an open mind to all the proposals, and that we do not necessarily have to go as far as a Bill to ban hunting.

1.20 pm

Mr. Tony Banks (West Ham): I join the hon. Member for Cotswold (Mr. Clifton-Brown) and others in welcoming the Burns report. I also welcome my right hon. Friend the Home Secretary's statement and the Government's intention to introduce a Bill. The only small criticism I would make is that that should have been done some time ago.

The hon. Members for Cotswold and for Aylesbury (Mr. Lidington) referred to the conflict between individual liberties and animal welfare, and said that there were sincere arguments on both sides. Their conclusion was that a ban would be an intrusion into personal liberties. There has been much talk of the European convention on human rights and possible challenges in a higher court. The only voice that is not heard is, naturally, that of the animal being hunted. When I hear about all these individual rights, I wonder who is speaking up for animal rights. I believe that animals have rights, but unfortunately the only people who can decide how their rights should be protected are human beings, many of whom spend much time abusing animals.

I should like briefly to deal with three issues raised in the Burns report on fox hunting. The first is the argument about pest control, which one often hears from those defending fox hunting. It is arrant nonsense. If the fox is such a pest, why is there a close season on fox hunting? I have never understood the logic of that. For example, there would not be a close season on cockroaches, mice or rats, so if the fox is a pest why on earth is there a close season?

Mr. Clifton-Brown: There is a good, practical reason for having a close season. Hunting stops when foxes become pregnant and have their cubs. It would be quite wrong to hunt pregnant vixens.

Mr. Banks: Let me think this through. If one has a pest, one stops hunting it while it breeds more pests. I do not want foxes to be hunted, because I do not believe them to be a pest, but I am trying to follow the logic of the pest control argument. The hon. Gentleman's argument is logically absurd. If the fox is a pest, surely the very time to hit it is when it is breeding more pests. I would not do that, but that is the logic of the argument.

Mr. Gray: Perhaps I can clarify the matter for the hon. Gentleman. There is no close season on foxes. Most of the foxes killed in this country are killed in the middle of the summer, and that often includes pregnant vixens. Of the 400,000 foxes that are killed in this country every year, most of them are shot, and mostly during the summer. If a pregnant vixen can be caught and shot, that is much more efficient than hunting it with hounds. The only close season is on hunting with hounds, as it is viewed as unsporting and uncivilised to chase a pregnant vixen with hounds. Farmers and others whose activities replace hunting will kill foxes all year round.

Mr. Banks: There is a certain inconsistency between the arguments of the hon. Members for Cotswold and for

North Wiltshire (Mr. Gray). Of course I understand that it is unsporting to hunt a pregnant vixen, but I would not hunt a vixen anyway. If the hon. Gentlemen think about it, the argument that the fox is a pest is not consistent with having a close season.

Mr. Clifton-Brown: Will the hon. Gentleman give way?

Mr. Banks: I shall give way for the last time, because other hon. Members want to speak in the debate.

Mr. Clifton-Brown: The hon. Gentleman speaks of inconsistencies. Why does Burns recommend a close season for the hunting and shooting of hares?

Mr. Banks: I am not interested in what Burns says about close seasons for anything. It cannot possibly be argued that the hare is a pest. In fact, I do not want any foxes to be hunted, whether they are pregnant or not. I am merely pointing out that the hon. Gentleman cannot argue that the fox is a pest and then try to defend the existence of a close season.

Mr. Öpik: Will the hon. Gentleman give way?

Mr. Banks: No, I cannot.

What the hon. Member for Cotswold says is nonsense. If the fox is a pest, why were foxes introduced to the Isle of Wight? If the fox is a pest, why does the Royal Beaufort hunt maintain artificial earths, and offer the fox dead chickens and lambs?

I suspect that the one thing the hunts do not want is the disappearance of the fox from the rural landscape. That would take away the fun—not the fun of being able to see the wonderful fox, of course: it is possible to see many foxes in any town centre, thanks to the fast-food restaurants that we have nowadays. This is not about seeing a beautiful fox; it is about having the beautiful fox available to be hunted. The Burns report concludes that there is little evidence to support the view that the fox is a significant agricultural pest. So much for the pest control argument.

My second point concerns jobs. I welcome the evidence in the report about the number of jobs involved. At last we are getting round to something on which we may all be able to agree. The report maintains that between 6,000 and 8,000 jobs are involved, but suggests that only about 700 people are directly employed. That must be contrasted with some of the ludicrous figures that have been bandied around during all the years for which I have been on this side of the argument—although generally on the other side of the Chamber. I refer to my wish for a ban.

In March 1997, I believe, Lady Mallalieu claimed in another place that 150,000 jobs were at risk. Where the noble Baroness got that figure I have not the faintest idea, but it has come down: the Countryside Alliance now gives a figure of about 16,000. However, that still does not accord with what Burns said. I note that the website still gives a figure of just under 16,000.

Mr. Gray: Will the hon. Gentleman give way?

Mr. Banks: No. The hon. Gentleman is being unfair to his own side. More Conservative than Labour Members are waiting to speak. I am prepared to argue with the hon. Gentleman either in or outside the House at the time of his choice, because he does not frighten me, but I shall not do so at this very moment.

The Countryside Alliance is still making up figures. So much for the objectivity of the Burns report.

Mr. Gray *rose—*

Mr. Deputy Speaker: Order. The hon. Member for North Wiltshire (Mr. Gray) should allow the hon. Member for West Ham (Mr. Banks) to make his speech. That is the best thing that he can do.

Mr. Banks: I am deeply grateful for your protection, Mr. Deputy Speaker. I know what it is like to be hunted, having just returned from negotiations on the venue for the 2006 world cup. If I had not already been persuaded of the arguments, I would certainly be on the side of the fox now.

I would never be dismissive of job losses. Even one person's job is that person's whole life. However, I do not remember Opposition Members protesting so strongly about the tens of thousands of jobs that were destroyed by the policies of their Government in the mining, steel and manufacturing industries. We would have welcomed their support, but we did not get it. We heard then of economic implications, imperatives, the market and so forth—and tough luck on the miners, the steel workers and the manufacturing workers. Now Opposition Members come here and expect us to be overawed by a possible loss of 700 jobs.

Mr. Paterson: Will the hon. Gentleman give way?

Mr. Banks: No.

As I have said, I am not dismissive of the jobs argument, but in the final analysis it does not swing the overall argument. Jobs must have been involved in all the bloodsports that have been banned by Commons legislation—badger baiting, cock fighting, dog fighting, bull baiting and otter hunting.

The book "Roads to Ruin"—hon. Members should read it—gives various examples of debates in the House on social reform in which the employment issue was used to argue against reform. The argument against stopping little boys being sent up chimneys was that such a ban would cause great unemployment among poor families in urban areas. The employment issue was also raised in the slavery debate. People probably argued against abolishing witch burning on the grounds that it created jobs for those who lit the faggots.

Ultimately, the jobs argument is simply not persuasive. If one believes Burns's figures—that 700 people are directly employed by the hunts—one should conclude that, even with the current state of the rural economy, they should be easily absorbed.

The third and final issue that I should like to address is that of individual rights, which was raised by the hon. Member for Aylesbury (Mr. Lidington) and addressed by other hon. Members. The hon. Member for Cotswold (Mr. Clifton-Brown) also raised the issue of minority rights and the banning of a lawful activity.

[Mr. Banks]

When my hon. Friend the Member for Broxtowe (Dr. Palmer) raised the issue of bull baiting, he was laughed at by the hon. Member for Mid-Worcestershire (Mr. Luff)—who is clearly a civilised man and believes that bull baiting is an abhorrent practice. I hope and trust that all hon. Members agree that it is an abhorrent practice. Nevertheless, the arguments that were assembled in the House to defend bull baiting are of the same order as those now being used by Opposition Members to defend fox hunting. That point could not have been made with greater clarity than it was by the hon. Member for Mid-Sussex (Mr. Soames). I love the hon. Member for Mid-Sussex—in a very non-erotic way—but he really is an unreconstructed old snob. My own feeling—I have great regard for him—is that he should be set in a vast tub of aspic and turned into a tourist attraction. I believe that people would pay good money to come and see a perfectly preserved example of that endangered species, snobbus gargantuus. He used all the same arguments that were used in a debate in the House on 24 April 1800. Some of his predecessors were probably here for that debate, if he was not here himself, arguing exactly the same points.

In 1800, Sir William Pulteney attempted to introduce legislation to abolish bull baiting. The opponents of that legislation—it really is worthwhile reading that debate—used various arguments that are almost identical to those now being used by pro-hunters—including the fear of unemployment, the inadequacy of the alternatives, and the idea that such reform should be regarded as the thin end of the wedge. All the arguments that we have heard today were used on 24 April 1800.

Sir Nicholas Lyell: Is the hon. Gentleman equally opposed to fishing?

Mr. Banks: I do not quite understand the point of that question, which has nothing to do with the flow of my argument. I hope that the right hon. and learned Gentleman was listening to my argument. I used to fish quite often, and I was very good at angling, for which I won quite a few prizes. However, I would not do it now because there are a number of things about it that concern me.

One always has to draw lines—that is what politics is all about. One does not say, "We'll do nothing unless we can do everything", because that is an absurd argument. I have drawn a line. Regardless of whether angling is morally justifiable, I see a difference between it and fox hunting. The point is that, although I would no longer participate in angling, I have made that distinction. I am perfectly happy saying, "I am prepared for angling to continue, but I want a ban on fox hunting." One has to remember that, in politics, one can always oppose one action by saying, "Why don't you do all these other things as well?" That is not what we intend to do.

In the debate of 24 April 1800, Mr. Windham played the libertarian card, just as the Opposition Front Benchers have today. His arguments read like the mantra of today's hunting supporters. He argued that there were other, more pressing issues on which to legislate. He said that it was not an issue for Parliament; that a ban would set the sport's supporters against its opponents; that there were already enough laws to prevent abuse; and that minority rights had to be considered, along with the sport's social value.

Mr. Windham argued that the bull derived pleasure from the activity, and passed the baton on to George Canning, another libertarian and a great Foreign Secretary. Indeed, many would say that he was one the greatest Foreign Secretaries that we have had, begging the pardon of my right hon. Friend the present Foreign Secretary. Mr. Canning said that he could not think of a more absurd Bill that had ever been brought before Parliament and asked, "What could be more innocent than bull baiting?"

In case hon. Members have forgotten, bull baiting involved a bull being tethered to the ground, so that it had no means of defence. Dogs were set on it and would tear at its head, chest and legs. Bulls often had their nostrils stuffed with pepper to drive them mad and a notorious tale was quoted in the House of how a bull had had its hooves sawn off to deprive it of any recourse whatever. According to Mr. Windham, the bull enjoyed that, which is why Mr. Canning said that there could be nothing more innocent than bull baiting.

Those examples show that nothing that we do in this House has not been done before. No arguments have been posed that have not been mounted before. I urge Opposition Members to read the arguments that were being made in relation to the banning of abhorrent practices which I know none of them support. In a few years' time, when someone else stands up to speak, they will put fox hunting in the same category as hare coursing and deer hunting, and be trying to imagine how any civilised person could actually have done those things.

1.36 pm

Mr. Peter Luff (Mid-Worcestershire): Until today, I thought that the only thing on which I agreed with the hon. Member for West Ham (Mr. Banks) was supporting Chelsea football club. I now discover that I also agree with him about, not exactly the irrelevance, but the relative unimportance of the jobs argument in relation to this issue. Characteristically, the hon. Gentleman put his case well, but the robustness of his speech may have given us a clue about why we lost our bid for the world cup.

The flaw in the final, rather entertaining, part of the hon. Gentleman's speech, is that he has not read the Burns report, or has read it only selectively. Unlike the bulls that used to be baited, the foxes are going to die anyway, and Burns judges that other methods of control have their own problems from a welfare perspective. With respect, the argument is different, and the hon. Gentleman has not correctly understood the distinction between two different activities involving animals.

Like many people—probably on both sides of the House, to be honest—I believe that the debate on fox hunting that we are being forced into as a country and as a Parliament is largely a distraction from more important issues. However, it matters fundamentally because of its implications for minorities. I vividly remember going to the Birmingham rally of the Countryside Alliance last year and hearing a leading member of the Muslim community speak in favour of the right to allow English and Welsh men and women to continue to hunt, which he thought was an important minority right. The audience was moved by what this Muslim had to say about fox hunting, and Government Members should think carefully before dismissing the argument about minorities.

Like everyone who has spoken in this debate, I think that the Burns report is excellent. It has its flaws, born of being a little rushed. A year, rather than six months, would have led to a better report, as there are issues that Lord Burns has not addressed properly, such as the way in which foxes are conserved by the practice of fox hunting, and too much emphasis is put on control. The implications of the welfare of hounds have not been considered properly, and neither has the importance of fox hunting to the landscape, and so on. Ultimately, that does not really matter, as two issues are at stake in the debate. On one side of the scale is animal welfare, and on the other, the freedom of individuals to do as they choose with their lives. Where does one strike the balance? How does one weigh those two issues?

I have a suggestion for the Select Committee on the Modernisation of the House of Commons. On unwhipped votes at least, hon. Members on both sides of the House should have to be able to demonstrate that they have studied the issues before being allowed to take part in the debate or vote. Certainly, if hon. Members were forced to read the Burns report from beginning to end and demonstrate an understanding of it, it would be impossible for any of them to conclude that fox hunting should be banned. However, I must part company with my hon. Friend the Member for Mid-Sussex (Mr. Soames), as the report does not suggest that one can leave fox hunting as it is; it highlights serious flaws and shortcomings in current practices, which need regulation. That goes to the heart of the Middle Way group's proposals, to which I shall return in a few moments.

I have one real fear. There are three of us in the Chamber who represent in Parliament the middle way, or compromise; besides myself, there are my hon. Friends—as I shall call them for these purposes—the Members for Newcastle-under-Lyme (Mrs. Golding) and for Montgomeryshire (Mr. Öpik). I fear that we are being drowned out by the forces on either side of the argument. We have no money for advertising campaigns or public relations stunts. All we have is the power of our argument, to which I hope hon. Members will pause and listen, as I believe that there is scope for compromise on this issue.

Mr. Caplin: I said earlier that a party that tells the electorate that it will do something during a Parliament—in this case, introduce a ban on fox hunting—should carry on and do it. Does the hon. Gentleman accept that?

Mr. Luff: No, I do not. First, the Labour Government have already met their manifesto commitments. Secondly, when the facts change, I change my mind, and I would hope that the Government would do the same. Not only have the facts changed with the publication of the Burns report, but the compromise that the Middle Way group has put forward was not on the table at the time of the last election. I urge the hon. Gentleman to open his mind to the changed facts and consider the possibility of compromise.

The implications that a ban would have for farming and for social life in the countryside have been mentioned already. However, sufficient note has not been taken of the strength of support for fox hunting in rural areas. The Burns report states, on pages 75 and 76, that 60 per cent. of people in the study areas—where I accept fox hunting is practised—oppose a ban on hunting. Paragraph 4.35 is especially interesting. It states:

> Broadly speaking, support was highest in all areas amongst men, older people, those who had lived in the area for a long time, people working in rural occupations and those in lower social class bands.

Many people think that the argument is between toffs and the rest of us, but that finding shows that it is not: support for fox hunting is widely spread among the rural communities of England and Wales, and is concentrated not at the top, but at the bottom of the social class bands.

My right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) dealt with the animal welfare points. The report does the argument a great favour by showing that drag hunting does not represent a viable alternative—another point that has already been made in the debate. However, there is still a need to emphasise the practical difficulties of a ban.

Paragraph 10.28 of the report states:

> Consideration should be given to whether any ban would be manifestly unjust, bearing in mind the activities caught and not caught by it.

Paragraph 10.29 states:

> Consideration should be given to whether any ban could be framed sufficiently clearly to enable people to regulate their conduct.

The difficulties are clearly huge, and the report also looks at the problems of enforcement.

It is clear that fox hunting has no adverse implications for animal welfare. Quite the opposite: animal welfare would probably suffer, at the margin, if fox hunting were banned. A ban would have real economic and social implications for rural communities, and there would be practical difficulties in implementation and enforcement.

However, does that suggest that fox hunting should continue in its present form? I say that it does not. The Burns report also states that hunting poses serious problems concerning trespass and safety, as my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) said in his excellent speech. Moreover, chapter 9 of the report deals with other problems, such as the openness of hunting, the length of the season, terrier work, and stopping up. Those issues need to be addressed.

Mr. Leigh: In his discussions with the Government as the representative of the Middle Way group, has my hon. Friend detected any sign of nervousness among Ministers about taking on such a large minority, of about a quarter of a million people? If a compromise solution along the lines that he suggests—the adoption of licensing, for example, and the ending of practices such as terrier work—were to be accepted, is there a possibility that some progress might be made?

Mr. Luff: I must say that the Under-Secretary, who is to respond to the debate, has been scrupulously fair and independent, although he has always made it clear that he personally favours a ban on hunting. It is clear that the Home Office intends to take the Middle Way group's proposals seriously, just as it will proposals from other quarters. I am entirely confident about the way in which the Home Office has handled this matter.

However, some Ministers do seem to be expressing some concern. I thought that the Minister of Agriculture, Fisheries and Food seemed to hint that a compromise might be preferable. My hon. Friend the Member for Gainsborough (Mr. Leigh) may be right: it is possible that some Ministers recognise the difficulty and, in the light of the Burns report, the illogicality, of proceeding to an outright ban on fox hunting.

[Mr. Luff]

The hunting fraternity has moved, and the independent supervisory authority for hunting has been established, but that welcome step is not enough to give my constituents confidence about the problems that cause so much aggravation. The largest number of complaints about fox hunting made by the general public to Burns concerned trespass and public safety. Hunts do not deal with those issues very well, and greater sanctions are needed if they are to be addressed. We wish to develop the independent supervisory authority for hunting.

I do not want to read things into the Burns report that are not there, but helpfully, a form of licensing system is discussed in paragraphs 9.49, 9.50 and 9.51, as follows:

> A system of this kind would also assist, in the absence of a ban, in tackling illegal hunting. In particular, it would make it easier to deal with those intent on illegal coursing, or on badger baiting, since they would require a licence to hunt.

Clearly the Burns report identifies real benefits that would flow from our proposals.

If something causes problems and we do not like it, should our first reaction be to ban it, or to control it? The motor car kills thousands of people every year, but we do not ban it; we seek to control it with speed limits, traffic lights and the highway code. Alcohol causes huge problems, and we control its sale and availability. Smoking kills people; again, we seek to control it. We give people the option of no-smoking carriages; we do not say, "Ban, ban, ban."

The Middle Way group's proposal, which is based on licensing hunts, with sanctions for those who breach the terms of those licences, and the codes of conduct, represents the way forward. The hon. Member for Montgomeryshire—who for these purposes is my hon. Friend—estimates that our proposals would cost about £1 million. It is a "give or take" figure, which we are trying to hone down. That represents about £2,500 to £5,000 a hunt, or about £25 to £50 for each subscriber. Those are the orders of magnitude. There would be no burden for the taxpayer, but there would be an additional cost to hunts, which they can ill afford. Many of them face financial difficulties—hunting is in decline in this country—but such sums are affordable.

I shall conclude my remarks because other hon. Members wish to speak. I urge hon. Members to read the Burns report. I have heard much praise for him today, and I am reminded of the words of Mark Antony in "Julius Caesar":

> I come to bury Caesar, not to praise him.

Labour Members have come to bury Burns by praising him, and it is important that the report be read objectively and fairly.

In the notes that I took when we met the Prime Minister last November, I wrote:

> Genuinely believe this is a tough option, developed by people whose first concern is animal welfare, that will appeal to all sensible people and improve the welfare of the fox.

I stand by those remarks today.

In a letter to us, the NFU said:

> An absolute ban on hunting with dogs in all circumstances would represent a draconian oppression of a legitimate activity, and would lead to a significant and most unwelcome fresh burden on Britain's badly suffering farming industry. We believe that a Parliament which has historically prided itself on its protection of minorities should approach any changes in the present law in that direction with extreme caution.

I believe that that is the conclusion of the Burns report, and I hope that hon. Members can be so persuaded.

1.48 pm

Mr. Malcolm Savidge (Aberdeen, North): It is wonderful what can be learned in the Chamber. Until I heard the speech of the hon. Member for Mid-Sussex (Mr. Soames) in aspic, I would never have guessed what the Conservative party, buggery and tripe had in common.

In the light of the comments of the hon. Member for Aylesbury (Mr. Lidington), it behoves me to defend the right of a Scots Member of Parliament to express a view; and, in the light of the comments of the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), to defend the right to have not only a voice, but a vote on the matter. I do so in the light of the fact that the right hon. Member for Birkenhead (Mr. Field) introduced a ten-minute Bill to deny us those rights. That was an attempt to answer the West Lothian question. I would say—having heard, at great length over many years my hon. Friend the Member for Linlithgow (Mr. Dalyell), who used to represent West Lothian, ask that question—that it is a silly question.

In that sense alone, I found the solution proposed by the right hon. Member for Birkenhead to be appropriate: it was a silly answer to a silly question. It has been suggested that we should not have the right to vote or speak on matters devolved to Scotland. I believe that there is a simple anomaly, which is open to a simple and fairly straightforward constitutional solution. Basically, the simple position is that if the House decides to devolve a matter anywhere to another Parliament or Assembly, no Member, from wherever, will have the power to determine it here. However, if the House decides to reserve any matter anywhere to itself, all Members of the House, from wherever, have the power to determine it. If there is a growing feeling that there is a need for devolution to England—there may be such feeling—that should be resolved in the logical constitutional way by devolution to either an English Parliament or the English regional assemblies.

Mr. Gray: Those are fine words, but will the hon. Gentleman explain why I can have no say, influence or vote on fox hunting in Scotland, although he has the temerity to come to the House to speak and vote on fox hunting in my constituency of North Wiltshire?

Mr. Savidge: I shall return to that specific point.

Mr. Garnier: On a point of order, Mr. Deputy Speaker. This is a fascinating discussion, but it is not germane to the debate on the Burns inquiry. A number of us who have been here all day would like to contribute. If the hon. Member for Aberdeen, North (Mr. Savidge) wants to discuss the West Lothian question, perhaps he should do so on another occasion.

Mr. Deputy Speaker: I say to the hon. Member for Aberdeen, North (Mr. Savidge) that he has made his point and that he must get on to the terms of the debate. He is entitled to speak as this is an Adjournment debate.

Mr. Savidge: A specific point has been made that is germane to whether Scots Members are allowed to express a view and vote on this matter. That is why I make my point. My argument is not primarily with the right hon. Member for Birkenhead, but with some of his strange bedfellows. For example, I have been attacked in my local newspaper, the *Evening Express*—

Mr. Deputy Speaker: Order. May I say, as nicely as possible, that I have given the hon. Gentleman an instruction to get on to the terms of the debate? Perhaps he can raise that matter another time.

Mr. Savidge: Very well, Mr. Deputy Speaker, but that creates a difficulty because I am trying to respond to points made in debate.

For me, this is a matter of democracy. As my right hon. Friend the Secretary of State and my hon. Friend the Member for Brigg and Goole (Mr. Cawsey) have said, a free vote was promised in the Government's manifesto. Before devolution in 1997, there was a free vote of the only elected Chamber of the British Parliament, which was carried by 411 votes to 151. If there is an anomaly to be resolved, I suggest that it is how it can be that we have such arcane, anarchic and anachronistic Standing Orders that a small minority of Members—

Mr. Paterson: On a point of order, Mr. Deputy Speaker. This is tearful. There are six packs of hounds in my constituency and I would like to talk about the Burns report. Is it in order to bang on about Standing Orders?

Mr. Deputy Speaker: I remind the hon. Member for Aberdeen, North that he has no need to tell me about Standing Orders—I know a lot about them, which is why I am here. This is an Adjournment debate on the report of the committee of inquiry into hunting with dogs in England and Wales. He must address that matter, not Standing Orders or anything else.

Mr. Savidge: Am I allowed to say that it is unfortunate that a private Member's Bill was stopped? Surely that must be pertinent—

Mr. Deputy Speaker: Order. I have given the hon. Gentleman a great deal of leeway, but if he does not accept my ruling I may have to instruct him to resume his seat, although I am reluctant to do so. He has my instructions and it is clear what I want him to do.

Mr. Savidge: This is an important issue of animal welfare, but animal welfare is not my top priority, as human rights and human survival are more important. However, consideration of this issue also involves an important matter of democracy. To use a well-known phrase, we are dealing with unfinished business and, indeed, the settled will of the people. As the hon. Member for Mid-Sussex recognised, opinion polls have shown steadily that more than 70 per cent. of the British people want a ban on hunting with hounds. I believe that that is the unfinished business of the British Parliament and the settled will of the British people: therefore I will support the ban here and in the Scottish Parliament.

As well as being an issue of democracy, it is also a moral issue. I have to make a confession—on the moral issue, some people might accuse me of prejudice. Let me explain where I could be regarded as being prejudiced and not taking sufficient account of the arguments.

I have a strong prejudice. I believe that throwing Christians to lions was wrong. I confess that when I visited the coliseum, they were not throwing Christians to lions, so I suppose that the hon. Member for Mid-Sussex would say that I know nothing about the issue. I expect that the appropriate defenders of the sport would have said that too. We should lend our ears to the Romans and countrymen alliance because they had at least one good argument.

Mr. Leigh: On a point of order, Mr. Deputy Speaker. This is all very interesting, but the Burns inquiry was specifically excluded from considering ethical questions. We should be debating the Burns report on the effect on the countryside of hunting.

Mr. Deputy Speaker: If hon. Members will allow me to take those decisions, I shall decide whether the hon. Gentleman is straying from the question before us. So far, he is all right.

Mr. Savidge: I am not impressed by the argument that there was not sufficient conclusive scientific evidence that Christians did not enjoy being thrown to lions, although I believe that an objective report suggested that it could have seriously compromised their welfare. I am not particularly impressed by the argument about the jobs of the coliseum workers, the lion keepers and the rest, as I am not totally persuaded that there could not have been other forms of entertainment. I tend to think that apart from the direct employment, the multiplier that was used to suggest indirect employment was a rather curious one, even in the objective report, and that the money that was spent could probably have been spent elsewhere and caused other jobs to be created. I am not even impressed by the argument about the culture, the framework of life and the traditional human values which we heard about from the hon. Member for Mid-Sussex in respect of hunting; presumably it was the bread and circuses argument in Roman times.

Nor am I impressed by the argument that a ban on throwing Christians to lions would have criminalised good, law-abiding Roman citizens. People who claim to be law-abiding provided that the law does not affect what they want to do have a rather poor definition of law-abiding. On that basis, one could say that drug pedlars, rapists or murderers would be law-abiding if only we had not passed laws against them, and that when the burglar is not a-burgling or the costermonger is not cutting up his mother they are just as good as any honest men.

Nor do I consider good arguments what one might call the middle way—that had the throwing of Christians to lions been licensed and controlled and had there been a body—perhaps we could call it Oflion—to look after it, that would have provided a reasonable solution to the problem.

Mr. Swayne: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I hope that it is a point of order.

Mr. Swayne: I hope that you can assist the House, Mr. Deputy Speaker. Is there a provision in the Standing

[Mr. Swayne]

Orders in which the Speaker, in communication with the president of the Royal College of Psychiatrists, can determine whether or not an hon. Member remains sane?

Mr. Deputy Speaker: If there were such a provision, I would certainly be a very busy man indeed.

Mr. Savidge: The hon. Gentleman would put himself at risk there.

Mr. Luff: Will the hon. Gentleman give way?

Mr. Savidge: No. I am sorry, but I am about to conclude.

I am not even in favour of the suggestion that there could have been local referendums, although at least one could claim that coliseums were fixed places, so it would not have been quite as stupid as making that proposal in respect of events which, by their nature, outrun geographical boundaries. That would not be constitutionally sensible.

Nor do I take the argument that because the emperor and the upper classes attended such events at the coliseum, should they have been stopped that would have been the politics of envy. Nor do I believe that a ban would have represented a serious intrusion on the individual liberties of circus goers.

There is, however, one very good argument that members of the Romans and countrymen alliance would have advanced. They could have said that at least they did not have Christians chased for miles, to the point of exhaustion, before enjoying watching them being torn apart: now that would be barbarous and cruel. That is barbarous and cruel. That is why I believe that we should ban hunting with hounds, be it of hares, deer, foxes or mink. This is a matter of democracy, because it is the unfinished business of the House and the settled will of the British people.

2 pm

Mr. David Maclean (Penrith and The Border): On behalf of all Opposition Members, I wish the Minister a speedy recovery from his operation. Let us hope that he is back on his horse soon—but not too high a horse.

We have heard some good and thoughtful contributions from both sides of the argument, but listening to the hon. Member for Pendle (Mr. Prentice) and the hon. Member for West Ham (Mr. Banks), for example, I felt that this was a sad day for democracy and a worrying one for politically incorrect minorities, and the final nail in the coffin for the Government's protestations that they believe in social inclusion. Thank goodness not all Labour Members took that line.

The Government have affirmed that they will introduce legislation that will inevitably lead to a ban on hunting, even though the excellent Burns report produced not a single scrap of evidence to justify that. Conservative Members accept that the freedom of the individual must be constrained when there are overwhelming public policy reasons for doing so, but in this case there are none at all.

For a ban to have any justification, those who oppose hunting would have to demonstrate that it is substantially worse as a means of control than the available alternatives—a point powerfully made by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard).

Mr. Garnier: I feel a sense of frustration, in that my right hon. Friend, my hon. Friend the Member for North Shropshire (Mr. Paterson) and I are the only three Members of Parliament who made submissions that are listed in the Burns report. Does he agree that the points made by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) are incontrovertible and that if people cannot be bothered to read the Burns report, they should at least read the *Hansard* report of his speech?

Mr. Maclean: My hon. and learned Friend is absolutely right. My right hon. and learned Friend's contribution was superb, with his customary logic—and I do not have to say that, as I no longer depend on him for my employment.

If there is to be any justification for a ban, it must be shown that any legislation will enhance animal welfare. Unless Parliament has objective, sustainable evidence of that, it will be wrong in principle to legislate. Burns has failed to show that there is any evidence that a ban would enhance animal welfare. Rather, the evidence is to the contrary.

As my hon. Friend the Member for Mid-Sussex (Mr. Soames) said, it is no part of our democratic inheritance to foist on a minority the prejudices and opinions of the majority. Parliament should legislate to deal with activities that cause harm, not those that certain people, for their own subjective reasons, dislike.

Mr. Caplin: Does the right hon. Gentleman object to my right hon. Friend the Home Secretary's proposal to put a number of options before the House?

Mr. Maclean: I object to a ban on hunting now tnat we have the Burns report, because it contains no evidence to suggest that a ban is sensible or morally correct or that we should overrule our fundamental human freedoms. There has already been a free vote in the House. We have new evidence in the form of the Burns report, so Labour Members should be able to get off the hook on which they have hoist themselves.

Dr. Palmer: The right hon. Gentleman says that there has been a free vote, but does he not agree that it is fundamentally unsatisfactory that the vote was frustrated by filibustering and that, with the Burns report, it is reasonable to return to the issue?

Mr. Maclean: I have turned up here every Friday, hoping to speak on the Medical Treatment (Prevention of Euthanasia) Bill, promoted by my hon. Friend the Member for Congleton (Mrs. Winterton), and I understand that we are still on clause 1 because Government Members are using legitimate parliamentary procedures to ensure that it does not advance by one inch. If the hon. Gentleman will join me in condemning that practice, I will condemn other practices in the House that I may dislike.

Dr. Palmer: Will the right hon. Gentleman give way again?

Mr. Maclean: No; I have heard enough from the hon. Gentleman today, if I may say so, and I have very little time. The freedom of each individual to hunt with hounds is no different in principle from the freedom to fish, shoot, eat meat, drink alcohol, smoke a cigarette, watch football, gamble on the lottery or worship as one chooses. A free society is one that jealously protects the freedoms of its individual citizens and the acid test of a free society is the extent to which individuals and minorities are permitted to exercise their rights. It is for those reasons that I maintain that those individuals who hunt have rights, and a right is only of real value when it is a right to disagree with the majority.

Many points have been covered in today's debate, which has been worth while. It is only a pity that we did not have the debate before the Government announced their intention to ban hunting, even before Lord Burns had presented his report. My hon. Friend the Member for Mid-Sussex was right to condemn the Government for that.

Mr. Banks: The Burns report is evidence that we can use when the legislation comes forward. It does not compel us to accept it or to reject it. Does the right hon. Gentleman think that anyone on either side of the argument has been convinced by anything in the Burns report?

Mr. Maclean: No one has been convinced by listening to the hon. Gentleman and his colleagues today. It is interesting that Labour Members have paid polite attention to Burns. They congratulate Lord Burns on an excellent report and then find every excuse possible to avoid its conclusions. Burns has shot the fox of the anti-hunting extremists and Labour Members do not like that.

We would have enjoyed the contribution from the hon. Member for Aberdeen, North (Mr. Savidge) more if it had not prevented other hon. Members from participating. There is nothing more likely to inflame English and Welsh country people than if Scottish Members come to a debate on the Bill, make their points and then attempt to vote. The Government have unbalanced this Parliament by having two classes of MP. A group of MPs from Scotland have additional rights. If they use those legal rights to vote on this English measure, that will do more than anything else to stir up English nationalism.

Mr. Savidge *rose—*

Mr. Maclean: I shall not give way, because I must push on. I congratulate the hon. Member for Hove (Mr. Caplin) on his contribution, which I enjoyed, although—like many Labour Members—he tried to play down the job losses. The Burns report is clear that up to 8,000 jobs could be lost, not the mere 700 that the hon. Member for West Ham suggested. Burns goes on to suggest that many more people depend on hunting for their incomes, and that is why it is legitimate to talk of some 13,000 to 14,000 people who could be affected by a ban on hunting.

The hon. Member for Montgomeryshire (Mr. Öpik) and my hon. Friends the Members for Cotswold (Mr. Clifton-Brown) and for Mid-Worcestershire (Mr. Luff) also made some telling speeches. I urge the Government to listen carefully to some of the solutions that they advanced. I do not entirely agree with everything that my hon. Friends suggested, but they may have a solution that would go some way towards getting the Government off the hook and preventing a clash with rural people that would result in a further crisis in the countryside.

The hon. Member for Broxtowe (Dr. Palmer) said that the loss of jobs would be within normal fluctuations. That may be true numerically, but we have never before had a Government deliberately creating unemployment by banning a legal activity. That is what makes the job losses so unacceptable. They are unacceptable because they are totally avoidable, if only people were unprejudiced enough not to ban hunting.

We have had many interesting contributions today, but not sufficient comment—in my view—on the social and cultural aspects of hunting. Coming from the Lake district, I am biased in many ways, because I see the deep social and cultural attachment that my constituents have to hunting.

About eight years ago, my right hon. and learned Friend the Member for Folkestone and Hythe and I negotiated at the Earth summit in Rio and agreed on the Rio declaration on sustainable development, principle 22 of which states:

> Indigenous people and their communities, and other local communities, have a vital role in environmental management and development because of their knowledge and traditional practices. States should recognise and duly support their identities, their culture and interests and enable their effective participation in the achievement of sustainable development.

Do not all my constituents in the Lake district and the rural communities identified by Lord Burns, and all the constituents of other Members of Parliament from other parts of England and from Wales, qualify as an indigenous people in their local community? Should not the Government recognise and support their identity, their culture and their interests? Should not the Government enable them to participate in sustainable development, as the hunts have done for 200 years, and not now brand them as social outcasts to be reformed?

The key point in the debate, superbly emphasised by my right hon. and learned Friend the Member for Folkestone and Hythe, is Burns's conclusion:

> None of the legal methods of fox control is without difficulty from an animal welfare perspective. Both snaring and shooting can have serious adverse welfare implications.

Of course, there are clear welfare implications arising from all legal methods of control: when a fox gets a bullet in the head, there are adverse welfare implications. However, the crucial point is that Burns has not ruled that hunting with hounds is especially welfare unfriendly by comparison with all the other methods of fox control. If Labour Members ban hunting with hounds, they must accept responsibility for the fact that, throughout the country, to control a pest—a serious pest in certain parts of the country, where farming and livestock considerations dictate that it must be controlled—people will use other methods which, although legal, are equally, and in many cases more, welfare unfriendly and more inhumane than hunting with hounds.

When we read the Burns report, we find that, despite the huge amount of superb work that was carried out, it provides no evidence in any chapter to demonstrate that hunting should be banned—not from a social perspective, or from an animal welfare perspective, and certainly not from an economic perspective. All the arguments are on the side of my right hon. and hon. Friends and me, and support the case that we have advanced today. We can see that there is no overwhelming welfare reason to ban hunting and that there is therefore no public policy imperative that can overturn the fundamental freedom of an individual to participate in country sports.

[Mr. Maclean]

To me, the debate on hunting is not about economic issues, environmental issues, or even animal welfare issues. The issue at the heart of the debate is an ethical one—it is the question of personal liberty. At stake are the rights and freedoms of individuals. The question of a ban on hunting is one that affects every person in this country, whether or not they have ever seen a horse or a hound or a hunt. My reason for opposing a ban, now that we have conclusive proof that there is no overwhelming welfare reason to impose one, is founded on my belief in the importance of a tolerant free society, the defining characteristic of which is that the rights of minorities are tolerated and respected. This country has a long tradition of tolerance of which we can rightly be proud.

I accept that the majority of Members of Parliament support a ban on hunting, but that, in itself, is not sufficient to justify a ban. The disapproval of an activity by the majority in a society does not, of itself, provide the case for the criminalisation of that activity. The only justifiable ground on which to take away an individual's right to act as he chooses is when doing so is irrefutably in the overriding interests of society as a whole. No one who has read Burns could argue convincingly that the prohibition of hunting would meet that criterion. Like many others, hunting is an issue on which each individual should be allowed to arrive at a personal moral judgment.

Even at this late stage, I appeal to the Government not to pursue what will inevitably be a confrontation with country people. Do not turn 250,000 honest, law-abiding British subjects into criminals. Do not alienate them further by forcing them to accept the Government's prejudices, their Back Benchers' prejudices and their value systems.

I live in the countryside. I see my constituents at work and on social occasions. They are quiet, placid, law-abiding people—the salt of the earth. All other hon. Members will say the same of their own constituents, but the Government are dangerously provoking them. They are playing with fire. I beg them not to ignite the powder keg that is smouldering in the countryside. I ask them to look for a way out and discuss with the Middle Way group and other organisations methods by which they can get off the hook on which they have hoist themselves.

The argument is not just about the countryside. Anyone who cares for the right of individuals to make personal choices must oppose a ban on hunting. We have traditionally looked to Parliament to protect the rights and freedoms of minorities, even though it has the power to take away all our freedoms. It can act totally, utterly illiberally if it wishes. It can ban hunting, fishing, shooting, boxing, motorcycle racing, the reading of certain books and lots more besides. We have the power to do it, but the exercise of that power would diminish Parliament. Our people would be less free. They would be subject to the tyranny of the prejudices of the majority.

All hon. Members have a sacred duty to ensure that this country does not sacrifice our liberal traditions in pursuit of some artificial goal of conformity, sentiment and political correctness. It has taken us 300 years to construct this tolerant liberal democracy of ours. I urge the Government not to ban things just because they dislike them; that would take us back to a new dark age of bigotry, intolerance and strife.

2.17 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): I welcome the right hon. Member for Penrith and The Border (Mr. Maclean) back to the Front Bench. It has been some time since he has been there. We noticed the absence from the debate of the somewhat sidelined and semi-detached right hon. Member for Maidstone and The Weald (Miss Widdecombe), who has been replaced by her former colleague at the Home Office. I suspect that we would have had different fireworks at that Dispatch Box if she had braved the pack behind her. None the less, we welcome the right hon. Gentleman to his role.

My position on hunting is a matter of record, but there are concerns about civil liberties in banning anything. Sometimes it is justified, but I do think—it is a personal view—that the onus is on those who seek to legislate to justify it. That is the way in which I approach the issue. However, I am here as a Minister to set out the view of the Government. This is the third or fourth occasion on which we have had a full debate on hunting since 1997. I have looked at some of the arguments in the previous debates. It is clear that strong emotions were expressed, but that there was a lack of consensus on the basic facts and consequences of a ban. It could be said, to some extent, that there was heat but not much light.

On most questions before the House, there is the ability to debate around known facts using independently corroborated analysis. That enables the debate to be more focused and sharp. Fox hunting was an exception. Each side had it own version of "the facts." The purpose of the Burns report was to better inform the debate. Judging by the standard of today's debate, I think that it has achieved that objective. Whether hon. Members are banners, regulators, civil libertarians or undecided, they are better informed as a result of the report. Each side can better marshal its facts and arguments. It is a tribute to the Burns inquiry that the main parties who gave evidence to it have expressed broad satisfaction with the outcome. I believe that hon. Members will want to add themselves to the list of those who salute the Burns report and the members of the inquiry team.

Before I deal with the points that have been raised, I should like to say a few words about the report and the Bill. Hunting is a contentious issue and passions run high. Because of that, Lord Burns could have chosen to conduct the inquiry in a closed manner. On the contrary, he sought to conduct the inquiry very openly. He made the evidence available on an inquiry website. The oral evidence sessions were conducted in public and transcripts were posted on the website. Research papers commissioned by the committee were made available in draft and discussed at seminars, and were made available to the public.

As has been shown today, some might disagree with some conclusions in the report. That is inevitable, but the report and the evidence put to the inquiry have contributed enormously to improving our debate. That open approach has been echoed in the discussions that I have held with the umbrella groups to which my right hon. Friend the Home Secretary referred in his speech. Of course, some parts of the issue are incapable of being resolved to everyone's satisfaction. That is why we aim to facilitate a constructive debate and resolution of these issues.

Let me briefly tell the House the results of the meetings that I have had with the Countryside Alliance, Deadline 2000 and the Middle Way group. I do not propose to hold meetings with a large variety of other organisations, but, as some have said that they wish to speak to me, I make it clear that I am happy to consider written representations. I met the umbrella groups separately last week, and all the meetings were constructive. I told them that the Government were neutral on the issue of a ban on hunting.

The Home Office aims to develop an approach as open even-handed as possible to the options in the Bill, in order to give Parliament a manageable choice. I asked the umbrella groups for proposals on the options by mid-July, with a view to a having couple of weeks of discussion between officials and the groups on how we can put the detail of their proposals into a Bill and an overall package that we can present to the House.

The umbrella groups were given the same offer of reasonable access to the Home Office Bill team and meetings with me if there was a particular issue to resolve over the next few weeks. Each group was told that we hoped to submit proposals to parliamentary counsel by September. I could not guarantee that we would hold consultation on all the clauses, but I hope that that will be possible. I said that the Government fully retain the right to frame our Bill, but we shall seek to do so fairly and are interested in the views of the various umbrella groups on how that can be done.

The Bill needs to be manageable and the options as straightforward as possible. I am grateful to each of the organisations for the constructive way in which they approached those meetings. I am happy to receive representations from right hon. and hon. Members, either through the usual channels or in other ways.

I shall now deal with some of the points made in an extremely good debate. Many excellent speeches were made in favour of banning fox hunting. My hon. Friend the Member for Brigg and Goole (Mr. Cawsey) set out his view, as did my hon. Friend the Member for Pendle (Mr. Prentice), who argued his case passionately.

My hon. Friend the Member for Broxtowe (Dr. Palmer) displayed his passion not only on fox hunting, but on a ban on shooting and fishing. I have to make it clear that the Government will not ban shooting and fishing. We have no intention of doing so. There is no possibility that that will be done by this Government.

My hon. Friend the Member for Upminster (Mr. Darvill) said that he had attended a hunt, but still favoured a ban.

Sir Nicholas Lyell: Would the Minister explain on what basis of principle the Government will support a ban on hunting?

Mr. O'Brien: I have just said that the Government are neutral on the issue of a ban on fox hunting. We seek to facilitate a full and proper debate on the matter so that those who favour hunting and those who favour a ban may be able to put their views. The Bill will set out various options, including those proposed by the supporters of regulation or of bans on particular types of hunting. We shall try to ensure that everyone can have their say. In due course, Parliament will no doubt decide.

Sir Nicholas Lyell: Do the Government have a principled basis on which they are prepared to defend the rights of minorities?

Mr. O'Brien: The Government are extremely concerned to ensure that all minorities have the right to pursue activities that are proper, legitimate and justified. From time to time, on a decision of the House, minorities have been unable for various—often good—reasons to undertake an activity that they want to pursue. The fact that a group of people are a minority does not guarantee them the right to do what they want. It is a matter of whether there is a legitimate and proper justification for the action. That is what the House will have to consider.

We heard good contributions not only from the hon. Members for Montgomeryshire (Mr. Öpik) and for Mid-Worcestershire (Mr. Luff) but also, in an intervention, from my hon. Friend the Member for Newcastle-under-Lyme (Mrs. Golding)—all of whom are members of the Middle Way group. The hon. Member for Aylesbury (Mr. Lidington) made a good contribution in defence of hunting, as did the right hon. Member for Bridgwater (Mr. King), the hon. Member for Mid-Sussex (Mr. Soames), the right hon. and learned Member for Folkestone and Hythe (Mr. Howard)—if there is time, I hope to return to his comments—and the hon. Member for Cotswold (Mr. Clifton-Brown).

The hon. Member for Aylesbury pointed out that we would need to consider carefully the Human Rights Act 1998 in relation to this issue. That is correct. The right hon. Member for Berwick-upon-Tweed (Mr. Beith) joined him in suggesting that the Government would have to deal with great care with section 19 certificates. That is true.

Clearly, there are differing views as to compatibility with the convention; the Government will consider the points that have been raised before coming to a conclusion as to how to proceed. In any event, hon. Members will be aware that one of the leading experts on the convention, Mr. David Pannick QC, believes that a measure would comply with the convention. Obviously, such matters need to be examined.

The hon. Member for Aylesbury suggested that we needed to consider compensation. In his opening speech, my right hon. Friend the Home Secretary said that the Government were considering compensation and would express a view in due course. We paid some compensation when handguns were banned. Serious issues arise as to the extent of any necessary compensation. I welcome the continued support of the Opposition for the Human Rights Act, whose provisions were made law with all-party support.

I hoped to be able to deal with such matters as fallen stock and employment, but as time is short I must move on to other points. The hon. Member for Mid-Sussex wanted me to assess the relative pain—on a scale of one to 10—in a series of painful-sounding incidents. He asked me to reply by letter. He is quite entitled to commission the research himself, but I do not propose to ask officials to do so. He made a specific request and that is my response.

The hon. Gentleman also suggested that the Government were being deceitful by proposing provisions similar to those under the Sunday Trading Act 1994, before the report came out. However, everyone already knew that the matter was complex. It was clear from the evidence to Burns that options were needed and that they should be more than merely "Ban" or "No Ban". That is why we felt that provisions similar to those of the shops Act were appropriate. We did not need the Burns report to know that—although the report is, of course, enormously valuable.

[Mr. O'Brien]

The way in which the case has been put has benefited from the report. Our manifesto commitment is for a free vote. That has been delivered, but there are many issues on which both sides still do not agree. We decided that an independent inquiry would inform the debate. We are helping, with a Government Bill, to ensure that the debate is conducted in a way that enables the House to arrive at a full and proper conclusion, so as to resolve the matter once and for all.

It being half-past Two o'clock, the motion for the Adjournment of the House lapsed, without Question put.

DELEGATED LEGISLATION

BROADCASTING

Ordered,

That, for the purposes of its approval, the amendment (Cm 4797), dated 3rd July 2000, to the Agreement (Cm 3152), dated 25th January 1996, between the Secretary of State for Culture, Media and Sport and the British Broadcasting Corporation shall be treated as if it were an instrument subject to the provisions of Standing Order No. 118 (Standing Committees on Delegated Legislation).—*[Mr. Dowd.]*

Prison Suicides

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Dowd.]*

2.30 pm

Mr. Bob Russell (Colchester): If today's debate results—*[Interruption.]*

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. Hon. Members must not walk in front of the hon. Gentleman who is addressing the House.

Mr. Russell: If today's debate results in one fewer suicide in prison, it will be worth while. However, I am looking for much more than that, as, indeed, I am sure the Minister is. Something must be done to reduce the growing number of suicides in prison, which last year reached a record of almost eight every month.

Suicide rates in prison are 10 times higher than the rate in the community outside. That is a horrific statistic, with which none of us can be content. Far from suicide levels in prison being higher than in the population at large, they should be lower—and they would be, if "safe cells" were installed, particularly for remand prisoners and those with a known psychiatric history. In my opinion, the latter category should not even be in prison in the first place.

In the past decade, more than 600 men, women and children took their lives in English and Welsh prisons. The number of suicides has nearly doubled in the past 10 years. I do not have the figures for Scotland and Northern Ireland, but I have heard nothing to indicate that levels there are lower than in England and Wales.

Two thirds of suicides are by prisoners on remand—people who have not been convicted of a crime. Yet remand prisoners constitute only about a fifth of the prison population, and many remand prisoners are subsequently found not guilty or given a non-custodial sentence. The Howard League for Penal Reform reports:

> Remand prisoners often experience the worst conditions in the prison system. Adults are remanded to overcrowded local prisons with limited facilities and over-stretched resources. High numbers mean that prisons can do little more than house and feed these people. It is not unusual for such prisoners to be confined to their cells for 23 hours a day.

That is a shocking indictment of our prison system as it relates to remand prisoners.

Today's debate is not about whether we have too many people in prison, although I believe we do; nor is it about calling on the Government to reduce the prison population, although I wish they would at least bring the UK's figures into line with those of all the other countries in the European Community. Today's debate is exclusively about the unacceptable number of suicides in our prisons and about one specific measure that should be taken more seriously than it currently is, so that suicides would become extremely rare rather than commonplace, as, sadly, they are at the moment. A suicide rate 10 times higher than that for the population at large indicates that there is something fundamentally wrong with prison life that needs to be addressed.

Improved regimes, more purposeful time made available to prisoners rather than them locking them up around the clock; careful screening to identify those with potential suicidal tendencies; and a determination to stop putting people in prison when a psychiatric place is more appropriate should all help to reduce suicides. However, important though all those measures are, the growing number of people taking their own lives in prison suggests that more needs to be done.

The over-use of prison has led to many vulnerable people being incarcerated. The resulting overcrowding puts a strain on resources, as well as on relations between staff and prisoners, leading to inadequate standards of care for those at risk of suicide. About one third of those who take their lives in prison have a history of mental health problems. The Mental After Care Association contacted me this morning to ask me to bring to the debate the stark message that too many people with mental disorders are in prison, and to praise the work of the joint prison health care taskforce and the joint prison health policy unit in improving health care in our prisons.

Last year, 91 people committed suicide in prison—the highest ever toll. Of these, 56 were unsentenced people, four were aged under 18; 15 were aged between 19 and 21; and five were women. I am advised that by yesterday, there had been 42 suicides in prisons this year.

In 1997, a total of 69 people, 48 of whom were on remand, committed suicide in prison. In 1998, the figure was 83, of whom 50 were on remand. In the vast majority of cases, death was caused by hanging. So far, no prisoner has committed suicide in a safe cell.

The provision for remand prisoners of safe cells, which offer no means whereby a prisoner can hang himself or herself, would result in a two-thirds reduction in prison suicides. If safe cells were more widely introduced in prisons, the figure would be reduced even further. The message is clear: safe cells save lives.

I invite the Minister, in his summing up, to say what it costs the Prison Service, and the public purse more generally, to deal with a suicide. We know from Government figures that the cost of a fatal road accident is £1 million, but what is the cost of a suicide in prison? It is impossible to put a value on the traumatic consequences for the family when someone kills himself, or on the effect that such a death has on the prison staff who have to deal with it. However, if we can establish the true cost of a prison suicide to the public purse, it will put into perspective the extra cost of installing a safe cell compared with a more traditional cell—perhaps a fairer description would be an "unsafe cell".

The Minister will be aware that I have recently tabled several parliamentary questions about safe cells. I should explain that my interest in this new concept of a prison cell is a direct result of being contacted by Mr. John Sadler, who represents one of the companies involved, whose international marketing office happens to be located in my constituency. The company, Velstone International Ltd., does not manufacture its products, of which safe cells are only one line, in Colchester, but I hope that in time expansion may lead to a local manufacturing base.

For the technically minded, I should explain that Velstone is manufactured from a polymer matrix with an aluminium tri-hydrate mineral filler. Velstone solid surface material has the durability and richness of natural stone, yet it can be thermoformed, cut, shaped and profiled just like timber. As a layman, I can best describe the finished product as a single self-contained unit comprising moulded items of immovable and unbreakable furniture. A bed, a table and a chair form part of the structure, as does a toilet and wash basin. All plumbing and electrics are encased in the moulding, and there are no hooks or fittings to which a ligature could be attached.

Other advantages are the significant improvement in cleanliness and hygiene; the fire safety rating, which is in keeping with modern best practice; the reduction of search regime times; the eradication of vermin and bug infestation; and the savings made on expensive resources by water control devices.

Safe cells cost more than traditional cells—I am told about an extra £10,000 per cell—but maintenance costs are much lower. Most important, however, is the fact that so far they have proved to be suicide resistant. They are designed for the 21st century, replacing outdated and substandard equipment—and they save lives.

I understand that Britain's first safe cell was installed about five years ago in Witham police station in Essex. It is not just in prisons that such cells should be installed; police stations and courts should also have them.

I am told that the first prison to have safe cells was Belmarsh in August 1997, followed by HMP Moorland, with two and eight cells respectively. The first major installation was at HMP Swaleside, when 120 were put in a new wing. There is some dispute, however, as to how many safe cells have been installed subsequently, for when is a safe cell not a safe cell?

In response to a written question that I put to the Home Secretary in March, the Minister of State, Home Office, the right hon. Member for Brent, South (Mr. Boateng), referred to proposals to install 576 cells in Rye Hill prison, scheduled to open in January 2001, which will incorporate the key elements

> of the Prison Service's new improved standard cell or "safe cell".—[*Official Report*, 13 March 2000; Vol. 346, c. 76W.]

Would the Minister care to describe what elements of the safe cell concept and design will not be included in the Rye Hill cells? Furthermore, what is the difference in cost between the Rye Hill cell and a safe cell that contains all the elements, not just the key ones?

In a written answer to me on 6 March, the Minister of State said:

> Private sector consortiums seeking to build and manage new prisons are required to reflect the design requirements of the Prison Service's improved standard cell in all new prison cells.

He then added the highly significant words:

> While such cells may not be identical to those built by the Prison Service, all cells will incorporate the key elements of the Service's design specification.—[*Official Report*, 6 March 2000; Vol. 345, c. 546W.]

Were the 1,088 safe cells installed in the last financial year in the privately managed Ashfield young offenders institution and in Forest Bank prison in Manchester in accordance with the full concept and design, or with the lower specification of what the Minister's colleague described in his written answer as the new "improved standard cell"?

I am sure the Minister can confirm that there has been no incidence of self-harm or self-inflicted death in any of the safe cells that have all the elements, so why downgrade the design? Is it because the true safe cell is more expensive, and those behind the private finance initiative prison building and management programme want to cut costs by installing a lower standard of cell in terms of safety considerations?

[Mr. Russell]

With an estimated 56,000 cells in prisons—to which must be added many thousands more in police stations, courts and places such as Rampton—safe cells represent little more than 1 per cent. of the total number of cells. Meanwhile the suicide rate in our prisons continues to increase.

I should like to place on record my appreciation of Her Majesty's Prison Service, particularly the suicide awareness support unit, for all that it is doing to deal with this appalling situation. Indeed, there is little doubt that if it were not for that unit, even more people would have killed themselves. It is thanks to the work of those responsible for drawing up a suicide awareness strategy—a partnership between the Prison Service and private industry—that the concept of a safe cell has been developed. That is the good news. The bad news is that too little is being done to install sufficient safe cells.

In the words of the Howard League for Penal Reform:

> The State takes responsibility for the individual when it sentences them to imprisonment or when it remands them into custody pending trial or sentencing. The Prison Service, as an agency of the State, must then safeguard the health and well-being of each prisoner.

With so many prisoners committing suicide, I submit that the state is failing in its duty of responsibility. I know that the Minister is as anxious as I am to see a reduction in, and hopefully a total elimination of, suicides in prison. I contend that the installation of safe cells that meet the full specification, not merely the requirements of a reduced standard, will achieve that objective.

I urge the Minister, the Home Office and the Prison Service generally to use the term "safe cell" and not the term "new improved standard cell." I feel that the former conveys what this is all about, and should thus be used at all times in order to reinforce the importance of this whole matter.

As a member of the Select Committee on Home Affairs, I shall be inviting colleagues to consider this matter in detail and to report to the Home Secretary. In the meantime, I invite the Minister to use her best endeavours to increase the number of safe cells as a matter of urgency.

2.44 pm

The Minister of State, Home Office (Mrs. Barbara Roche): I congratulate the hon. Member for Colchester (Mr. Russell) on his success in securing this important Adjournment debate. This is a vital subject to discuss, and I know that, as a member of the Home Affairs Committee, he takes a great interest in these matters, as does the rest of the Committee. I know from my time as a member of that Committee the importance of its work in this area.

I welcome the opportunity to explain developments to improve measures intended to prevent prisoners from taking their own lives. The increase in the number of suicides in prison is a major cause for concern. My ministerial colleagues take a close personal interest in self-inflicted deaths, and fully support the Prison Service's commitment to do everything possible to reduce the likelihood of a recurrence of such tragedies. I thank the hon. Gentleman for putting on record his appreciation of the good work that the service has done.

My right hon. Friend the Member for Brent, South (Mr. Boateng), the Minister of State, chairs a round table forum on suicides in prisons, and a twice-yearly meeting between the Prison Service and a range of interested groups. Those groups include the Howard League for Penal Reform—mentioned by the hon. Gentleman—Inquest, the Prison Reform Trust and the Samaritans. That provides a useful opportunity for the sharing of ideas, and the sharing of the aim to work more closely to reduce the number of self-inflicted deaths in prisons. The director general of the Prison Service, Martin Narey, gives suicide prevention a high priority, and is personally committed to a reduction in the number of deaths in custody.

Before discussing "safe cells", as the hon. Gentleman described them, I want to explain the strategy that the Prison Service has adopted, and how cell design fits in. The Prison Service strategy on caring for the suicidal was revised substantially in 1994, but is kept under continual review. The strategy is based on a multidisciplinary approach, involving all staff and, indeed, prisoners. It is based on good practice, and is widely agreed to be sound in principle. We are keeping the matter under constant review. Great emphasis is placed on inter-agency working. For example, a very good partnership has been developed between the Prison Service and the Samaritans.

The Prison Service is developing a range of additional measures to enhance current suicide awareness strategies. They include the identification and dissemination of good practice, improving screening and induction processes to identify prisoners at risk more effectively, introducing alternatives to the use of strip-cell conditions in the care of the suicidal, conducting further research into suicide and self-harm, and improving cell design to provide a safer environment. That work is being informed by the recommendations of the chief inspector's thematic review entitled "Suicide is Everyone's Concern", and focuses particularly on local and women's prisons and young offenders institutions. The hon. Gentleman mentioned such institutions.

Instructions and guidance to staff on caring for the suicidal are being re-examined and drawn together in a new Prison Service order to be issued later in the year. It will highlight good practice, and strengthen existing strategies to provide care for prisoners at risk. A new training programme for staff involved in the implementation of the suicide awareness strategy has also been developed, and is currently being introduced.

As the hon. Gentleman said, the part played by the conditions in which prisoners are housed is recognised as an important factor in the Prison Service. However, that is only one element of the strategy that is needed: the main focus of what we are doing is on good staff-prisoner relationships. It is vital to deal with that difficult problem. The Prison Service has developed an improvement on what was known as the safe cell, which offers increased protection. That design has been introduced in some of the newest prisons, and in parts of older prisons where that is practicable.

The concept of the safe cell followed a report, published in February 1997, which focused on the physical environment needed to produce a "safe" cell. Although originally aimed at those prisoners identified by staff as being at risk of self-harm, the cell design requirements specified in the report clearly contribute to increased control, better health and hygiene, lower maintenance, easier searching and improved cell life-cycle costs. As I said, the concept is a comprehensive one.

It was decided that, because of those additional advantages, it would no longer be appropriate to continue to describe the cell as a safe cell, but to regard it instead as the service's improved standard cell—which meets the standards that we want to achieve.

The improved cell design has several features that can assist staff greatly in the difficult task of managing those at risk. The number of potential ligature points, for example, has been reduced as much as possible. A major source of ligature points is the cell window, which has been totally redesigned in the improved cell to minimise the opportunity for ligatures to be fastened to it or to parts of it. I am sure that the hon. Gentleman will welcome that change.

The improved cell will be included in all new houseblocks under construction at current establishments and at new prisons that are being built under the design, construction, management and finance—DCMF—initiative. Reference has already been made to the fact that 120 improved cells have been included in one wing of a new houseblock at HMP Swaleside. I am sure that the hon. Gentleman will also very much appreciate the fact that, between them, the new prisons built at Agecroft and Pucklechurch have 1,088 cells that reflect the new design requirements. Additionally, the new prisons under construction at Marchington and Onley will similarly reflect those requirements. Invitations to tender for the next two DCMF new prisons will also require bidders to reflect the new standard cell specification.

The design is well regarded both inside and outside the Prison Service. It is the model standard that has been adopted for future development in new prisons. Use of the improved cells also fits in well with the chief inspector's concept of healthy prisons and the work currently being done to develop a safer prisons standard.

I am very pleased to tell the House that the improved cell is regarded as an important piece of design work by the Prison Service. It is very good also that the standard has been embraced not only by the Prison Service itself, but by the private sector involved in the building of new prisons. Many outside bodies, too, appreciate and have responded very favourably to the development.

Although I understand the hon. Gentleman's remarks about the physical nature of the improvements needed to deal with those problems, I am sure that he will appreciate that the experience of both the Prison Service and the outside community is that suicide prevention is not only about such improvements, but can be a rather more complex issue.

Mr. Russell: Does the Minister accept that not one of last year's 91 suicides or one of this year's suicides occurred in a safe cell?

Mrs. Roche: I accept the hon. Gentleman's point. However, although restriction of access to means of self-harm may impact on impulsive individuals, when someone is truly determined to go along that path, they may still find a way to do so, and the experience of the Prison Service is that, unfortunately, that has been found to be the case. We need to take a holistic approach and examine that and other methods. For example, the dangers of over-reliance on physical prevention have been seen in previous use of strip-cell conditions. The Prison Service has abandoned that policy as inhumane and degrading to people who, in some cases, are vulnerable.

What is required is for all prison staff to work with prisoners who may be at risk of self-harm to try and resolve their problems before they feel driven to try to take their own lives. It may be of interest to the House that fellow prisoners have a role to play. The listener schemes that are in place in the majority of prisons enable prisoners to discuss their feelings with a fellow prisoner who has been trained by the Samaritans. That is an excellent initiative, especially in cases in which prisoners feel unable to discuss their problems with a member of staff.

Of course, the prison population includes many people in the at-risk group, including those who have been physically and sexually abused, substance abusers and others, as the hon. Gentleman dwelt on in his remarks. Despite the very sad rise in the number of deaths, it is important not to lose sight of the success stories. We know from our experience that good care and support from staff have saved many lives. That fact does not show up in any statistics so, sadly, it goes largely unreported. However, throughout the country, there are many excellent people in the Prison Service who have worked extremely hard in this area and, once again, I wish to pay tribute to them.

Like the hon. Gentleman, I fully support the work of the Prison Service in this important area. I am very grateful indeed for the co-operation and multi-agency work of many agencies in the voluntary sector and other interest groups. This is a vital area, and we certainly need to do something about those figures. I am convinced that we can do that with the measures that I have outlined and the work in progress.

I shall end as I began, and thank the hon. Gentleman for giving the House the opportunity to discuss the subject, however briefly, and for enabling me to put on record all that is taking place in this area.

Question put and agreed to.

Adjourned accordingly at two minutes to Three o'clock.

House of Commons

Monday 10 July 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

Oral Answers to Questions

CULTURE, MEDIA AND SPORT

The Secretary of State was asked—

Tate Modern

1. **Maria Eagle** (Liverpool, Garston): How many people have visited Tate Modern. [128195]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): At close of business on 7 July, Tate Modern had attracted 1,180,002 visitors.

Maria Eagle: Does my right hon. Friend agree that those numbers are a vindication of the Government's policy to encourage free entry to our great national collections? Does he also agree that that contrasts markedly with the policy of the Conservative party when in government? The previous Government encouraged museums and galleries to charge for entry amid plummeting visitor numbers.

Mr. Smith: I agree with my hon. Friend and I am delighted that, as a result of our decision to increase the funds available to the Tate galleries by £5 million this year and £6 million next year, Tate Modern has been able to open with free entry to visitors. That has been a crucial part of the new gallery's success.

Sir Sydney Chapman (Chipping Barnet): Without pre-empting Question 2, does the Secretary of State believe that the success of Tate Modern is due to the fact that the British people prefer modern art to the contents of the dome, or that it is due to free entry? Getting into the dome is very expensive.

Mr. Smith: The hon. Gentleman should realise that well over 3 million people have already visited the dome and the majority of them have greatly enjoyed the experience. As to comparing the dome with Tate Modern, they are very different institutions.

Mr. Robert Sheldon (Ashton-under-Lyne): Will my right hon. Friend accept the congratulations of all of us who have pressed for free admission to museums and art galleries? Does he accept that his splendid work on ensuring that people realise the value of art, especially modern art, has been vindicated and that people have reacted favourably to the free admission policy that he has conscientiously pursued?

Mr. Smith: My right hon. Friend has also pursued the matter with great diligence and skill, and I am grateful for his support. We have guaranteed to all the museums that are currently free—that includes the Tate—that they can continue to be free to everyone. We have also ensured that, from April last year, all children have been able to visit for free the national museums that charge for entry, something which we inherited from the Conservative party. That has led to a 21 per cent. increase in the number of children visiting those museums. From April this year, those museums have been free to all pensioners.

Millennium Dome

2. **Mr. Robert Syms** (Poole): If he will make a statement on visitor numbers to the millennium dome. [128196]

The Minister for Tourism, Film and Broadcasting (Janet Anderson): The dome is already the United Kingdom's most successful paying visitor attraction, achieving more than 3 million visitors in its first six months. On that basis, the New Millennium Experience Company is well on its way to achieving its revised target of 6 million paying visitors by the end of the year.

Mr. Syms: Given that, in the face of all the evidence, Ministers are the only people who believe that the dome is a success, when will the £139 million that the Millennium Commission loaned to the project be repaid? Will it be repaid?

Janet Anderson: Let me put on record the conditions that cover the grant. I am sure that the hon. Gentleman knows them only too well. The Millennium Commission met on 22 May and approved an additional grant of £29 million, subject to stringent conditions, to cover cash flow, and £3 million specifically for marketing purposes. The conditions are that NMEC's management governance should be strengthened and restructured; that there should be a revised business plan that shows substantial additional cost savings and enhanced marketing plans; and that an enhanced financial team at NMEC should be joined by a dedicated member of the Millennium Commission's financial staff.

Mr. Clive Efford (Eltham): Will my hon. Friend comment on the cost of clearing the site for the millennium dome? It is a site of substantial inner-city development, which had lain derelict because of contamination—a significant factor in the cost of the millennium experience from which Conservative Members try to make capital. Will my hon. Friend bear in mind that unemployment in my constituency for the long-term unemployed is down by almost 50 per cent., and by more than 70 per cent. for the young unemployed. Much of that is attributable to the success of the millennium exhibition at Greenwich as a regeneration project.

Janet Anderson: My hon. Friend is right. The significant investment has done a great deal to regenerate areas in and around his constituency. I am sure that hon. Members of all parties welcome that.

I was concerned to read reports in the press at the weekend of comments by Mr. Pierre-Yves Gerbeau, who claims:

> On a private basis, politicians will come here with their families and say that we have really turned the Dome around since January . . . and that we have really made a difference. And, funnily enough, the next morning they will appear on television and say: "The dome is ridiculous. It is a disgrace."

I am sure that none of those people are Labour Members; I hope that they are not Conservative Members.

Mr. Norman Baker (Lewes): The target for the number of visitors to the dome has not been achieved. What steps is the Minister taking in terms of the two short-listed companies to ensure that the dome's new incarnation is a success? Will she ensure that there is public consultation other than the token consultation that has taken place so far? It is important that the dome is more of a success than it has been so far. To achieve that, the public's views must be clearly established. We must also ensure that the dome's future use is not determined by some grubby attempt to get a cash flow for the last few months of the year to keep the dome limping on to 31 December.

Janet Anderson: The hon. Gentleman knows only too well that the revised business plan of the New Millennium Experience Company is based on the revised projection of 6 million visitors. The dome is well on the way to achieving that number and, in fact, is already the most successful tourist attraction in the country.

On the second point, the hon. Gentleman knows that there are two preferred bidders. There has been consultation on the matter. It is important that a decision is made as quickly as possible so that the dome's future can be assured. However, there is, of course, a major difference between our proposals for the dome and those of the previous Conservative Government: they were going to pull it down; we shall ensure that there is a legacy for UK plc.

Mr. Denis MacShane (Rotherham): Is my hon. Friend aware that I went with my four children—one of them in a school swing band—to the dome the other Saturday? For £57, we had eight hours of information and education, had a lot of fun and saw a great "Blackadder" film. It cost 57 quid to keep kids occupied for eight hours, which is a very good deal for a Saturday in London. Is she also aware that Rotherham and hundreds of other towns and cities have got a day in the dome—kids are really looking forward to it—but they are fed up with the whingeing, whiny, wallies, the anti-dome dumping drongos in the Conservative party who always want to destroy a good day out for the children of this country?

Janet Anderson: The short answer to my hon. Friend's question is yes. May I take this opportunity to underline the dome's popularity as a visitor attraction? It has achieved an extraordinary 85 per cent. satisfaction rating, with an exceptional 90 per cent. satisfaction rating for host staff.

Mr. Peter Ainsworth (East Surrey): Will the Minister confirm that, whoever wins the competition to rescue the dome from the Government, insufficient visitor numbers will ensure that a large amount of the money originally earmarked for regeneration will be sunk into paying off the dome's debts? Is not that a pathetic waste of resources? Instead of resorting to the usual bombast about the dome being a great success, which no one believes, why does not she apologise for the whole miserable affair?

Janet Anderson: There is no need to apologise for something that, as my hon. Friend the Member for Eltham (Mr. Efford) said, has done so much to regenerate a previously disused part of Greenwich and south-east London. The hon. Gentleman refers to reports in the press this morning, so I shall refer him to a press notice that the Millennium Commission issued in response, which puts the record straight. The only percentage of the proceeds that has been decided so far is the 7.5 per cent. that has to go to British Gas. The press notice states:

> The actual income from the sale of the Dome and the site is now estimated at around £100m. Three years ago when the original plans were being drawn up the £15m figure was used as a nominal estimate. Nobody had any idea of what would be the value of the Dome and the site. It would be wrong now if the Lottery and the good causes did not get a fair share of the cake—

not least because in that way

> "the poor" and good causes will not lose out and, in fact, will be supported by funds from the sale of the Dome.

Mr. Ainsworth: If the Minister will not apologise, I shall make a suggestion that may help to boost the visitor numbers. P-Y says that he has been misled by the Government and that Ministers are not doing enough to help, so why does not she get down there and set up a new competition? They could ask one question: "What do the following have in common: the debt-riddled dome, the closed Millennium bridge, the U-turn on universal free access to museums, the fiasco over Wembley and the failure to win the world cup bid?" The answer is that they all fall under the responsibility of the Secretary of State. Visitors to the dome could then vote on who has had the more miserable year so far—the Prime Minister or the Secretary of State.

Janet Anderson: The hon. Gentleman could do with a new scriptwriter. Given that he is talking about what unites people, the only thing that unites Conservative Members is Mr. Gerbeau's suggestion that, on a private basis, Conservative politicians visit the dome and say they have a wonderful day, but the next morning they appear on television and say that it is ridiculous and a disgrace. They should be ashamed of themselves.

Internet (Public Libraries)

3. **Ms Ann Coffey** (Stockport): What plans he has to support increased internet access in public libraries. [128197]

The Minister for the Arts (Mr. Alan Howarth): We have set a target that all UK public libraries, where practicable, will have public internet access and link to the national grid for learning by 2002. Through the national lottery new opportunities fund, £170 million is being provided to support the network infrastructure, train library staff and create content for delivery over this people's network.

Ms Coffey: I am pleased that Stockport has already received £92,000 from the new opportunities fund to increase internet access and that the National Library for the Blind has also received £62,000 in Government money to set up an interactive website. Does my hon. Friend agree that those extra resources open up the internet to people who otherwise might not have access, and continue the library service as a source of enjoyment, education and information to the community?

Mr. Howarth: I agree with my hon. Friend and share her pleasure at the increased funding to strengthen library services in Stockport. The award from the DCMS-Wolfson reader development programme to the National Library for the Blind's project, called "A Touch Of", represents support for an excellent initiative that involves specialist staff in Stockport and public library staff across the country. All the funding that she reports for Stockport shows how we are working to ensure that there is no digital divide and that everyone—including, importantly, disabled people—has access to a full range of information, lifelong learning and cultural opportunities.

Miss Anne McIntosh (Vale of York): Although increased internet access through public libraries would be welcomed in rural constituencies such as Vale of York, that will succeed only if a library is open for enough hours to make it possible and if sufficient qualified library staff are available to guide people through the internet. Can the Minister assure the House that that will be possible?

Mr. Howarth: As the hon. Lady is probably aware, we have put out for consultation draft national library standards, with the thought very much in mind that it is important to ensure that people in rural areas have access to a proper public library service. The proposed standard is that no user should have to travel for more than 20 minutes to use a library. We have also suggested standards for opening hours and for book purchases to enable public libraries to make further progress towards recovering from the blighted years of the mid-1990s.

Museums and Galleries (Pensioners)

6. **Mrs. Joan Humble** (Blackpool, North and Fleetwood): What steps he is taking to increase the number of visits by pensioners to museums and galleries. [128200]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): From 1 April, free entry for the over-60s was introduced to those museums funded by my Department that currently charge for admission, including the national museums and galleries on Merseyside; the national museum of science and industry, including the national railway museum at York; the natural history museum; the imperial war museum; the national maritime museum; the Victoria and Albert museum; the royal armouries at Fort Nelson, Portsmouth; and the Tate gallery at St. Ives.

Mrs. Humble: I thank my right hon. Friend for that reply. Does he welcome the free access to the Grundy art gallery in Blackpool and the special concerts and exhibitions that it puts on to attract pensioners and does he recognise that physical barriers may deter older people from enjoying, for example, the excellent exhibitions at the Fleetwood museum? Will he therefore consider the physical nature of buildings in order to attract more older and disabled people to exhibitions?

Mr. Smith: My hon. Friend raises a valid point about the importance of physical as well as financial access to museums and galleries, particularly local ones. I envisage that museum as a prime candidate for an application to the heritage lottery fund special access fund, which was created two years ago with our encouragement, and I certainly suggest that it discusses those possibilities with the HLF.

Mr. John Bercow (Buckingham): Given that the right hon. Gentleman's Department issued a press release on 24 July 1998 signalling that there would be free access—first for children, subsequently for pensioners and ultimately for everyone—to all our DCMS-sponsored national museums, does he have the good grace to admit that he has broken that pledge and to apologise to all the people whom he has disgracefully let down?

Mr. Smith: No. Criticism on that subject comes rich from the Conservatives, who introduced charges for museum access. In the comprehensive spending review document "A New Cultural Framework", which we published at that time, we said that we would introduce free access for children. That we have done. We said that we would introduce free access for pensioners. That we have done. We said that we would seek to widen access further. That we have also done, with the commitment, which is on the table, for charging museums to make a £1 charge for adults from September next year.

Ms Claire Ward (Watford): My right hon. Friend may remember that, at the last culture questions, my hon. Friend the Minister for the Arts mentioned the importance of free access for pensioners and said that it had been linked not to pension age, but to the age of 60. There is concern that some Departments are introducing schemes based on the ages of 60 and 65, contrary to the policy of other Departments. Has any progress been made in providing the House with the legal advice that the Department has received, and which I requested at the last Question Time?

Mr. Smith: I apologise to my hon. Friend if she has not yet received that information. I shall ensure that she receives it as soon as is humanly possible.

Mr. Ronnie Fearn (Southport): Many pensioners go to museums and galleries because they are interested in a particular exhibition. Is the Minister aware that galleries and museums now find that they have to charge extra for those special exhibitions, but do not take pensioners into consideration?

Mr. Smith: Ultimately, that is for individual museums or galleries, of which there are more than 2,000 around the country, to decide. I hope that they will bear pensioners' needs in mind when considering charging regimes for such exhibitions.

I was pleased that, in May, some 1,340 museums took part in museums and galleries month, with special events, special exhibitions and special access schemes. I was particularly pleased that a large number of hon. Members took that opportunity to visit local museums and to highlight the work that they do.

Analogue Television

7. **Jane Griffiths** (Reading, East): What is his latest assessment of the date for the switchover of the analogue TV signal. [128201]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): We have estimated that switchover could take place between 2006 and 2010. The date, however, will depend on the two key tests of availability and affordability that we have put in place.

Jane Griffiths: On the question of affordability, does my right hon. Friend share my concern about the high cost of digital radio sets, which cost several hundred pounds and are thus beyond the reach of most people? Does he anticipate that radio sets, in particular, will have become affordable by that date?

Mr. Smith: The switchover date applies to television, not to radio. No date has yet been set for switchover from analogue to digital radio. I would certainly hope that, as both the technology and manufacturers' capacity develop, the cost of digital radio sets will fall.

Mr. Michael Fabricant (Lichfield): Does the Secretary of State agree that, until the board of governors and the board of management of the BBC learn what public sector broadcasting really means, he should consider switching off BBC 1?

Mr. Smith: No. It is my strong view that the BBC, as our premier public sector broadcaster and our most important cultural institution, must retain its public service remit into the digital age. It must be the benchmark of quality.

There has been speculation recently about our approach to the governance of the BBC. Let me put the position clearly. As part of our overall review of regulation in broadcasting and communications, we are indeed looking at the role of the board of governors, which currently acts as both judge and jury—managers and regulators. No decisions have been taken on this subject. We are listening to the wide range of views that we have received. Whatever happens, two principles must be paramount: first, the special protection of the BBC's remit; and secondly, the robust independence from Government of any regulatory mechanism that might emerge.

Millennium Dome

8. **Mr. Jeremy Corbyn** (Islington, North): If he will make a statement on the total amount of national lottery and public money invested in the millennium dome. [128203]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): A total of £538 million of national lottery money has been granted to the project. No taxpayers' money has been invested in the construction or running of the dome or in its contents.

Mr. Corbyn: I thank the Secretary of State for that reply. Will he assure the House and many people outside that no further national lottery money will go into the dome, and that it will have to survive on what it has had thus far? What is likely to happen to the building in the long run? Will the massive amount of lottery money that has gone into it be recouped and spent on other public projects or will the dome remain open and for public use for some other purpose in the future?

Mr. Smith: As I told the House in Question Time a month ago, we have made it clear to the New Millennium Experience Company that it must operate within the budget now set for it. I was delighted that Mr. Gerbeau has confirmed on a number of occasions that he will not be returning to the Millennium Commission for extra funds.

A decision on the future legacy of the dome as a structure will be taken shortly by ministerial colleagues—I am not involved in that decision. There are two competing bids for the future maintenance of the dome, both of which involve substantial public access to the dome and its surroundings. I remind my hon. Friend that before we came into office the Conservative party's intention was to tear down the whole building and leave no legacy whatever.

Mr. James Gray (North Wiltshire): The Secretary of State remains brazenly proud of what most of the nation realises is a disgraceful waste of public money. The right hon. Gentleman mentioned the figure of 3 million. Does he agree with me that the difference between the dome and Tate Modern is that 5,000 fewer people a day go to the dome than visit the Tate Modern? The reason for that is because the dome contains classic new Labour tat, whereas the contents of the Tate Modern are first class. Is not the Secretary of State concerned that, when Mr. Gerbeau names and shames at the end of this year, his name will be in the headlights?

Mr. Smith: The hon. Gentleman is right to point to the wonderful success of Tate Modern. I am proud of the role that the Government have played in helping to ensure that success. However, he perhaps has not noticed the actual figures. For example, on 25 June the dome had its highest Sunday attendance ever at 27,234 people.

Cultural Strategies

9. **Mr. Chris Pond** (Gravesham): What progress is being made by local authorities in developing local cultural strategies. [128204]

The Minister for Tourism, Film and Broadcasting (Janet Anderson): My right hon. Friend the Secretary of State published draft guidance on local cultural strategies for all local authorities in England in June last year. The guidance emphasises the importance of cultural services in improving the quality of life for all.

In February, we sent all local authorities a mid-term progress report on the experiences of 14 authorities that have been piloting the guidance, and good progress is being made.

Mr. Pond: I thank the Minister for visiting my constituency last week to see how we are using our culture and heritage as a driving force for economic regeneration, and to see for herself why Gravesend is now such a tourist hot spot. Does she agree with me that good local cultural strategies are a powerful way of helping to regenerate local economies, and that cultural and multicultural strategies draw local communities together?

Janet Anderson: My hon. Friend is right. The local cultural strategies initiative stems from the Government's belief, as stated in our election manifesto, in the value of all local authorities producing cultural strategies to draw together all aspects of local cultural activity. I much enjoyed my visit to my hon. Friend's constituency. I place on record my congratulations to Gravesham council for the active pursuit of a local cultural strategy. I did not know until I went to Gravesend that Pocahontas is buried there under St. George's church, and I had a pleasant visit to the home of Charles Dickens, in which he wrote "Great Expectations". I urge those who have not been to Gravesend to do so very soon.

Mr. Peter Ainsworth (East Surrey): We on the Conservative Benches have nothing particularly against local cultural strategies, although a growing number of local authorities are coming round to our view that regional cultural consortiums are a waste of space and money.

While on the subject of cultural strategies, I wonder whether the hon. Lady ever gets a chance to read the *Tatler* magazine? *[Interruption.]* There we go—a typical knee-jerk reaction from old Labour. Labour Members might find that new *Tatler* is more closely in tune with contemporary arts than new Labour. The latest edition features a rare interview with V.S. Naipaul, who is in many people's view one of the—if not the—most distinguished living British writers. He accuses the Government of cultural vandalism. I quote from the interview:

> For the first time in 50 years of living here, I feel depressed by a government. I am depressed by their dreadful use of rhetoric, the misuse of language . . . I think they don't believe half the things they say and they are trying to find words to cover up their lack of belief.
>
> They think they are fighting for the common man, whereas they are demeaning the entire country.

Next time the Government sit down to work out their cultural strategy, why do they not think of the only strategy that matters—the exit strategy? *[Interruption.]*

Madam Speaker: Order. Did the Minister hear a question? I did not. I probably missed it because of all the noise.

Janet Anderson: Thank you, Madam Speaker. I will try to identify the question. I suggested earlier that the hon. Gentleman try to find a new script writer. I suggest now that he tries to find a new researcher who reads something other than the *Tatler*.

Regional cultural consortiums are working very well and have been widely welcomed throughout the country. The move is an attempt by the Government to put cultural strategies and cultural services at the heart of regeneration, something that the hon. Gentleman's Government singularly failed to do. For the first time ever, where local authorities are bidding for beacon council status, the cultural services and strategies that they have put in place will be taken into account.

Mr. Tony McWalter (Hemel Hempstead): It has not quite reached the pages of the *Tatler* yet, but is my hon. Friend aware that many local authorities are desperately strapped for cash, particularly because some programmes have not benefited from the increase in Government funding for local authorities? In particular, my local authority, Dacorum, is faced with a 41 per cent. reduction in its funds next year because of the change to resource accounting. Will she ensure that local authorities are genuinely enabled to have the resources to spend on what is a worthwhile project?

Janet Anderson: I thank my hon. Friend for that question. May I remind him that the last local government settlement was the best that local authorities had received for 15 years? That is not to say that we do not understand the problems faced by many local authorities. My right hon. Friend the Secretary of State and I have regular meetings with local government associations to ensure that we are in tune with their needs. Leisure services and cultural services are, of course, discretionary. Nevertheless, local authorities have strongly welcomed our initiative on local cultural strategies and played a full part in developing our guidance.

Sport

10. **Mr. Simon Hughes** (Southwark, North and Bermondsey): If he will make a statement on his targets to increase the number of hours each week spent by *(a)* adults and *(b)* young people on participating in sport. [128206]

The Minister for Sport (Kate Hoey): Increasing participation in sport across all age groups and abilities is a key feature of the recently published Government sports strategy, "A Sporting Future For All".

Mr. Hughes: That was a bit of an unspecific answer. Will the Minister use her enthusiasm to try to change the current statistics? Although more young people are participating in sport, the average length of time that they spend doing so is about seven and a half hours a week, whereas they watch television for about 11 and a half hours a week. The amount of time spent on physical education in schools across all age groups has dropped considerably over the past five years.

Will the Minister have a word with her colleagues in the Department for Education and Employment to ensure that school timetables do not drive out swimming, PE and participation in sport, so that there is a chance that the appetite for sport and the opportunity for excellence will be encouraged? We might then win a few more things later, as well as give much greater satisfaction to many of our fellow citizens.

Kate Hoey: The hon. Gentleman is right. The more participation, the more chance there is of spotting the talent, getting to the top and winning, which is what the country wants.

On working more closely with the Department for Education and Employment, I assure the hon. Gentleman that I have been spending a lot of time on precisely that. Part of the reason for having a very good strategy was to show how what was happening in education and outside schools mattered. That kind of working together is so crucial.

I agree with the hon. Gentleman. Sports governing bodies and everyone involved in sport must recognise that these days there are many more attractions for young people. They must be more imaginative about how they sell their sport. That is why part of the implementation group for the sports strategy is looking at precisely those issues.

Mr. John Greenway (Ryedale): Does not Labour's sports strategy owe a huge debt to the last Government? One billion pounds of lottery funding has gone into 3,000 grass-roots sports projects. Given that so many initiatives mentioned in the Minister's own White Paper depend on the continuation of lottery funding—for instance, the space for sports and the arts initiative in schools—and on destroying the arm's-length principle in regard to the lottery that Labour thought so important when in opposition, can the Minister tell us who has overall responsibility for investment in schools projects? Is it her Department, the Department for Education and Employment, or the lottery funding bodies?

If the sports strategy does not go according to plan, can the Minister promise that neither she nor her successor will say, as she has said in respect of our failed world cup bid, that the policy was doomed to failure from the start?

Kate Hoey: That is nonsense. As the hon. Gentleman will hear if he listens to the tape, what I said was that many people felt from the beginning that those who could not secure the support of their own region obviously started at a disadvantage. I said nothing that others have not said—nothing that the chairman of the Football Association, for instance, has not said in the past few days. I hope that we shall all learn the lessons of what has happened with the world cup bid.

As for the hon. Gentleman's specific question, he should be aware that more lottery money than ever is being invested. It was originally forecast that only £1.8 billion would be invested over the lifetime of the current licence; the amount will now be more than £2 billion.

This Government believe in partnership, which means taking all opportunities to make money available. Those involved in sport do not care where the money comes from, as long as it is there.

Mr. Dennis Skinner (Bolsover): I hope my hon. Friend can tell me that the Labour Government are not carrying out Tory party policy, because Tory party policy was to close all those playing fields and sell them off. On top of that, the Tories closed 600 pits—which meant that nearly half the miners' welfares, all with massive playing fields, were closed and sold off as well.

The last thing that this new Labour Government ought to do is take any notice of that lot. Ought we not to stop selling off playing fields, and make sure that the miners' welfares that remain have plenty of lottery money so that we can provide sport for the many, not the few?

Kate Hoey: My hon. Friend is absolutely right. That is why we have been so determined to stop the compulsory sale of playing fields. The last Government sold many of our young people's opportunities down the river by selling so many. We are ensuring that that does not happen now.

Mr. Nick Hawkins (Surrey Heath): Does the Minister not recognise that many sales of school playing fields were carried out by Labour local authorities, and that, despite her much vaunted policy, few projected sales have been stopped by it? It is all very well to have the rhetoric; the practice is entirely contrary to it.

Kate Hoey: If the hon. Gentleman looked at the figures, he would see that the rhetoric is the fact—and the fact is that now, rather than 40 playing fields being sold on a regular basis, three have been sold.

What we did was stop compulsory sales. Some local authorities, and even the National Playing Fields Association, now happily accept that it is sometimes better to sell a playing field, and to use the money to provide another sporting facility that can be used by all. We could never have a policy stating that no playing field would ever be sold. The important question is how playing fields are being replaced. We must ensure that those with an interest—Sport England, the local community and local schools, for instance—all have a say before a decision is made.

Concessionary Television Licences

11. **Mr. Bob Blizzard** (Waveney): If he will review the regulations covering concessionary TV licences in sheltered residential accommodation for elderly people. [128207]

The Minister for Tourism, Film and Broadcasting (Janet Anderson): This concessionary scheme was examined last year by the Davies panel which concluded that, despite its obvious drawbacks, it should be retained since no superior alternative, funded through the licence fee, could be found. We decided to accept the panel's recommendation that the scheme should be retained and have no plans for a further review.

Mr. Blizzard: I thank my hon. Friend for that reply. People in my constituency welcome the free television licence for over-75s. However, I should like to draw my hon. Friend's attention to the situation in Samford Court, Worlingham, in my constituency, where all 40 flats lost their entitlement to the shared television licence scheme because the housing association moved in one resident who was 59. Although I think that the housing association should have known better, and that the case demonstrates rather insensitive management, I also think that the case demonstrates the continuing unsatisfactory nature of the licence regime for sheltered accommodation.

Given that the remit for the Gavyn Davies report was very broad, would my hon. Friend re-examine that one detailed issue in the television licence regime? I should add that the residents in Samford Court know that, if ever the Tories got back into office, even 75-year-olds would lose their free television licences.

Janet Anderson: I could not agree more with my hon. Friend on that last point. He also raises a very important issue that I know causes concern in many constituencies across the country. We have always said that we recognise that the £5 accommodation for residential care—the ARC—concessionary television licence scheme is unsatisfactory. We also know that that dissatisfaction and unsatisfactory way of operating continue. However, about 80 per cent. of ARC beneficiaries are 75 or over, and the over-75 concession will help the very elderly living alone, who represent some of the most glaring examples of the unfairness of the ARC scheme.

Recently, we did make one change to the scheme, in recognition of some of those problems. On 1 April, we made the change to replace references in the regulations to "pensionable age" with the gender-neutral phrase "aged 60 years or more". When men over 60 are in those residential schemes, therefore, that will not jeopardise entitlement to the concessionary licence.

We do recognise that it is an unjust and unfair scheme, but at least we have begun to do something about it—unlike Conservative Members, who in 18 years refused to face up to the problem.

Mr. Owen Paterson (North Shropshire): That was a remarkable answer. If the Minister admits that it is not fair for those who are 60 to 74 and outside a sheltered home not to get a concession whereas those who are inside such a home do get one, why is she not doing something about it?

Janet Anderson: The hon. Gentleman is obviously not listening: the scheme that operated under the previous Government was patently unfair, and we have begun to do something about it. The Chancellor of the Exchequer decided that he could begin to afford to strip that unfairness out of the system. Consequently, 3 million pensioners over 75 will benefit from a free television licence. Many of them did not benefit from such a concession before.

Museums and Galleries

12. **Gillian Merron** (Lincoln): What steps his Department has taken to support investment in new buildings for museums and galleries since May 1997. [128208]

The Minister for the Arts (Mr. Alan Howarth): Since May 1997, my Department has provided an additional £100 million for museums and galleries through grant-in-aid and other programmes. My Department directly supports the Designation Challenge fund and Resource, which provide funding to enable museums and galleries to undertake feasibility studies and options appraisals for new buildings. The lottery, which is sponsored by my Department, has provided almost £35 million towards new buildings for museums and galleries. That is in addition to the very substantial sums awarded by the lottery towards the improvement of existing museum and gallery facilities.

Gillian Merron: My hon. Friend will undoubtedly be aware not only of Lincoln's contemporary and historical significance, but of the fact that we currently do not have a museum in which to celebrate, to put on displays or to offer educational and leisure opportunities both to visitors and to local people—so that we can really show off the city's heritage and culture. How can the Department for Culture, Media and Sport support Lincoln in developing a much needed county and city museum that would certainly be very popular and well used?

Mr. Howarth: My hon. Friend has the privilege of representing a great, historic and extremely beautiful city. My right hon. Friend the Secretary of State had the pleasure of visiting Lincoln recently, and I know that he listened carefully to the views expressed by my hon. Friend and others about the importance of the project to which she has referred, and he has passed on those considerations to the heritage lottery fund. She is a doughty advocate on behalf of her city, and I wish her well in her quest.

Heritage Initiatives

14. **Mr. Ben Chapman** (Wirral, South): What steps he is taking to support local heritage initiatives. [128210]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): We welcome the heritage lottery fund's decision to make local heritage one of its four main priorities. It has committed £8 million to its local heritage initiative, which is designed to help local communities to investigate, explain and care for their landscape, landmarks, traditions and culture.

Mr. Chapman: I thank and congratulate my right hon. Friend. What role does he envisage for the local pub in any local heritage initiative?

Mr. Smith: My hon. Friend is right to draw attention to the role of the British pub as an integral part of the local heritage in many parts of the country. Not only buildings but the names of pubs often reflect local history or events. Many pubs have changed their names for various reasons over the years, but there appears to be a growing fashion of rebranding pubs with names such as "The Dog and Doughnut" or "The Goose and Granite"—names which appear to have little relevance to the history of any area.

We are surely in danger of losing an important part of local history and folk memory. It is up to the owners of a business to choose its name, but I hope that breweries will bear in mind the unique historic role that many of our public houses have and think twice before destroying that link with the past. Certainly, consulting a pub's regulars and the wider local community before renaming it would not seem too much to ask.

Mr. Geoffrey Clifton-Brown (Cotswold): I am pleased to hear that the Secretary of State is so keen on pub names. Will he undertake some research and tell us how many pubs are called "The Spinner", as that might be of some benefit to the Labour party?

Mr. Smith: I suspect that the number is similar to that of pubs named "The Silly Question".

Tourism

15. **Mr. Gordon Marsden** (Blackpool, South): What steps his Department is taking to obtain the views of tourism organisations in British seaside resorts. [128211]

The Minister for Tourism, Film and Broadcasting (Janet Anderson): My officials and I have regular contact with local authorities and business partnerships from seaside resorts, and with organisations such as the British Resorts Association, in which my hon. Friend plays a leading role. Let me say how pleased I was to attend the association's annual meeting both this year and last.

Mr. Marsden: My hon. Friend is zealous in defending within the Government the interests of seaside towns. I hope that she will have time to visit seaside towns and talk to local hoteliers this summer and that she will listen to the concerns that many of them have about assisted area status grants for tourism under tier 3, and relay those concerns to her colleagues in the Department of Trade and Industry. Will she also raise the issue of lottery grants for seaside towns, given the recent reports that they have not been getting their fair share?

Janet Anderson: I remind my hon. Friend that when my right hon. Friend the Secretary of State published his report on lottery funding for former coalfield areas, Sheffield Hallam university, which undertook the research, said:

> Similar targets should be applied to other areas where the level of Lottery funding activity has been well below the national average. This might include resort and retirement towns, and mixed urban/rural areas outside the coalfields.

We shall continue to look at that very closely. I reassure him that I will visit his constituency on the first day of the seaside town tour that my right hon. Friend and I will undertake at the beginning of the summer recess, and that I have fixed a meeting with my right hon. Friend the Minister for Trade on the other matter that he raised.

Television Licence Fee

16. **Mr. Hilary Benn** (Leeds, Central): If he will make a statement on the future level of the television licence fee. [128212]

The Secretary of State for Culture, Media and Sport (Mr. Chris Smith): The licence fee rose by inflation plus 1.5 per cent. on 1 April this year and will rise by the same amount each year until 2006-07, when the current royal charter runs out. That additional funding will enable the BBC to provide a strong and distinctive schedule of benchmark quality programmes on all its services and should help to drive the take-up of new digital and online services.

Mr. Benn: In view of my right hon. Friend's reply to an earlier question about the future governance of the BBC, what lessons has he drawn from the "News at Ten" affair about appropriate frameworks for governance, given that in that case we had a regulatory body that was separate from the companies producing the programmes?

Mr. Smith: The lessons are, of course, the same as relate to any regulation of broadcasting, particularly television—that is, that it must have a robust independence from Government but must be based on firm and clear principles set out in the founding legislation passed by this Parliament.

Miss Julie Kirkbride (Bromsgrove): Is the Secretary of State aware that many people view their television licence fee as too high, especially in view of the amount of money given to the Prime Minister's friend in the form of salary and pension pay-off? The BBC might enjoy more public acceptance if it complied better with service requirements for subtitling for deaf people. What plans does he have, in the context of the licence fee, to improve subtitling on the BBC, which presently lags behind that provided by the ITV network?

Mr. Smith: The BBC retains the strong affection and respect of the vast majority of people. It is watched or listened to by well over 90 per cent. of the country every week. On the specific question about subtitling, I have already, as part of the announcement that I made to the House following the Government's response to the Davies report, set in place new and more stringent targets for the BBC to meet, especially under digital terrestrial broadcasting.

CHURCH COMMISSIONERS

The hon. Member for Middlesbrough, representing the Church Commissioners, was asked—

Farming Industry

29. **Mr. Ben Chapman** (Wirral, South): What steps the commissioners are taking in relation to rural communities to assist their tenants in the farming industry; and if he will make a statement. [128225]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): Cases of extreme hardship are considered individually and we try to be as helpful as possible. For example, although the circumstances of individual tenants vary widely, recent rent review settlements have typically seen rent reductions in the region of 10 per cent. to 15 per cent.

Mr. Chapman: Is my hon. Friend aware that representatives of the Church's tenant farmers have written to me? Why do not the Church Commissioners make it easy on themselves and give an across-the-board rent reduction to all their tenants?

Mr. Bell: I am always grateful for helpful suggestions and I consider that one of them. As I mentioned, the circumstances of individual tenants vary widely and it would not be an appropriate use of our funds if they benefited tenants whose financial situation did not warrant it.

Mr. John Bercow (Buckingham): I am a little perturbed by that reply from the hon. Gentleman. Given that the Church Commissioners own 128,000 acres of agricultural land, with several hundred tenants and no fewer than 340 farms; and given that the Church Commissioners' annual report refers to understanding of and support for tenant farmers in difficulty, can the hon. Gentleman at least confirm that no tenant farmer has been forced off his or her land on account of being unable to pay the dues?

Mr. Bell: I am always grateful for the direct question as well as the helpful one. I confirm to the hon. Gentleman that the Church Commissioners own 128,000 acres, including about 350 farms. His question is pertinent, but we do offer assistance when farmers wish to give up or retire from the land. That may involve buying a home to let to them or sharing with them a proportion of the proceeds arising from the sale. In relation to the hon. Gentleman's direct question, I shall be glad to provide a written answer.

Mr. Tony Banks (West Ham): Has my hon. Friend any idea of how many of the clergy in rural areas hunt? If he can establish the numbers, could he perhaps, through the Church Commissioners, remind those clergy who do hunt that their job is to save souls, not to slaughter wildlife?

Mr. Bell: I am glad to see my hon. Friend back from his perambulations in relation to the world cup. He did an extraordinary job of putting the case for the United Kingdom, and he is doing a less good job for the fox. We are conscious of the issue that he has raised—

Mr. Jeremy Corbyn (Islington, North): Give him an answer then.

Mr. Bell: I am giving the answer. Perhaps my hon. Friend wishes to answer the question himself. We have studied the Burns report and we have no policy changes in mind. Our long-standing policy on fox hunting is that we allow our tenants to follow their consciences in deciding whether to allow hunts on the land that we let to them.

Mr. Norman Baker (Lewes): Does the hon. Gentleman agree that more money would be available to help tenant farmers and the clergy at large if less were spent on bishops? Over the past 10 years, the proportion of Church Commissioners' money spent on bishops has risen from 5 per cent. to 10 per cent. How can that possibly be justified?

Mr. Bell: The bishops are much demeaned, and press reports in some of the Sunday newspapers were entirely inaccurate. We are trying to put the record straight. The question of bishops' costs is subject to a review, and I assure the hon. Gentleman that he will be the first to know when I have the results.

Redundant Churches

30. **Mr. Jeremy Corbyn** (Islington, North): What investigations are being made into the ultimate use of redundant churches. [128226]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): We normally impose covenants on a new owner restricting the use of the property to that approved, and prohibiting unauthorised architectural changes, disturbance of any human remains or memorials, and demolition. These covenants have continuing effect even if the building subsequently changes hands, and irrespective of how often that happens. They cannot be set aside by the Lands Tribunal and, indeed, can be varied only with our agreement.

Mr. Corbyn: I am grateful for that answer. I hope that my hon. Friend will convey it to the commissioners that we welcome the conditions that are placed on new owners with respect to church buildings; but will he ask them to consider introducing restrictive covenants on the future use of those buildings? There is disturbing evidence that some churches sold for community or social use, or to a registered landlord for conversion into low-rent accommodation, have been sold on subsequently and turned into showrooms, luxury flats, sales rooms of all sorts, bingo halls, and so on. Such functions bear no relationship to the often charitable donations that allowed a church to be built in the first place. Will he ask the commissioners to ensure that a church that is sold on retains for all time a socially useful purpose, and that it does not become a commercial benefit for those who were lucky enough to purchase it?

Mr. Bell: Well over half the 883 redundant churches that have been appropriated to new uses continue to serve their communities by providing facilities for worship and community activities, social and educational opportunities, or low-cost housing.

My hon. Friend enumerated a number of uses that have not been authorised. If he wishes me to investigate one or more specific cases, I shall be happy to do so.

Mr. Owen Paterson (North Shropshire): If the Church authorities want to close a church against the wishes of a congregation, is it the commissioners' policy to try their best to give priority to that congregation, thus allowing people time to put funds together so that they can continue to worship in their church?

Mr. Bell: Parishioners are always free to put their views direct to the diocese or the commissioners. Alternatively, they may seek to promote a debate in deanery synod or at diocesan level. It is hoped that parishes will be positive about new uses for former church buildings, which in many cases ensure that the buildings continue to play a role in their communities. It should be borne in mind that many church buildings are listed and cannot, realistically, be demolished.

Clergy Pensions

31. **Mr. Simon Hughes** (Southwark, North and Bermondsey): What account is taken of the projected level of state pensions in calculating the projected level of clergy pensions. [128227]

Mr. Stuart Bell (Second Church Estates Commissioner, representing the Church Commissioners): I nearly said that I refer the hon. Gentleman to the answer that I gave earlier.

The projected level of state pensions is one of a number of factors taken into account by the Church in establishing the formula for determining the full basic rate of clergy pension and retirement lump sum. Those factors include receipt in retirement of a state pension and also the need to meet the cost of housing. For those in office, however, housing is provided in addition to a stipend.

Mr. Hughes: I nearly said that I did not know my question was so difficult. However, although clergy are expected to have some vocation for their jobs, is it the Church's policy that the income and pensions of clergy should bear some relationship to average incomes and pensions in England? If not, why not?

Mr. Bell: The hon. Gentleman, as usual, puts a friendly, kindly and complex question. We are cognisant of the need to be sure that pensions and lump sums on retirement are related to what is happening in the outside world. The pensioner retirement lump sum is related to the national minimum stipend—the full basic rate of pension is two thirds of the previous year's figure for the national minimum, and the lump sum is three times the pension. The answer might be on the subtle side, but I hope that it is clear.

Mr. John Wilkinson (Ruislip-Northwood): Might not the Church Commissioners obviate the need for paying pensions so early and thereby be able to pay a better lump sum on termination of service, and a higher pension, if clergy were able to serve beyond the normal retirement age of 70? Is it not the case that many parishes have to go without a parish priest when a perfectly good, able-bodied clergyman has to retire, perhaps against his will, at the arbitrary age of 70? The Church should be beyond ageism.

Mr. Bell: I am grateful to the hon. Gentleman. He makes a valid point, which I shall be glad to take back to the Church Commissioners.

Points of Order

3.31 pm

Mr. Tam Dalyell (Linlithgow): On a point of order, Madam Speaker. Have you had any requests from the Foreign and Commonwealth Office, the Ministry of Defence or the Department for International Development about their making a statement on the deteriorating position in Kosovo in relation to the attempt to establish any kind of multi-ethnic community?

Madam Speaker: I have not been informed that any Minister is seeking to make a statement on any issue today. No doubt those on the Front Bench will have noted the hon. Gentleman's interest.

Mr. Michael Fabricant (Lichfield): On a point of order, Madam Speaker. You may be aware from the front page of *The Guardian* today that recorded crime over the past year has risen by 3 per cent., and that violent crime has risen by more than 10 per cent. Have you received any representations from the Home Office as to when it will make its statement on that report? Can you ensure that the statement is not made on 18 July, which is the likely date for the statement on the comprehensive spending review?

Madam Speaker: I cannot guarantee when statements are made. I have no control over such statements. Ministers let me know when they are ready to make such a statement, but I have noted what the hon. Gentleman has said.

DELEGATED LEGISLATION

Madam Speaker: I propose to put together the Questions on the four motions.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

MEDICAL PROFESSION

That the draft Medical Act 1983 (Amendment) Order 2000, which was laid before this House on 29th June, be approved.

TERMS AND CONDITIONS OF EMPLOYMENT

That the draft National Minimum Wage Regulations 1999 (Amendment) Regulations 2000, which were laid before this House on 22nd June, be approved.

DATA PROTECTION

That the draft Data Protection (Designated Codes of Practice) (No. 2) Order 2000, which was laid before this House on 21st June, be approved.

That the draft Data Protection (Miscellaneous Subject Access Exemptions) (Amendment) Order 2000, which was laid before this House on 21st June, be approved.—[*Mr. Dowd.*]

Question agreed to.

Orders of the Day

CONSOLIDATED FUND (APPROPRIATION) BILL

Order for Second Reading read.

Question, That the Bill be now read a Second time, *put forthwith, pursuant to Standing Order No. 56 (Consolidated Fund Bills), and agreed to.*

Bill accordingly read a Second time.

Question, That the Bill be now read the Third time, *put forthwith, and agreed to.*

Bill accordingly read the Third time, and passed.

Terrorism Bill

Lords amendments considered.

Clause 1

TERRORISM: INTERPRETATION

Lords amendment: No. 1, in page 1, line 7, leave out subsection (1) and insert—

("(1) In this Act "terrorism" means the use or threat of action where—

- (a) the action falls within subsection (1A),
- (b) the use or threat is designed to influence the government or to intimidate the public or a section of the public, and
- (c) the use or threat is made for the purpose of advancing a political, religious or ideological cause.

(1A) Action falls within this subsection if it—

- (a) involves serious violence against a person,
- (b) involves serious damage to property,
- (c) endangers a person's life other than that of the person committing the action,
- (d) creates a serious risk to the health or safety of the public or a section of the public, or
- (e) is designed seriously to interfere with or seriously to disrupt an electronic system.

(1B) The use or threat of action falling within subsection (1A) which involves the use of firearms or explosives is terrorism whether or not subsection (1)(b) is satisfied.")

Motion made, and Question proposed, That this House agrees with the Lords in the said amendment.—[*Mr. Charles Clarke.*]

Madam Speaker: With this it will be convenient to discuss amendments (b), (c), (e), (f) and the amendment in lieu, and Lords amendments Nos. 2, 3, 17 and 107.

3.33 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): I give notice to you, Madam Speaker, and the Minister that I shall not be pressing amendment (c) because it is covered by an amendment in lieu which comes later in the group. Other colleagues clearly want to speak about other aspects of the definition clause.

When we debated the Bill on Second Reading, Third Reading and in Committee, and when the Bill went to the other end of the building for debate, I think that it is fair to say that the most controversial area—that which has exercised more people for a longer time—has been the definition of terrorism. Therefore, it is not surprising that we are starting this afternoon's debates on the amendments made in the Lords by looking at the Bill as it has come back to us, with a changed definition.

It is to the credit of the Minister of State and of the Government that they accepted that the Bill might not have been in a perfect form when it was presented. The new definition of terrorism shows that it has been amended. In some respects, that amendment is an improvement—as, in general, are the Lords amendments. Amendments Nos. 1 and 19, on reverse burdens of proof, are significant. They are a move in the right direction and we are grateful for that.

Recent debates on the Bill have shown that we need to learn a lesson—it relates specifically to these amendments. When we deal with a controversial Bill on a difficult aspect of law—especially one, such as this, that would make permanent legislation that has never formerly been so—we should follow the procedures already established in the House that allow us to take advice so that we get the measure right.

There are several elements in that system. The first is the Select Committee procedure. The second is the use of draft Bills—if ever there was a case for a draft Bill, this was it. The third procedure is one that we tried to persuade the Government to use on several Home Office Bills this year: to submit a Bill to various forms of scrutiny upstairs—to a Special Standing Committee, where evidence can be taken, before clause by clause deliberation.

I hope that the Government, and especially Home Office Ministers, will seriously consider holding discussions between the parties at an early stage so that we can get right such matters as definitions. Paradoxically, the Home Secretary is holding such discussions over the measure on football hooliganism that may be dealt with later this week. Had we done so on other Bills, we might have made a better success of the legislative process.

It is accepted that the amendment is still not right. My reading of the debates in the other place confirms that although there was a widespread view that many efforts were made to improve the measure—including meetings with the Home Secretary and with people outside the House—no one pretends that the definition of terrorism is correct. The amendments try to improve that definition and to pick up some of the threads that ran through previous debates, without repeating those debates.

Amendment (b) is relatively small. It deals with the central part of the definition of terrorism. That part of the measure is oddly drafted. Amendment No. 1 states that terrorism is

> the use or threat of action where—

it then refers to proposed subsection (1A) and sets out two complementary criteria. The first is

> the use or threat . . . designed to influence the government or to intimidate the public or a section of the public.

The second is

> the use or threat . . . made for the purpose of advancing a political, religious or ideological cause.

Amendment (b) would clarify the "designed to" concept by adding a "directed against" provision. I apologise to hon. Members for this relatively technical explanation, but that is inescapable in a discussion of definitions and drafting. The benefit of the amendment lies in the fact that, sometimes, terrorism has results that it was not designed or intended to achieve; it might have been directed to a purpose, but an objective assessment of that might be different from a subjective evaluation of it. That is difficult and important law because it relates to whether we always seek to prove intent.

However, for reasons that we often reiterated in Committee, it is important to get the Bill right. It will not create new offences, but will take certain offences and, in certain conditions, will define them as "terrorist" offences with the set of consequences that such offences entail. When they are committed, the Bill will give the state greater and the citizen fewer powers, and the punishment involved will be heavier than for non-terrorist offences. The Bill does not say that a certain form of activity is a terrorist offence, but says that that activity—even though it is already a crime—becomes terrorism in certain circumstances. Once the threshold is crossed, the police can take possession of documents, set up cordons and have greater powers to detain people. I ask the Government to consider whether the definition should cover both whether an action can objectively be assessed as being directed against the Government or intimidating the public or a section of the public and whether the action was designed with such aims in mind.

Amendment (c) was tabled as a probing amendment to encourage a debate. The Minister will remember the big debate that we had in Committee on how or whether we should limit the definition of terrorism. We considered whether to limit it to activities directed against Government or extend it to include activities directed against other parties that are not in government, such as an Opposition party or a party that is not represented in government. We also considered whether the definition should go wider than that. Given the procedures of the House, I sought to find a peg on which we could hang such a debate and that is why I tabled the amendment. However, the hon. Member for Hayes and Harlington (Mr. McDonnell) has offered the House an alternative to the Lords amendment and that allows us to have the debate.

I would like to consider the alternative proposal, which appears as an amendment in lieu on the second page of the amendment paper. It retains the widely drawn provisions relating to

advancing a political, religious or ideological cause,

but limits those provisions to action against the Government themselves. I recognise that there is a weakness in any definition that suggests that only the Government can be the target. Although it is no secret that we have had a difference of view on how to draft an amendment, my hon. Friends and I would prefer that the definition should take account of other political targets and not just the Government.

Lords amendment No. 1 contains a provision that refers to a threat that is designed to

intimidate the public or a section of the public.

Unless the amendment in lieu tabled by the hon. Member for Hayes and Harlington is accepted, that provision is likely to become part of the Bill. If it does, we must be careful to ensure that we understand what we are doing. We are changing the definition of terrorism to one that may cover acts that have no political objective. It may cover activities based on ideological or religious grounds and—I have previously referred to a similar example—it might cover the actions of someone who is deluded or has religious convictions and who takes action against another member of the public. In normal lay parlance, we would not regard such an act as terrorism.

The Minister of State, Home Office (Mr. Charles Clarke): I am trying to get my mind around a particular matter of procedure. Will the hon. Gentleman confirm that he does not intend to press amendment (c)?

Mr. Hughes: Yes, I confirm that.

Mr. Douglas Hogg (Sleaford and North Hykeham): The hon. Gentleman makes the important point that the new definition defines terrorism in such a way as to include activities that do not in any way threaten the policy of the state. Doubtless, he will have noticed proposed subsection (1B), which appears to reinforce what he has just said—namely, that any act involving firearms or explosives, albeit without a more conventional terrorist intent, is none the less deemed to be a terrorist activity.

3.45 pm

Mr. Hughes: To clarify the matter, I shall distinguish proposed subsection (1B) from proposed subsection (1)(b) of the Lords amendment, which both appear on the same page of the amendment paper. Ideally, my hon. Friends and I would rather not include proposed subsection (1B) at all, which takes away many preconditions if firearms or explosives are used. That applies to activities using firearms—perhaps only one firearm, such as a shotgun—so somebody using a shotgun does not have to have designed their threat to influence the Government or intimidate the public or sections of the public in order to be classified as a terrorist.

I believe that, like me, the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) thinks that that goes far too wide. My hon. Friends and I have therefore tabled amendment (e), which would improve proposed subsection (1B) by deleting the words

involves the use of firearms and explosives.

To be honest, that may be the most logical thing people associate with terrorism, but it is certainly not all of it. For example, Lords amendment No. 1 states that an action is terrorism if it

is designed seriously to interfere with or seriously to disrupt an electronic system.

Terrorism involving modern technology does not have to be carried out with firearms or explosives, but uses other technological means. Parliament—and certainly technology—has accepted that we need to provide for that. It is therefore undesirable to have a special, reduced threshold if firearms or explosives are used, when there are many other ways of proceeding.

We tabled the amendment to focus hon. Members' minds on what would be better. It would add to the proposed subsection the alternative wording

is intended to cause death.

If the intention of the person carrying out the action is to cause death or destruction, our constituents, as well as people in the street and those who read papers, would normally think of that as suggestive of something that could be terrorism. So there must be an intention to cause death, although the provision could be drawn more widely and one could argue for an intention to cause injury or death. However, wording is needed that goes more widely than

the use of firearms or explosives.

Proposed subsection (1A) improves slightly the definitions of clause 1 by separating

serious violence against a person

from "serious damage to property." Those were rolled into one when the Bill left this place. It is clearly better to separate injury and violence against people from damage to property, and define them slightly differently. However, we are in danger of making a compromise on the legislation that tries to accommodate various ideas without any coherent and uniform view about what is right.

[Mr. Hughes]

There is no prospect, I believe, of trying to secure today what I was determined to try to secure when the Bill was in Committee and on Report—namely, that the Bill should have a limited life. It should automatically expire and come back to the House for us to examine. As we all know, once a Bill is enacted, it is difficult to make amendments to it. Normally, they can be successfully piloted only by Governments themselves, so the ball remains in the Government's court. There will be an annual review of the legislation and experts may examine such matters, as may new bodies such as the human rights committee which Parliament is about to set up this year—indeed, I hope that that committee will do so. None the less, if Parliament does not make further alterations to the Bill, we are lumbered with what is possibly a better definition than when we started, but which certainly does not appear to be a definition which, on the one hand, catches what we intend to catch and, on the other, does not bring in all sorts of extraneous things.

The purpose of amendments (b) and (e)—and, I believe, of the amendment in lieu—is to try to focus on activities that people clearly view as being intended to undermine government, democracy or the political process or which, in the pursuit of ideological and political aims, disrupt society as a whole. That paraphrases the definition for the lay person.

Dr. Norman A. Godman (Greenock and Inverclyde): Amendment (e) would insert the words

> is intended to cause death.

Why did the hon. Gentleman not add "or serious injury to a person or persons"?

Mr. Hughes: There was no particular reason for not adding those words, and they would have been a reasonable addition. Proposed subsection (1A) sets out the consequences, which include those that the hon. Gentleman seeks to include. Apart from the exception in proposed subsection (1B), action is covered if it involves serious violence against a person or serious damage to property, endangers life or—this is where the hon. Gentleman's inquiry is directed—

> creates a serious risk to the health or safety of the public or a section of the public.

In almost all cases, the consequences suggested by the hon. Gentleman will be covered.

I do not want to be overly critical, but we have a definitional clause at the beginning of the Bill, which is a good idea, but unfortunately it is drafted in a way that is terribly confusing. Anyone seeking a straightforward understanding of the Bill has to do a double loop, which cannot be the best way of drafting legislation.

We are trying to avoid the definitional clause including as terrorists members of, for example, a health service union who took action in pursuit of an industrial action objective. If a nurse or porter withdrew their services from a hospital, that might, as an unintended by-product, create a serious risk to the health or safety of the public. There is still a danger that the definition may be sweeping enough to cover action that nobody would ever logically define as terrorism.

Today, we may be able only slightly to improve the Bill, and, whether or not we seek to do so, I would be grateful for a reassurance from the Minister, on the record, that when the first report on the working of the Bill comes to be written, he will ask whoever undertakes the inquiry and writes the report to consider the definition. We should not lose control of the definition in a Bill that will become an Act and may never return to the House. The amendments seek to open up that subject.

Mr. John McDonnell (Hayes and Harlington): Throughout this debate, the Government, to give them their due, have demonstrated a willingness to listen and have introduced various amendments, which we all welcome. The debate in the other House reflected some of the concerns that were first echoed in the Chamber and then addressed by the Government, and I welcome that.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) spoke of the need for early discussions between parties. I am not completely sure where that leaves my hon. Friend the Member for Islington, North (Mr. Corbyn) and I, but I welcome early debate on these matters.

Mr. Jeremy Corbyn (Islington, North): We remain available for a meeting.

Mr. McDonnell: Running through the debate has been the definition of terrorism. In all our discussions here and in the other place we have rehearsed the examination of the original definition within the Prevention of Terrorism (Temporary Provisions) Act 1989, which at that stage was contentious in itself. We suggested a definition that involved the use of violence for political ends including any use of violence for the purpose of putting the public, or any section of the public, in fear. Some of us are concerned about the breadth of that definition, and the then Labour Opposition expressed their concern.

In 1993, there was a closer definition in the Reinsurance (Acts of Terrorism) Act 1993. My amendment in lieu is to try to draw upon the discussion that took place under that Act and our debate on Second Reading, and goes some way towards the Government's concerns about the need for breadth of definition.

The 1993 Act defined terrorism as acts by

> persons acting on behalf of, or in connection with, any organisation which carries out activities directed towards the overthrowing or influencing, by force or violence, of Her Majesty's government in the United Kingdom or other governments de jure or de facto.

As the hon. Member for Southwark, North and Bermondsey has said, my amendment in lieu tries to bring us back to that core definition, which is the act of overthrowing a particular Government or an attack upon the state. In the general view, that has been accepted as terrorist activity.

I am concerned about some of the amendments in the Lords. My concern is highlighted by proposed subsection (1B), which broadens the definition of terrorism to include virtually any act of violence in the country. It breaks the link with threats to overthrow the state, and it is dangerous in its own right.

Some amendments relate to the use of explosives. Virtually anyone cracking a safe, no matter what his motivation, could be defined as a terrorist and have the full weight of the proposed legislation thrown at him. My amendment in lieu is designed to try to bring us back to the core definition of terrorism as we have always known it. That is the threat against the state. Definition goes primarily to determine exactly what we mean by terrorism. We may not be able to change the proposed legislation today, but it is important that in the first review of it we return to definition. Indeed, it is critical that we do so.

Traditionally, we have always intended terrorism to mean the overthrow of the state or of a legitimately elected Government. My amendment says that clearly. However, the definition goes much further than that. It widens it so that terrorism is associated with the reason behind the action. It deals with motivation rather than a threat to the state, as set out in all our legislation to date and in the general debate about terrorism.

In promoting the proposed legislation, I do not think that the Government will be able to maintain the definition within it for a long period. I think that reviews will narrow it. When the Bill is enacted, terrorism will no longer have a serious and deep underlying meaning. It will be defined as a new type of crime which involves violence to a person or one that involves "serious damage to property" or "endangers a person's life". All these acts, as has been demonstrated in debate after debate, are covered by existing criminal law. In the amendment that has come from the Lords, there is a new definition of terrorism that will enable a terrorist to be defined as someone who undertakes violence to electronic systems. That is a worrying widening of the definition, which goes beyond anything we thought possible previously, or anything that has been used in common parlance so far.

The definition that I have tabled focuses on the view that terrorism is the use or threat of action that is designed to overthrow or influence elected Governments by force or violence. It includes Government recommendations in earlier debates, which include the purpose of the action—that is, "political, religious, or ideological". It makes it clear that these are not causes advanced by demonstration, direct action or other similar methods. Rather, they have to be serious enough to attempt to influence the Government by force or violence.

4 pm

My proposed definition addresses issues raised by the hon. Member for Southwark, North and Bermondsey. Under the Government's proposals, would, for example, the 1926 general strike be defined as terrorist action? I believe that it would, because it involved an element of serious violence and was directed towards a political or ideological motive. Under my definition, it would not be so categorised, because it was not directed toward the overthrow of the state. The general strike was about workers' rights and a decent living wage; the action, in part, aimed to influence the Government but not to overthrow the democratic system, which is what we all understand terrorist activity to be.

In its simplicity, my definition provides genuine help to the Government. Much was said in Committee in the Commons and the other place of the need to include in the definition of terrorists those who would seek to undermine the state and cause terror by sabotaging various state resources. However, the use or attempted use of such methods would constitute terrorism only if it were designed to overthrow the state or undermine the democratic process—if such acts were an obvious means, by violence, to intimidate the Government or overthrow the Government by causing anarchy. My definition attempts to differentiate between criminal activity that may well cause terror, but is not terrorist because it is motivated by the desire for profit, and terrorist activity that is designed to undermine the democratic process.

Our definition attempts to describe terrorism thoroughly. We have tried to formulate a definition that is broad enough to satisfy the Government's concerns about political or ideological motives, but stays close to the core of our traditional understanding of the definition of terrorism. If the Government are concerned about certain activities—for example, attacks on electronic systems—Parliament should deny criminals the ability to avoid justice by legislating specifically to ensure that there is a clear definition of criminal activity of that nature. However, let us not broaden the definition of terrorism in this Bill, and so weaken it, to achieve that end. In addition, if the Government are concerned about direct action by certain groups—previously, green campaigns and animal rights campaigns have been mentioned—let them be honest enough to introduce legislation in that respect, so that the House can debate the subject. That is better than broadening the definition of terrorism into a catch-all provision that could be used in the courts to undermine civil liberties.

This difficult debate has continued for the past two decades, but I repeat what has been said by several Members of both Houses of Parliament during proceedings on the Bill: terrorism as a concept has been used for propaganda purposes—one person's terrorist is another's freedom fighter. If we broaden the definition as widely as the Government proposed in the draft legislation, and even more widely as the Lords amendments provide, a direct threat will be posed to many of the political campaigns that we in this country wage in support of others who are striking out for freedom. In addition, we will bring the legislative process into disrepute.

Although our amendment in lieu will not be accepted today, I hope that it will form part of the agenda of the first review of the legislation, and that we shall return to the definition of terrorism in a way that is helpful to the courts in their interpretation of the term. Today, we are defining not a new crime but a set of actions that will give the authorities and the police greater powers. That was originally done when the Prevention of Terrorism Act was first introduced: under that Act, 3,000 people were arrested, 99.9 per cent. of whom were innocent. Some of those convicted under the PTA, such as the Guildford Four and the Birmingham Six, were later found to be innocent after serving long sentences. I am concerned that defining terrorism loosely, as the Government propose, will result not only in political activity in this country being impeded, but in miscarriages of justice, which we should all fear.

Mr. Hogg: It would be churlish of me not to welcome the fact that there are amendments from the other place which, I accept, improve the definition of terrorism, but I hope that I will be forgiven if I none the less make some criticisms of the amendments before the House. I shall also speak to amendment (f), which is the change that I propose.

I have a great deal of sympathy with what the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) said about the desirability of publishing a draft Bill. I have even greater sympathy with his point

[Mr. Hogg]

about Special Standing Committees. I very much regret that the House has not done more to make use of the Special Standing Committee procedure. Bills such as the present one fall particularly into the category that would benefit from that procedure.

The hon. Member for Hayes and Harlington (Mr. McDonnell) was right to try further to refine to what may be described as a core activity the definition of "terrorist"; but, if he will forgive me, I have two reservations about his amendment in lieu. First, it applies to elected Governments outside the United Kingdom. I have always had serious reservations about whether we should classify as "terrorist", or, more strictly speaking, an activity that is capable of falling within the definition of "terrorist", actions designed against external Governments. I am unhappy about that.

There are a number of middle eastern regimes, for example, which, when I was a Minister of State at the Foreign Office, were anxious that we should take action here in the United Kingdom to stop individuals protesting against what was going on in some of those middle eastern states. It is well within our recollection that the African National Congress, for example, was certainly contemplating armed action against the Government of South Africa. It is highly questionable whether we should bring external activities within the scope of activity capable of being so defined. However, that is in the Bill and we must live with it.

My second point to the hon. Member for Hayes and Harlington is that his definition probably would catch direct action. The phrase

influence by force or violence

seems to me to be apt to include demonstrations that take place on the picket line, and I do not suppose that the hon. Gentleman means that. I may be stretching the interpretation, although I think not. My point is that it is rather difficult so to define terrorist activity as not to catch activities that may be criminal but which should not be deemed to be terrorist.

I shall say a word about my own amendment and proposed subsection (1B). As I understand it, the effect of the Lords amendment is that the use of firearms or explosives for any of the purposes set out in subsection (1A) is deemed to be terrorist. As the hon. Member for Southwark, North and Bermondsey said, that means that any straightforward criminal activity in which a firearm, such as a shotgun, is used, or in which explosives are used—for example safe-cracking, as the hon. Member for Hayes and Harlington suggested—is capable of being construed as terrorist.

I am doubtful about that. It seems to be stretching the point a little, and it rather reinforces the argument for a Special Standing Committee, where such questions could be more fully teased out, or the argument of the hon. Member for Southwark, North and Bermondsey that the Bill should be time limited, so that at the expiration of the term of the Bill, if it were enacted, we could review the consequences.

That brings me to amendment (f). If it be right to bring within the deemed terrorist activity the use of firearms or explosives, what about biological, bacteriological, chemical and nerve agents? Those are not just an idle threat. During the Iraqi war—that is, the Gulf war against Iraq—it is well known to the House that we were very troubled indeed about the possibility of biological or bacteriological agents being used in the United Kingdom by agents of the Iraqi Government.

Let us consider the example of Japan. We all know about the attack on the underground system there. I believe that gas was used, but it may have been nerve agents. It does not matter for the purposes of our discussion. Such events are feared and have happened. If it is right to include in the scope of deemed terrorist activity—or activity capable of being included in that scope—the use of firearms and explosives, we should include, a fortiori, the other agents, which I have specified in amendment (f).

Mr. Simon Hughes: Do I deduce from the right hon. and learned Gentleman's argument that he, like me, would, on balance, prefer deleting proposed new subsection (1B) to limiting, extending or playing around with it?

Mr. Hogg: On balance, I believe that I would. However, if I am to be left with proposed new subsection (1B)—I suspect that that will happen—I shall try to improve it by incorporating amendment (f) into it.

Several hon. Members *rose*—

Madam Speaker: Is Mr. Corbyn seeking to catch my eye?

Mr. Corbyn: Indeed, Madam Speaker. It is kind of you to remind me to rise. As one of only two non-lawyers to speak in the debate, I am grateful for being called. Perhaps other non-lawyers will join us soon.

Mr. Hughes: The hon. Gentleman does the Minister a disservice.

Mr. Corbyn: Is my hon. Friend the Minister not a lawyer?

Mr. Charles Clarke: No.

Mr. Corbyn: I beg my hon. Friend's pardon. That makes three of us. We have a lot in common.

We tabled the amendment in lieu after much consideration. I should be grateful if my hon. Friend the Minister would consider the comments of my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) and me when he replies. We were not members of the Committee that considered the Bill, and were thus unable to pursue the anxieties that we expressed on Second Reading. We were worried that the definition of terrorism in the Bill was so broadly drawn that there was a danger of its including people who were by no stretch of the imagination terrorists, but who could be defined as such in a British court. The right hon. and learned Member for North Hykeham and lots of other places—

Mr. Hogg: Sleaford.

Mr. Corbyn: The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), who represents all places in Lincolnshire, also drew attention to the problem. As my hon. Friend the Member for Hayes and

Harlington pointed out, one person's terrorist can be another person's freedom fighter. Former President Nelson Mandela of South Africa was denounced in this country as a terrorist, as were many others who were later elevated to the status of freedom fighter. It is the lot of many so-called terrorists around the world to become freedom fighters and then saints, often in the space of a short time.

We are worried that the definition in the Bill could enable foreign Governments to put pressure on the British Government to arrest people in this country for peaceful activities that are pursued here in support of a change in their society. Those activities may be pursued peacefully here but not so peacefully in the relevant country. Such circumstances are potentially a minefield.

I recall the time when various Conservative Members asked about Mohammed al Nasari's activities in opposing the Saudi Government. They claimed—I do not know whether the claim was justifiable—that British economic interests and arms exports were substantially affected by his campaign to oppose the Saudi Government and royal family, and that there was therefore an economic bearing on reasons to remove him from this country. I do not recall his being labelled a terrorist, but the comments were not far removed from calling him a terrorist.

The native Amazonian people in Brazil campaigned honourably for a long time to protect the rain forest in a sustainable way and to preserve their way of life. At various times, their methods have been described as terrorism against the state of Brazil, because they prevent what some perceive as legitimate economic activity and others perceive as disastrous for the rain forest. Many people in this country have supported them. Would they be included in the catch-all definition if they undertook peaceful direct action against Brazilian economic interests here? That is the danger of the definition.

4.15 pm

On Saturday, I went to the north Yorkshire moors with many other people from the Campaign for Nuclear Disarmament. It was a beautiful day and the scenery was wonderful. We were protesting against the American national missile defence system and star wars experiment. Our demonstration was entirely peaceful; we marched up to the base and hung banners around its edge. The police were entirely co-operative and said that it was a very nice day out as well. It did not rain all the time we were there, and everyone went away.

If there had been some form of direct action, such as people trying to climb over the fence or whatever as has happened with Operation Snowball, I would have described it as peaceful direction action in pursuit of a peaceful objective. Indeed, such a view has been upheld in the courts. However, it could be argued that such action was against the interests of the United States Government in trying to pursue their national missile defence policy. I should be grateful if my hon. Friend would consider that matter in his reply. I also have in mind those who have been charged with damaging genetically modified crops—although I cannot pursue that case now because it is before the courts.

The crux of the amendment in lieu tabled by my hon. Friend the Member for Hayes and Harlington is that it directly deals with

force or violence against Her Majesty's Government in the United Kingdom

rather than that against property, and it specifically refers to

any other elected Government.

I realise that the word "elected" can cover a multitude of sins; it is difficult to define. I am slightly suspicious of Governments who are elected by 99.8 per cent. of the vote, and the Albanian electoral system in the past. We must define the word "elected" carefully, and perhaps we should further consider the definition, but my hon. Friend the Minister should consider the fact that our genuine desire is not to support violent terrorism in any form—that is not our purpose—but to protect the important right of people in this country to engage in legitimate, peaceful political activities that are intended to promote social and political change in their own society.

We should not allow foreign, dictatorial Governments or oppressive regimes to use economic and political arguments in this country to ensure that their internal opponents are arrested under British law. That would be dangerous and a negation of many of the principles under which people have claimed asylum under the 1951 convention.

Dr. Godman: I have considerable sympathy for the amendment in lieu tabled by hon. Friend the Member for Hayes and Harlington (Mr. McDonnell). In criticising that amendment, the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) referred to middle eastern regimes and to his experience as Minister of State, Foreign and Commonwealth Office. I remember debating with him whether the Lockerbie trial should be held in Scotland. I remind him that the amendment in lieu refers not to regimes, but to elected Governments, although it might have been better if it had referred to democratically elected Governments.

My hon. Friend the Member for Islington, North (Mr. Corbyn) referred to serious damage to property. An incident took place not so long ago at the nuclear submarine base on the Clyde involving three women demonstrators, or campaigners against the nuclear deterrent. Their campaign focuses on the removal of those submarines from the Firth of Clyde, and I have some sympathy for that view. They were charged at Greenock sheriff court under extant Scots law on criminal offences and criminal damage to property. Incidentally, the sheriff threw out the case, but that is another story. I am also concerned about damage to property or inadvertent injury to persons that can happen in industrial disputes.

On the pursuit of ideological objectives, the International Whaling Commission, for example, might allow the Norwegians and the Japanese—the two foremost industrial whaling nations—greater access to the rapidly depleting whale stocks. That might prompt Greenpeace to send out a vessel, perhaps to our territorial waters, and, in its efforts to interfere with the whaler's activities, that vessel might damage the whaler in a collision. Would that constitute an act of terrorism under the Lords amendment? Too many people who act rashly, inadvertently causing damage, might be charged with terrorist activities. The amendment tabled by my hon. Friend the Member for Hayes and Harlington fits the reality of political protest and campaigning much better than do the Bill and the Lords amendment.

Mr. David Lidington (Aylesbury): The House of Lords has done a good job as a revising Chamber in

[Mr. David Lidington]

considering the definition of terrorism and my reading of the debates in the other place shows that the issue was discussed constructively and at length. On Report in the House of Lords, the Government introduced a redefinition that meets a number of concerns expressed by Members of both Houses about the original definition.

In particular, I record my welcome for two features of the new definition. First, it describes terrorism as an activity that puts people in fear—that terrorises the public or others. As my noble Friend Lord Cope of Berkeley pointed out in the other place, that is surely an essential feature of any definition of terrorism. Secondly, the Government have agreed to extend the definition to include what might be termed cyber-crime—the deliberate act of wrecking computer and information systems to intimidate the public or to influence a Government. We drew attention to that matter early in the Bill's proceedings in this House—indeed, it was highlighted by Lord Lloyd of Berwick in his original report on the subject.

The Bill must make it possible for the police and others to treat as terrorism the prospect of an attack by a group such as the IRA or continuing republican paramilitary groups in Northern Ireland on an air traffic control system or an information technology system governing the activities of a public utility, major finance houses in the City of London or the civil service in Whitehall. Indeed, I am told that there is evidence from overseas that some Tamil terrorist organisations have sought to damage the Indian Government's communications systems as part of their on-going political campaign. All Members who experienced the damage done recently by a computer bug to our ability to communicate will know that such methods of intimidation are almost certain to be attractive to terrorist groups.

I reiterate the support of those on the Opposition Front Bench for the concept of the definition encompassing both domestic and international terrorism. We acknowledge that that raises difficult questions about balancing the need for effective counter-terrorist legislation with defence of human rights, but I believe that the threat posed by both domestic and international terrorism is such that the Government are right to propose a definition that is broader in scope than those included in current legislation.

May I deal briefly with the amendments that we are debating alongside the Lords amendment? I was glad to hear from the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) that he did not intend to press amendment (c), because that would have narrowed the definition in an unacceptable fashion. In his discussion of amendment (b), he raised the interesting question whether we need an objective, as well as a subjective, test. However, when he dealt with proposed subsection (1B), he spoiled his argument by saying that there should be a test of intention—namely, an intention to cause death—rather than the objective test included in the Lords amendment as drafted.

Amendment (e) is too narrow in scope. To say that an act involving

the use of firearms and explosives

would constitute terrorism only if "intended to cause death" would open the gates to those terrorists who attack targets such as Canary Wharf or the Arndale centre in Manchester, and then blame the casualties on the fact that the police did not act on the warning that the terrorists claim to have given the authorities. That amendment would create an imbalance in the Bill in favour of the terrorists, so the House should not accept it.

Mr. Simon Hughes: I want to ensure that the hon. Gentleman understands that proposed subsection (1B) qualifies the preconditions that must be met in the earlier parts of the definition. Whether or not my amendment or any form of words is accepted, we must retain proposed subsection (1B). All that it does is convict someone on the basis of

the use of firearms or explosives,

even if no one can prove that the action was

designed to influence the government or to intimidate the public or a section of the public.

On reflection, therefore, the hon. Gentleman might agree that that does not have the objective that he attributes to it.

Mr. Lidington: I am grateful to the hon. Gentleman for explaining the intention behind his amendment. I was going to deal with the point that he raised because, to an extent, it answers some of the concerns that were expressed by my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg). Some of the debate about proposed subsection (1B) seemed to assume that it was an unqualified exception to the principles established in proposed subsection (1A). Yet surely the use of firearms or explosives must be shown, under proposed subsection (1)(b) and (c), to be

designed to influence the government or to intimidate the public

and to have been motivated by a desire to advance

a political, religious or ideological cause.

A certain amount of protection against abuse by the authorities is therefore built into the Lords amendment.

Mr. Hogg: Is my hon. Friend right about that? I agree that this matter is difficult to follow and we may both be mistaken, but my understanding is that nobody has to be satisfied that

the use of firearms or explosives

falls within proposed subsections (1)(b) or (c). It is sufficient if firearms or explosives are used.

4.30 pm

Mr. Lidington: The Minister will no doubt clear things up for both of us. According to my reading of the Lords amendment, the motivation of advancing a political, religious or ideological cause would clearly have to be established, even if one accepted the point that my right hon. and learned Friend the Member for Sleaford and North Hykeham made.

The other point that my right hon. and learned Friend made is worth consideration: whether we should extend the exemption in proposed new subsection (1B) to include not just firearms and explosives but other lethal forms of weaponry, such as chemical and biological weapons. I would be interested to know the Government's thinking on that point.

Mr. Hughes: I am conscious of the danger of the debate turning into a seminar, but that is because of the drafting of the definition. I want to follow the same line of questioning as the right hon. and learned Member for Sleaford and North Hykeham. Does the hon. Gentleman believe that, if we agreed to proposed new subsection (1B) as it stands, someone could be described as a terrorist if he used a firearm to raid a post office believing that the lottery was against God's will because it is gambling? He would be using a firearm for an ideological or religious cause, so it seems to me that it would fall within the definition. The phrase in new subsection (1B) is a dangerous phrase to include in the Bill.

Mr. Lidington: I understand the hon. Gentleman's argument but, to use that hypothetical case, if a gang of people were organised and believed that some God was impelling them to raid a sub-post office to stamp out gambling, it should be possible to treat them as a terrorist organisation. Similarly, it should be possible to treat an organisation that uses violent methods in pursuit of animal rights as terrorist, given the attempts to kill and maim people made by such extreme organisations.

That brings me on to the points made by the hon. Member for Hayes and Harlington (Mr. McDonnell). He acknowledged that to use a phrase such as "any other elected government" raises many questions about the validity of elections in different parts of the world. In any case, we need a definition of terrorism that goes wider than action against Governments.

Mr. Hughes: The hon. Gentleman has been intellectually honest as we have gone through this process, and I just want to press him one more time. I may be prepared to accept his proposition that the actions of a group seeking to undermine people may justify a terrorist description. However, does he honestly believe that the act of one person with one firearm endangering one person's life from some ideological motive—albeit that that is a criminal, undesirable act that would deserve to be severely punished—should be classed not as an ordinary crime but as an act of terrorism, with all the implications that that has?

Mr. Lidington: The problem with the hon. Gentleman's argument is that, in the example of the hypothetical nutter who believes that he is hearing divine voices, the offences involved in addressing a public meeting or fundraising would not be relevant—they would be relevant only to an organised group. Similarly, I would have expected that in such a case the police would rely on the powers given to them to enforce the criminal law, and it is likely that they would establish the man's claimed motivation only after the event when they had detected and arrested him.

I understand the case that the hon. Gentleman makes, but he is pushing a hypothesis to extreme lengths. I acknowledge—if I can repay the compliment—that he has been intellectually consistent throughout our deliberations on the Bill. In my view, however, it is important to have, if not the form of words that we now have in front of us, something very like it when the Bill finally gets to the statute book, in order to ensure that we are armed with sufficient safeguards against the real danger posed to our society by organised terrorism.

Let me respond briefly to the points made by the hon. Member for Hayes and Harlington. The law's definition of terrorism needs to be broader in scope than "actions designed to influence or to have an impact on Government." We know extreme animal rights groups have sought to threaten, intimidate and harm individual scientists or employees of companies lawfully engaged in carrying out experiments on live animals. We know, too, of cases where acknowledged terrorist groups such as the Provisional IRA have sought to attack commercial interests to deter investment in Northern Ireland, or economic targets on the mainland of Great Britain in the hope that that would indirectly influence the Government of the day by arousing a war-weariness among the British public about continued involvement in Northern Ireland. For those reasons, I advise my hon. Friends to resist the hon. Gentleman's amendment if he presses it to a Division.

Mr. Charles Clarke: May I begin with a couple of generalities—with the specific exception of the vicious smear on me by my hon. Friend the Member for Islington, North (Mr. Corbyn), who claimed that I was a lawyer? I have spent a lot of time resisting those attacks and I have attacked other lawyers. I am surrounded in the Home Office by my right hon. Friend the Secretary of State for the Home Department, who is a lawyer, and by my fellow Ministers of State, who are lawyers. The Prime Minister is also a lawyer. I have taken great pride in not being a lawyer in our discussions, so I was deeply distressed—that is the only phrase I can use—by my hon. Friend's attack.

More generally and more seriously, I welcome the various welcomes—and appreciate the spirit in which they were given—from hon. Members on both sides of the House for the changes that we have introduced in the Lords. It is true that we have sought to take account of what has been said by a number of people in the course of our debates.

I want to emphasise, as I have throughout, that many of these judgments are difficult judgments of balance between the various rights involved. Of course, there is room for different emphases as one deals with the balance.

Amendments were debated at earlier stages concerning the life of the Bill. I hope that, when the review is conducted of the operation of the Bill, reports on the central definition and its effectiveness or ineffectiveness will be considered. Obviously, it will be for the person conducting the review to decide exactly how to deal with the matter. I acknowledge that it has been a dominant theme of our debates in both Houses of Parliament. It is, therefore, entirely appropriate for the review to consider addressing those matters.

Mr. Simon Hughes *rose—*

Mr. Corbyn *rose—*

Mr. Clarke: I shall first give way to my hon. Friend the Member for Islington, North and then to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes).

Mr. Corbyn: Can the Minister assure the House that the person undertaking the review will not only review any cases, actual or potential, that come up in the courts, but take evidence from exiled organisations and reputable human rights groups such as Human Rights Watch and Amnesty International on the operation of the law? In the

[Mr. Corbyn]

event of it fulfilling some of the fears that a number of us have put forward, will the Minister be prepared to propose substantive amendments to the legislation?

Mr. Clarke: I cannot give my hon. Friend the first assurance that he sought. We have set out clearly the way in which the reports will be laid before the House, and will be capable of being considered by it. As for his second point, I can, perhaps, be more reassuring. If serious questions of definition arose in the reports, certainly this but, I think, any Government would take them extremely seriously, and consider what changes were needed.

Mr. Hughes: I welcome the Minister's explanation of how the Government would proceed in making requests of the person carrying out the review, but may I push him one small step further? Would it be possible for the Government to consult on the brief for that person with Conservative Front Benchers, with my colleagues and me, and with others who are interested? If he could go that one step further, I might help the House by saying that I would be happy not to press our amendment.

Mr. Clarke: I can at least assure the hon. Gentleman that my right hon. Friend the Home Secretary would give the person concerned copies of all the *Hansards* containing the various representations made not only by the hon. Gentleman and his party here and in the other place, but by the official Opposition in both Houses and by my hon. Friends. I am happy to give the hon. Gentleman the reassurance, if it is a reassurance, that my right hon. Friend will take all possible steps to ensure that the review considers fully the views expressed in our debates.

I will not discuss the merits or otherwise of Special Standing Committees, and so on. Those are serious points, but they are not points for this debate.

Lords amendments Nos. 1, 2, 3, 17 and 107 are designed to tighten the all-important definition of terrorism in clause 1. We always said that we had not closed our minds to possible improvements in the Bill's definition of terrorism, and we believe that the amendments are useful modifications.

Lords amendment No. 1 introduces the concept of terror to the definition by requiring that for the most part actions, or threats, are caught only if, in addition to satisfying the other elements of subsection (1), they are designed either to influence the Government—that is defined in Lords amendment No. 3—or to intimidate the public, or a section of the public. The important exception, set out in proposed subsection (1B), is where firearms or explosives are involved. That is to cover, for instance, an assassination in which the terrorist's motive might be less to put the public in fear, or to influence the Government, than to "take out" the individual. Examples might include religious leaders, or scientists involved in controversial research. Although we accept that such circumstances are likely to occur rarely, we think it important for the Bill to be framed in such a way that the police are in no doubt that the special powers it provides are available to them in those circumstances.

Proposed subsection (1A)(c) makes it clear that only action that endangers the life of a person other than the person committing that action is caught by the definition of terrorism. That is intended to cover hunger strikes and similar situations.

Proposed subsection (1A)(e) specifically provides that serious interference with, or disruption of, electronic systems may be caught by the definition—provided, of course, that the action is designed to influence the Government or intimidate the public, and provided that it is taken to advance a political, religious or ideological cause. That provision was inserted to meet concerns that to "future-proof" the definition as far as possible—the hon. Member for Aylesbury (Mr. Lidington) referred to this—it was important to include computer- related terrorist action, without going for overly specific terminology that could quickly become out of date.

Lords amendments Nos. 17 and 107 are consequential on the main amendment, in that they add offences under the Computer Misuse Act 1990 to those that are "scheduled" in Northern Ireland. Lords amendment No. 2 is consequential on Lords amendment No. 1.

Mr. Hughes: Will the Minister give way?

Mr. Clarke: I will give way later, but as I am going to raise a number of issues, some of which relate to the hon. Gentleman's speech, he may prefer to wait. I am not about to sit down.

Let me now deal with the non-Government amendments in the group, which raise important points. First, let me emphasise a point that has already been made. The version of clause 1 proposed in Lords amendment No. 1 clearly states:

> In this Act "terrorism" means the use or threat of action where—
>
> (a) the action falls within subsection (1A).

That proposed subsection refers to actions involving serious violence, serious damage and so on. That test will have to be met.

The second test is that

> the use or threat is designed to influence the government or to intimidate the public or a section of the public.

That very important test also will have to be met. The third test is that

> the use or threat is made for the purpose of advancing a political, religious or ideological cause.

Therefore, it is a case of "and, and, and" in which all three conditions would have to be fulfilled. It is an important consideration. I think that it also deals with the safe-blower example given by my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell), because the average safe-blower will not be seeking to fulfil, for example, proposed subsections (1)(b) and (1)(c). Various other examples also would not meet the various tests. Therefore, that definition dominates what we are proposing and the way in which we are operating. It is a very important point.

4.45 pm

Mr. Hogg: The Minister has just assured the hon. Member for Hayes and Harlington (Mr. McDonnell) that the safe-blower would not satisfy the tests in proposed subsections (1)(b) and (1)(c). However, my understanding is that the safe-blower would not have to satisfy subsection (1)(b), but only subsection (1)(c)? Is that correct?

Mr. Clarke: No; I do not think that the right hon. and learned Gentleman is correct. The point is that paragraphs (a), (b) and (c) have to be fulfilled. The disapplication that we have used in proposed subsection (1B) attempts to provide the type of qualification to which my hon. Friend the Member for Hayes and Harlington referred. As there is a great deal of confusion in the matter, I shall explain it again.

Proposed subsection (1B) disapplies only the point on influencing the Government and intimidating the public, not subsection (1)(c). If I was not clear in stating that earlier, I apologise to the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) and to the House. My point about safe-blowers is that, as far as I know, most safe-blowers are not seeking in their actions to advance a political, religious or ideological cause, and that they would therefore not be covered in that category. That is the key point. I hope that that clarifies the matter.

In amendment (b), the hon. Member for Southwark, North and Bermondsey suggests specifying that the use or threat is "directed against" as well as "designed to" influence. However, I do not think that it is at all clear how "directing against" adds to the sub-issue of seeking to influence the Government. If one's action is directed against the Government, it is seeking to influence the Government. Therefore, I do not think that amendment (b) would in any sense assist in our overall debate.

In amendment (e) to proposed subsection (1B), the hon. Member for Southwark, North and Bermondsey proposes replacing

involves the use of firearms or explosives

with

is intended to cause death.

I honestly believe that that amendment would make the situation in the disapplication that we are talking about even more difficult and problematic to define, for the reasons stated by the hon. Member for Aylesbury. My hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) asked the hon. Member for Southwark, North and Bermondsey a very pertinent question on the issue. I think that there are very many definition issues in the matter of intent to cause death, as opposed to intent to cause other things. Additionally, how are we to measure intent? I hope that those questions will persuade the House not to support amendment (e), should the hon. Member for Southwark, North and Bermondsey decide to press it.

Mr. Simon Hughes: The Minister may be planning to deal with this point later, but now may be the right time to deal with it, as it is related to other points that he has just made. What is his answer to the question that I asked the hon. Member for Aylesbury (Mr. Lidington)? Why is it that if the Bill is amended only by the Lords amendments, one person with one firearm who is motivated by a religious cause and endangers a person's life in a sub-post office would not be caught by the provisions and, therefore, defined as a terrorist?

Mr. Clarke: I am always slightly hesitant to go into such examples, because it is ultimately for the courts to judge, and difficult judgments arise all the time. There have recently been cases of individuals carrying out acts motivated by values and beliefs that most people would consider terrorist. If the individual has the desire to murder one person, for whatever reason, that is different from someone with a political, religious or ideological cause, which would imply a focus on more than one person. The hon. Gentleman's example pushes the bounds of understanding too far in that regard.

I appreciate the spirit in which my hon. Friend the Member for Hayes and Harlington has participated in the debate, not only today but throughout our proceedings. He and my hon. Friend the Member for Islington, North have spoken with complete integrity and raised serious concerns felt by themselves and others throughout the country.

My hon. Friend the Member for Hayes and Harlington raised a small point about computer hacking. We have legislation on that, as the Computer Misuse Act 1990 created offences of unauthorised access to computer materials, unauthorised access with intent to commit a further offence and unauthorised modification. It is right that, when such mischief occurs for terrorist purposes, the powers in the Bill should be available to the police, but the general issue is already directly dealt with.

My hon. Friend also raised a more general point about a general strike or direct action. My hon. Friend the Member for Greenock and Inverclyde referred to Greenpeace and submarines. I have to come back to the core definitions. We understand the general issues concerning

the use or threat, for the purpose of advancing a political, religious or ideological cause

or seeking to influence the Government.

Clearly, most direct action falls within those categories, but to fall within the scope of the Bill, such action must also fall within proposed subsection (1A), under which it must involve one of five things. The first is

serious violence against a person.

The second is "serious damage to property". That is far beyond the way in which one could categorise a Greenpeace vessel bumping something else on the high seas. The third is an action that

endangers a person's life other than that of the person committing the action.

That is another pretty serious hurdle. The fourth is

a serious risk to the health or safety of the public or a section of the public.

The fifth is the cyber-crime point to which I referred earlier.

Those are all pretty serious hurdles. I have made it clear throughout that we do not have any intention of seeking to apply the legislation to any domestic, industrial or environmental action, precisely because we believe that Greenpeace, for example, is not seeking to do any of those five things. I understand the spirit behind the amendment in lieu, but I honestly believe that it is based on a wrong perception of where we stand.

Mr. David Winnick (Walsall, North): I know that my hon. Friend is not a lawyer, any more than I am, but is it not the case that judges can now refer to *Hansard*? What he has just said is a very important point should a prosecution ever be brought—in spite of all that he has said—in relation to an industrial dispute. Am I right to suppose that judges can refer to *Hansard* if requested by counsel to do so?

Mr. Clarke: I am not a lawyer, but I think that it is open to counsel to make any reference to *Hansard* in

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relation to the Government's intention in any legislation. However, I do not think that I have said anything different today from what I said on Third Reading or in Committee.

Mr. Corbyn: I am sure that my hon. Friend will appreciate that this is an important point about which several of my hon. Friends and I are concerned. Can he assure us that if some rogue prosecution for terrorism should be mounted against an organisation such as Greenpeace—as my hon. F the Member for Walsall, North (Mr. Winnick) suggested—the Government would not pursue that prosecution? If there was an attempt to pursue such a prosecution, can my hon. Friend the Minister confirm that the Government would be prepared to amend the Bill accordingly?

Mr. Clarke: Although I am not a lawyer, I recognise the phrase "rogue prosecution" and I understand from my learned friends that there is no such thing as a rogue prosecution that involves lawyers. I am describing the activities of the organisations as they exist in current circumstances. If Greenpeace decided to breach the various causes in the Bill, that would be a different issue which would have to be addressed, so I cannot give my hon. Friend an absolute guarantee. However, I can guarantee that if an organisation does not violate the provisions of clause 1, any prosecution could not succeed.

My final point to my hon. Friend the Member for Hayes and Harlington is that, while I acknowledge his creativity in tabling an amendment based on previous legislation, it contains a flaw. It is not the flaw of the use of the phrase

or any other elected Government.

That point has been addressed in previous discussion. However, to exclude from the definition of terrorism action that is designed to intimidate the public or a section of the public—as the amendment seeks to do—would be a mistake. I understand that the classic view of terrorism is that it is about influencing or overthrowing states, but in the current and, I suspect, future climate, it would be wrong to exclude from the definition of terrorism action designed to intimidate the public or a section of it. We all know of examples, which I shall not cite again, and for that reason alone, I urge my hon. Friends not to support the amendment if it is pressed to a vote.

Mr. Simon Hughes: An additional point in reply to the point from the hon. Member for Islington, North (Mr. Corbyn)—and I hope that the Minister regards it as helpful—is that, subject to some limited exceptions, all prosecutions under the Bill would require the consent of the Director of Public Prosecutions. Therefore, to some extent, parliamentary accountability would exist through the Law Officers in the case of any aberrant prosecution.

Dr. Godman: The procurator fiscal in Scotland.

Mr. Clarke: That is true, and as my hon. Friend the Member for Greenock and Inverclyde says, the decision would go to the procurator fiscal in Scotland.

Mr. Corbyn: What would be the Government's attitude to an attempt to use extradition law to obtain the removal of a foreign national legally resident in this country who was deemed to fall within the definitions for support for an organisation in their own country?

Mr. Clarke: I regret to say that I have to duck that question. Extradition law is exceptionally complicated and we are reviewing it in the light of the experience of the attempted extradition of the former dictator of Chile. I am hesitant to touch on what would or would not be grounds for extradition in any particular case. However, I am happy to write to my hon. Friend to set out my understanding when I have had a chance to take advice on that point.

Mr. Corbyn: I look forward to receiving my hon. Friend's letter, which I shall treasure as being from one non-lawyer to another. Can he also assure me that whoever reviews the legislation will also be asked to undertake a review of this aspect of the Bill, which has enormous implications in respect of our human rights legislation and the convention that will become British law in October?

5 pm

Mr. Clarke: The parliamentary reporting process established in the Bill will ensure that the review made available to the House every year takes account of all aspects of the operation of the legislation, including the aspect raised by my hon. Friend.

My hon. Friend makes a serious point, and is right to raise it in this context. However, the approach that I intend to take is to ensure that, once the institution proposed in the Bill is established and fully operational, the full record of the debates on the matter is made available for consideration.

I turn finally to the points raised by the right hon. and learned Member for Sleaford and North Hykeham. I appreciate that his intention is to extend the scope of the application of the "influencing a Government" definition of terrorism to cover situations where chemical, biological or other agents rather than conventional explosives are used in a terrorist attack.

As the Government explained when the amendments were tabled on Report in the House of Lords, the disapplication is intended to cover a set of circumstances that are rare, but which should not be ignored. Those circumstances would arise when an individual or place is attacked by a terrorist group whose intention is to "take out" that person or place for its own sake, rather than as a means of influencing a Government or intimidate the public.

In introducing the disapplication, the Government felt that we needed to strike the right balance between ensuring that the most likely circumstances in which such cases might occur were covered, and broadening the disapplication so much that it undermined the usefulness of the insertion of the important new limb into the definition. That is how we came up with the formula concerning

the use of firearms of explosives.

I acknowledge that the amendment does not cover all the ways in which assassinations could take place. For example, it does not cover drowning, poisoning or other ways in which people can be killed which do not involve guns or explosives. However, it would cover the types of incidents involving chemical and other agents set out in amendment (f), tabled by the right hon. and learned Member for Sleaford and North Hykeham. That is because the most usual ways in which such agents are released involve the use of explosives. I hope that that offers some level of reassurance that the sort of circumstance envisaged in amendment (f)—and I think that it would be fair to call it a rare sub-set of what is already a rare category of terrorist attacks—is usually likely to be covered.

I hope that I have dealt with the points raised in the debate. We made it clear from the outset that we recognised that the definition of terrorism was key to the whole Bill, and that we were committed to getting it right. We have tried to listen to concerns expressed at all stages of the debate in the House, and we have made a range of changes to try to address those concerns. We believe that the definition as amended in another place is an improvement, but we do not believe that the further modifications proposed add up to further improvements.

We must have a workable definition that is broad enough to cover the range of circumstances that we can reasonably anticipate might confront us, without going too wide. The definition must be easy to apply, even under extreme time pressures. We believe that we have achieved those objectives in the definition as amended in the other place, and I hope that the House will support the Government amendments.

Mr. Simon Hughes: I am grateful for the Minister's assurance that the Government will seek to ensure that the report provided for by clause 125 will cover the concerns about the definition of terrorism raised in this debate by hon. Members of all parties. That is welcome, as is the procedure for getting the matter right. Some of us argued for an automatic review, but a mechanism that combines an annual report and the methodology that the Minister has set out will be very helpful.

I posed a specific question, by way of example, to the hon. Member for Aylesbury (Mr. Lidington) and then to the Minister. It is possible to apply that example to one or more of the offences under the Bill. Most obviously, clause 16 makes it an offence to use money or other property for the purpose of terrorism. It takes no great stretch of the imagination to contemplate a person using money or other property to set up a raid on a post office, and that would bring that offence within the criteria set out by the Minister.

That example illustrates the prospective, theoretical danger of an interpretation that makes the Bill wider than we might wish. The matter will, of course, be subject to the requirements and consideration of the Director of Public Prosecutions, the procurator fiscal, and the Director of Public Prosecutions (Northern Ireland). That is a protection for all of us, and other provisions require orders to be laid before the House later.

I do not pretend, and never have pretended, that the amendments tabled by my hon. Friends and me, or the amendment in lieu tabled by the hon. Member for Hayes and Harlington (Mr. McDonnell), are the ideal solution. I think that we have all been honest enough to admit that. We have made attempts, collectively, to get a better Bill and, to be fair, the work has produced results and rewards. It would be wrong to suggest that the Bill would be perfect if our amendments were accepted or that it is perfect as it stands. The Bill would be imperfect in either case.

Against that background, I am happy to accept the Minister's good faith, in terms of working with colleagues on both sides of the House to ensure that we keep the matter under review. We will want to do that—none of us will let the Bill disappear from sight once it becomes law. On that basis, I do not intend to press our amendments.

Lords amendment agreed to.

Lords amendments Nos. 2 and 3 agreed to.

Clause 12

SUPPORT

Lords amendment: No. 4, in page 7, line 13, leave out from

("activities") to end of line 15.

Mr. Charles Clarke: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker (Mr. Michael Lord): With this we may discuss Lords amendments No. 5 and amendment (a) thereto, amendments (b) and (c) in lieu thereof, and Lords amendments Nos. 6 and 7.

Mr. Hogg: I rise to speak to amendments (a), (b) and (c), in my name. I speak to them for reasons of general principle and also for particular reasons which I shall outline.

I should like to touch briefly on the general point first. Clause 12 restricts free speech. I think that it is the business of the House always carefully to scrutinise whether it is right to impose restrictions on people's ability to speak their mind, even about pretty unworthy causes. Even more importantly, one should scrutinise the restrictions that we impose on the right of people to further the ability of other people to speak their mind.

May I remind you, Mr. Deputy Speaker, of the outcry in some quarters when the BBC and other organisations were prohibited from broadcasting the words of people such as Mr. Gerry Adams? I cannot, I am ashamed to say, remember his constituency, but as he does not appear in this place, perhaps I might be entitled to refer to him as Mr. Gerry Adams.

Mr. Simon Hughes: Belfast, West.

Mr. Hogg: I am grateful to the hon. Gentleman for that information.

I was a very junior Under-Secretary of State at the Home Office at the time, and I had very real doubts, although they did not count for much, about the wisdom of prohibiting the broadcasting of the words of the

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hon. Member for Belfast, West—as Mr. Adams may or may not then have been—not to say about our right to do so. That general principle informs my approach to clause 12.

I am extremely unhappy about making it an offence for third parties, in effect, to organise public meetings that will be addressed by people who may be, or are, supporters of terrorism, in support of a terrorist organisation. That may not be a majority view—probably it is not. However, in general, I always lean in favour of rights and liberties.

Of course, there is always a balance to be struck, and where it should be struck at any one time is a matter of nice judgment. However, the general principle is: when in doubt, preserve a freedom.

Dr. Godman: I have much sympathy with the right hon. and learned Gentleman's comments. Was he in office when the decision was taken to raid the BBC in Glasgow?

Mr. Hogg: I have no recollection of the matter to which the hon. Gentleman refers; I am sure that in none of the offices that I held did I play any direct role. Governments take many actions of which their individual members do not approve. If we all resigned on the slightest occasion, no Government would ever be formed.

I have dealt with the general point. I turn to a particular and different point.

Mr. Simon Hughes: I agree with the right hon. and learned Gentleman on the general point and shall probably do so on the particular one. Does he agree that the reason for the general proposition is that, otherwise, we should have to accept the reverse—the "no platform rule"? At student unions and elsewhere, many people are not allowed [illegible] speak—whatever the desirability of their views—[illegible]ause it has been decided that they are beyond the pale. If debate does not take place, one can never win the argument.

Mr. Hogg: I agree with the hon. Gentleman. Whenever there is any doubt, we should preserve the right.

The particular point is set out in my amendments. They deal with the proposal in Lords amendment No. 5 to impose a burden on the defence. That is the effect of subsection (3A). I readily acknowledge that the provision is subject to the new clause that would be provided by Lords amendment No. 19, and that that new clause would undoubtedly improve it. However, that does not alter the fact that the combination of those two provisions would impose an evidential burden on the defence. The burden is only evidential and not substantive, but the defence would none the less have to raise the issue.

The question that the House needs to consider—although few Members are in the Chamber to do so—is whether it is right to impose any burden on the defence or whether it is right to pursue the normal canons of criminal law by leaving the burden, throughout, on the Crown. I think that in this case we should leave the burden on the Crown throughout.

Amendments (b) and (c) would require the Crown to prove that the defendant knew that the speaker was, or professed to be, a member of the proscribed organisation, and that the purpose of addressing the organisation was to provide support to, or to further the aims of, the proscribed organisation. The Crown should be required to prove—at the ordinary standard of criminal proof—all the elements that I think should be incorporated in the offence: that the defendant knew of the status and the intent of the speaker. I am not in favour of proceeding by way of the reverse burden of proof, although I recognise that it is evidential and not substantial.

If the House is against me on this matter—as I suspect that it will be—I hope that it will consider the argument that one should remove the limitation contained in the offence to private meetings. If we take the reverse burden defence route—although I do not like it—I do not see, in principle, why the provision should be limited to a private meeting. Why should it not apply to public meetings?

I am in favour of liberty and free speech, so within the framework of the Lords amendments I want to give people as much free speech as we can—even though they may be supporting an unworthy and disagreeable organisation. I want to strike out the word "private" so that the provision applies to any meeting. I suspect that the Minister will not accept that, but I look forward to hearing his reasons.

Mr. Simon Hughes: I am grateful to the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) for his amendments, which raise a perfectly proper set of issues. As he rightly said, few of us are in the Chamber to consider them and if a vote were called now, we might win it. However, as has happened before, people who have not heard the debate might appear from somewhere.

5.15 pm

Lords amendments Nos. 4 to 7 have considerably improved the Bill in a small but important sense. I thank my noble Friends in another place—particularly Lord Goodhart, Lord Lester of Herne Hill and Lord Avebury—who worked assiduously in pursuing these issues for us and in helping to persuade Government to change their view.

Lords amendment No. 4 would delete lines 13 to 15 of page 7 of the Bill as it was when it started its passage through the Lords—our procedure is rather bizarre—and would prevent an offence being committed if someone addresses a meeting and knows that the meeting will be addressed by someone belonging to or professing to belong to a proscribed organisation. Such mischief is not acceptable, but we do not think that it should be an offence. The original provision would have made a criminal of someone like the hon. Member for Aylesbury (Mr. Lidington), or me, who turned up on a platform to speak against a terrorist or someone who belonged to a proscribed organisation, such as an Irish proscribed organisation.

Someone would commit an offence if he simply knew that he was about to share a platform with someone who belonged to a proscribed organisation or merely said that he belonged to such an organisation. That is clearly nonsense, because it means that the members of such organisations or those that claim to belong to them could never be engaged in debate—they would have the platform to themselves.

I understand the thinking behind the original provision. It was intended that if someone who claimed to be a member of a proscribed organisation or who was a member of such an organisation spoke at a meeting, no one else would turn up to speak on the same platform. However, that is not the way life works. One might not know in advance, or much in advance, who was going to speak and what his pedigree was. Therefore the Lords amendments have prevented the criminalisation of people who are free from any involvement in criminal or proscribed organisations. That is a good thing. It explains why the amendments in the other place were accepted, as a result of negotiations that took place both in the open and behind the scenes.

Lords amendment No. 5 led to a debate on where the burden of proof lies. The Government accept half the loaf, but the right hon. and learned Member for Sleaford and North Hykeham seeks to persuade them to accept the whole loaf. The half loaf is represented by the defence that someone does not have reasonable cause to believe that he will share a platform at a private meeting with a member of a proscribed organisation. The burden of proof has shifted, because someone has to lay that defence on the table and it is up to the prosecution to carry out the remaining work.

I would much prefer the burden of proof to remain fairly and squarely with the prosecution. The right hon. and learned Gentleman also referred to Lords amendment No. 19, which deals with the burden of proof. That issue exercised us much in Committee and it has been raised on this Bill and on other Bills currently before the House. However, I ask the Minister to recognise that the amendment tabled by the right hon. and learned Gentleman is better than those that were accepted in the other place without a Division.

Finally, I ask the House to accept amendment (a), tabled by the right hon. and learned Gentleman. It would delete the criterion which means that the provision will apply only to private meetings; it would now apply to both private and public meetings. We shall avoid another problem if we avoid defining whether the meeting is public or private. In theory, one could define one or the other, and if I were advising the prosecution, I could work out how one would do that and what criteria would have to be fulfilled. None the less, it is better simply to require the prosecution to prove the case if there are to be any such offences.

The best outcome would be to not convict people or not provide that people should be criminalised if they speak on such a platform. However, if we cannot have that, I hope that the Minister, even at this late stage, will be prepared to accept the amendments. If he did that, we could have another debate ending in happy amity, without a Division, and, in my view, improving the Bill.

Mr. Lidington: We are happy to accept the Lords amendments. It is important to remind the House that this group of amendments does not deal with the generality of terrorist organisations or individual terrorists, but only those organisations that have been proscribed under procedures in the Bill.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) addressed arguments about no platform and the need for democratic politicians to rebut publicly the arguments of unpleasant political groups. However, we are talking about something different in this group of amendments, and are dealing with organisations whose record of activity in violence and murderous behaviour is such that the Government in office decide to make an order for proscription, which is endorsed by Parliament through approval of delegated legislation. In other words, the democratically elected representatives of the British people decide to put a certain organisation outwith the bounds of normal political discourse, at least until it has stopped resorting to terrorist activity.

Mr. Hogg: Will my hon. Friend consider that point a little further? I know that he will not accuse me of supporting terrorist organisations, particularly the IRA, as he has never done so in the past. However, I urge him to cast his mind back to the time when he was at university. Had I been president of the Oxford Union at that time—as I once was—I might well have been minded to organise an event at which a member of the IRA explained to the union what they were about. It is right that terrorist organisations should be exposed to criticism from the democratic community and have the ability to explain themselves. I should be very unhappy if the president of the Oxford Union could not do that.

Mr. Lidington: I would certainly never dream of accusing my right hon. and learned Friend of supporting terrorism. However, I strongly disagree with him about supporting the notion that a member of a proscribed terrorist organisation should be given a platform that is available to other political groups in society.

I agree with my right hon. and learned Friend and the hon. Member for Southwark, North and Bermondsey that there is a place for robust argument with extreme groups such as the National Front, the British National party and the Socialist Workers party. This group of amendments deals with organised criminal gangs, motivated by politics or ideology, whose record of violence is such that they have been proscribed by the Government and Parliament of the day. That point makes the difference. The Lords amendments tabled by the Government take us some way in the direction of concerns about civil liberties that have been expressed by Members of both Houses.

The Bill should provide the statutory defence offered by Lords amendment No. 5 in respect of a private meeting. It is more difficult to argue that somebody engaged in organising a public meeting which is to be addressed by a member of a proscribed organisation is a complete innocent. It is right that we should deny publicity to organisations that Parliament has stated should be proscribed altogether.

I hope, too, that Lords amendment No. 5 will deal with the matter that was raised in the Lords by my noble Friend Lord Glentoran. I hope that the Minister will deal with that point when he replies. My noble Friend asked what would happen in respect of meetings that had been convened to assist terrorist organisations to make the transition to democratic politics. He cited an example from Indonesia, where a terrorist group and the Indonesian Government had met at a conference arranged by a charitable organisation. Such meetings may be important in enabling a breakthrough to be made and in encouraging a terrorist organisation to commit itself to democratic and peaceful means of advancing its political objectives.

[Mr. Lidington]

I hope that the definition of a private meeting in that amendment will take account of such circumstances, because those meetings are an important bridge in bringing proscribed organisations back into the democratic main stream.

Mr. Charles Clarke: I thank hon. Members for welcoming the changes that the other place has wrought to the Bill. Lords amendment No. 4 deals with concerns that were raised, and we accepted the weight of opinion on that subject. Lords amendments Nos. 5, 6 and 7 add a new statutory defence where a person is charged with an offence under clause 12(2)(c). That will apply where a person is charged with the offence in respect of a private meeting, and makes it a defence for him to prove that he had no reasonable cause to believe that the address would support a proscribed organisation or further activities.

I emphasise that it is to remain an offence to arrange, manage or assist in the arranging or managing of a meeting that one knows is to be addressed by a person who belongs or professes to belong to a proscribed organisation. However, in certain cases there should be a statutory defence. That point was made by Lord Glentoran in the other place, and the statutory defence in Lords amendment No. 5 seeks to address that.

I turn now to the amendments in the name of the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg). Amendment (a) would remove the word "private" from the statutory defence so that it would apply also to public meetings, which is the right hon. and learned Gentleman's principal intention. We accept that there could be a genuinely benign private meeting to be addressed by a member of a proscribed organisation—one could think of various examples—and it could therefore be legitimate to arrange such a meeting under the circumstances set out in our statutory defence. However, we cannot accept the arranging of public meetings to be addressed by members of proscribed organisations, even when the person arranging the meeting does not think that the address will support the organisation.

The right hon. and learned Gentleman spoke of his experience as president of the Oxford Union and his desire to subject terrorists to the pressure of debate with Oxford undergraduates. There is no way to reconcile the difference of approach between us. The point of the offence in clause 12(2)(c) is to help to deprive proscribed organisations of what is commonly described as the oxygen of publicity. To excuse the arranging of any public meetings would be thoroughly detrimental to that objective. The right hon. and learned Gentleman made it clear that he does not agree, citing examples from his experience in the Oxford Union and as a Home Office Minister dealing with issues arising from the Irish situation.

5.30 pm

I do not see any way across that division of opinion. The right hon. and learned Gentleman will decide whether he wishes to push the matter to a vote. I acknowledge that it is a difficult issue. However, he has made his position clear this afternoon and on other occasions.

I move on to amendments (b) and (c), in the name of the right hon. and learned Member for Sleaford and North Hykeham, and his motion to disagree with Lords amendment No. 5. He proposes an entirely different approach. The proposal is that, rather than providing a statutory defence, it should be part of the offence itself that the person arranging a meeting should know that the address by the member of the proscribed organisation was to be

> with the purpose of providing support for that organisation or of furthering its aims.

On amendment (b), I should first say that to commit the offence in clause 12(2)(c) a person does have to know that the meeting is to be addressed by a person who belongs or professes to belong to a proscribed organisation. The word "know" appears at the end of subsection (2). So he does have to know that that person belongs or professes to belong to a proscribed organisation. There is no need for an additional "he knows", as proposed by amendment (b).

Amendment (c) raises a more substantive point. We considered an approach along the lines of that proposed by the amendment, and I do not dismiss the amendment out of hand, for that very reason. We decided against it because we did not wish to create an offence which depended not on one mens rea but on two. In other words, to commit the offence, the arranger would have to know, first, that the member of the organisation was to address the meeting, and secondly, that the addresser would have the purpose of, for example, encouraging support for the organisation or furthering its aims. An offence depending on the accused's knowledge of the state of mind of a third party would be extremely difficult to operate in practice.

For that reason we decided to opt for the statutory defence approach. It focuses not on what the accused knew about the state of mind of the addresser, but on what he had reasonable cause to believe about the address itself. There has only to be evidence in favour of the accused that is sufficient to raise an issue. The burden then falls on the prosecution. That seems fair to both sides. We believe that this is the right way to go about these matters and that it will produce the right result.

With that explanation, I hope that the right hon. and learned Member for Sleaford and North Hykeham will consider withdrawing his amendments.

Lords amendment agreed to.

Lords amendments Nos. 5 to 7 agreed to.

Clause 27

DETAINED CASH

Lords amendment: No. 8, in page 13, line 38, leave out ("of the following persons") and insert ("person").

Mr. Charles Clarke: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 9, 10, 12, 117, 118 and 124.

Mr. Clarke: Lords amendments Nos. 8 and 9 are purely drafting amendments. Amendments Nos. 10

and 12 provide opportunities for third parties to be heard in forfeiture proceedings. Amendments Nos. 117, 118 and 124 correct references to Terrorism Bill forfeiture in the definitions of "realisable property" in other financial crime legislation.

Lords amendment agreed to.

Lords amendments Nos. 9 and 10 agreed to.

Clause 44

AUTHORISATIONS

Lords amendment: No. 11, in page 20, line 24, after ("in") insert ("or on").

Mr. Charles Clarke: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 13 to 15, 20 to 24, 26, 27, 29, 37 to 63, 108 to 111, 119 and 125 to 131.

Mr. Clarke: These are all minor, technical drafting and consequential amendments.

Lords amendment agreed to.

Lords amendments Nos. 12 to 15 agreed to.

Clause 100

VIDEO RECORDING: CODE OF PRACTICE

Lords amendment: No. 16, in page 48, line 31, at end insert

("if they take place in a police station (within the meaning of Schedule 8)")

Mr. Charles Clarke: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 73, 74, 76 and 77.

Mr. Clarke: Amendments Nos. 16 and 77 make it clear that interviews need only be audio or video recorded if they take place at a police station. During the Commons Committee stage, the Government undertook to re-examine the drafting of the beginning of schedule 8, which we have done. Amendment No. 73 is designed to make the intention clearer; amendment No. 74 provides that references to a police station include references to places that the Secretary of State has designated; and amendment No. 76 provides that, where a requirement is in place for video recording with sound, the Secretary of State need not also require audio recording.

Mr. Hogg: I have a question. I am not at all sure why the requirement is limited to police stations; after all, interviews can take place elsewhere—for example, on the alleged offender's property, or in a car, or in many other circumstances. Given that, as I understand it, video recording is designed to ensure that there can be no suggestion of improper treatment by the police of the alleged offender, and audio recording to ensure that there is a proper record of that which is said, I should have thought that, in respect of serious offences, it would be best to ensure that all interviews, wherever conducted, were subject to the requirement. That was, I understand, the effect of clause 100 as originally drafted, and I am not sure why we should want to limit its effect.

Mr. Simon Hughes: I, too, have a question. Do the amendments provide that the clause will relate only to police stations, or will its provisions apply to the three—prospectively one—detention centres in Northern Ireland. In Committee, we debated the Government's welcome plans to reduce the number of such centres, but such centres are currently in use. I cannot remember whether we are down to one yet—*[Interruption.]* I thank the Minister of State, Northern Ireland Office, for indicating that there are currently two detention centres.

Will the Minister of State, Home Office, tell us whether it is intended that, as well as police stations, the rules should apply to detention centres and to every other premises which the police in Northern Ireland or elsewhere in the United Kingdom might use. It is possible that, in addition to the private premises mentioned by the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), more public premises might be used—for example, military police conducting an investigation might use Ministry of Defence property. I do not necessarily have a problem, but I want to ensure that places that would normally be used for those purposes will be covered by the provisions relating to audio and video recording.

Finally, I do not know whether the Minister of State is in a position to provide an answer, but the Committee agreed that we should extend the availability of audio and video recording facilities as broadly as possible. The police want such facilities, as do the authorities, defendants and lawyers—no one does not want them; the issue is one of time and resources. Therefore, I should be grateful for any information regarding the time scale envisaged for the implementation of common good practice.

Mr. Lidington: My understanding is that one of the amendments' effects is to require the Secretary of State to designate specific places that could serve as alternatives to police stations for the purposes of questioning suspects and that the Bill would not, as we had thought, give the Secretary of State a broad power to say that people could be interrogated wherever he deemed appropriate. If that interpretation is correct and the Secretary of State will be under a duty to draw up a specific list of places that are not police stations where people can be questioned once detained under clause 41 powers, I, like my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg) and the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), simply ask why the locations thus listed should not have the same audio and video recording facilities as would normally be required in police stations.

Mr. Clarke: To answer the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), the reason for the change is purely practical. The vast majority will, as now, be detained at police stations, the main exception being those who will be examined for a relatively short time under the ports powers in schedule 7. It is sensible for those people to be detained at the port, rather than having to be taken to a police station, but it is

[Mr. Clarke]

not sensible to propose that silent video recording be required for all such interviews. For a more serious interview, the person would be moved to a police station.

On the point raised by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), the silent video recording provision covers interviews at holding centres in Northern Ireland. A holding centre is not a police station, but the Bill enables the Secretary of State to direct places where terrorist suspects may be detained. I hope that I can reassure the hon. Gentleman by saying that holding centres will be designated under the power, and so will

police stations within the meaning of Schedule 8

by virtue of Lords amendment No. 74.

The code of practice under the EPA makes it clear that the current provision applies to interviews at holding centres. That is where those detained under the PTA or EPA are currently held in Northern Ireland. The equivalent under the Bill is the silent videoing of interviews at police stations. It is envisaged that the holding centres will be designated, as I said. That should cover the situation entirely.

The rules will apply to all places designated as places of detention under the Act. In answer to the timetable point, we expect audio recording to be in place when the Act is brought into force early next year.

Mr. Hogg: Will the Minister remind the House what provisions of law there are that would prevent the police from carrying out substantive interviews, for example at the defendant's home or in a car?

Mr. Clarke: The short answer is that I cannot do so off the cuff, but I will write to the right hon. and learned Gentleman. As he may know, we debated that extensively in Committee, and my right hon. Friend the Minister of State, Northern Ireland Office, addressed the matter at length. There are substantive safeguards in place, which would meet the reasonable concern expressed by the right hon. and learned Gentleman. *[Interruption.]* It may help him to know that I am advised that the code of practice to be approved by Parliament will set out the procedures that provide the necessary protections. I will write to the right hon. and learned Gentleman, nevertheless.

Lords amendment agreed to.

Lords amendment No. 17 agreed to.

Clause 117

CONSENT TO PROSECUTION

Lords amendment: No. 18, to leave out clause 117 and insert the following new clause—*Consent to prosecution*—

(" .—(1) This section applies to an offence under any provision of this Act other than an offence under—

(a) section 36,

(b) section 51,

(c) paragraph 18 of Schedule 7,

(d) paragraph 12 of Schedule 12, or

(e) Schedule 13.

(2) Proceedings for an offence to which this section applies—

(a) shall not be instituted in England and Wales without the consent of the Director of Public Prosecutions, and

(b) shall not be instituted in Northern Ireland without the consent of the Director of Public Prosecutions for Northern Ireland.

(3) Where it appears to the Director of Public Prosecutions or the Director of Public Prosecutions for Northern Ireland that an offence to which this section applies is committed for a purpose connected with the affairs of a country other than the United Kingdom—

(a) subsection (2) shall not apply, and

(b) proceedings for the offence shall not be instituted without the consent of the Attorney General or the Attorney General for Northern Ireland.")

Mr. Charles Clarke: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to take Lords amendment No. 34.

Mr. Clarke: We have always recognised the particular sensitivities that apply in dealing with some types of international terrorism. That is why we have decided that it is desirable for decisions in such matters to be made by the Attorney-General, rather than by the Director of Public Prosecutions. I believe that we have taken account of many of the concerns raised in Committee and in the other place.

Mr. Lidington: Although, as I said earlier, we support the extension of counter-terrorist law to cover international terrorism, we also acknowledge that in the debates on the Bill, serious concerns have been expressed in all parts of the House about how powers in relation to activities directed at foreign Governments should be exercised. The amendments are a sensible and constructive response to those concerns.

Mr. Simon Hughes: It would be ungenerous of me not to say, on behalf of my colleagues in the other place, that I am grateful to the Government for taking on board the representations made and amendments moved, particularly those by my noble Friend Lord Goodhart, on the matter.

As the Minister said, in an international case, which for obvious reasons raises wholly different issues, the best method of triggering the prosecution, in our view, was by a decision of the Attorney-General, who could answer directly for those matters in the House, instead of the indirect authority of the Director of Public Prosecutions and his opposite numbers in Northern Ireland and Scotland. That seems to provide the most satisfactory accountability for the wider and potentially more controversial extension of the legislation. We welcome the amendment and the Lords' acceptance of our proposition.

Lords amendment agreed to.

New Clause

Lords amendment: No. 19, after clause 117, to insert the following new clause—*Defences*—

" .—(1) Subsection (2) applies where in accordance with a provision mentioned in subsection (5) it is a defence for a person charged with an offence to prove a particular matter.

(2) If the person adduces evidence which is sufficient to raise an issue with respect to the matter the court or jury shall assume that the defence is satisfied unless the prosecution proves beyond reasonable doubt that it is not.

(3) Subsection (4) applies where in accordance with a provision mentioned in subsection (5) a court—

(a) may make an assumption in relation to a person charged with an offence unless a particular matter is proved, or

(b) may accept a fact as sufficient evidence unless a particular matter is proved.

(4) If evidence is adduced which is sufficient to raise an issue with respect to the matter mentioned in subsection (3)(a) or (b) the court shall treat it as proved unless the prosecution disproves it beyond reasonable doubt.

(5) The provisions in respect of which subsections (2) and (4) apply are—

(a) sections 12(3A), 39(5)(a), 54, 57, 58, 77 and 103 of this Act, and

(b) sections 13, 32 and 33 of the Northern Ireland (Emergency Provisions) Act 1996 (possession and information offences) as they have effect by virtue of Schedule 1 to this Act."

5.45 pm

Mr. Charles Clarke: I beg to move, That this House agrees with the Lords in the said amendment.

The amendment deals with anxieties that have been raised in this House and in another place about several of the Bill's statutory defences. The Government's view is that the Bill was already compatible with the European convention on human rights when it left this House. However, in order to provide reassurance whenever possible, we have tabled the amendment, which is not intended to alter the effect of the relevant provisions, but simply to set out in the Bill what we believe would be the effect of the provisions as originally drafted.

Mr. Simon Hughes: On a small point of order, Mr. Deputy Speaker. I am not mortally offended, but the Annunciator shows that a Mr. K. Hughes of Doncaster, North spoke between 17.43 and 17.45. I do not believe that he did. *[Interruption.]* The Labour Deputy Chief Whip indicates to me that he would be troubled to hear that he had spoken. Colleagues on the Labour Benches appear surprised that he has spoken. As it was one of my briefest contributions, I would not want it attributed to someone else.

Mr. Deputy Speaker: The Annunciator is now correct. That shows the power of the Chair to effect such changes very rapidly.

Mr. Hughes: There are many places that I might want to represent, but Doncaster would be one of the more controversial options, which I am glad that I do not have to consider.

The Minister introduced amendment No. 19 briefly, but I am sure that he acknowledges that it is an extremely important change—the other most important change that was made to the Bill in another place. We held much debate on burden of proof on Second Reading, in Committee, on Report and on Third Reading. The amendment was tabled in another place after great anxiety had been expressed inside and outside the House about the original proposal on burden of proof. At last, the amendment changes the original proposition of reverse burden of proof. It will now be sufficient for a defendant to raise an issue; after that, the prosecution will again have to prove matters beyond reasonable doubt.

The amendment is highly significant in criminal law terms. It is important because it returns to grave offences the consideration that it is for the prosecution to prove, not for the defence to disprove. I understand the argument that it may be appropriate to ask the defence at least to put something on the table to return the burden of proof to the prosecution. That is not inappropriate in the context of terrorist legislation.

The amendment is also important because there was controversy about whether the original proposals were compatible with the European convention on human rights. The Government claimed that they were, but strong legal advice from outside the House suggested that they might not have been. We will, thankfully, not have to test that because the Government have made a concession.

I want to make another point, which is more question than observation. In the context of burden of proof, we asked about all the clauses under which specific arrangements for Northern Ireland would continue. I should be grateful if the Minister of State, Home Office, or the Minister of State, Northern Ireland Office—to give him a walk-on part—through his colleague in the Home Office would tell us the latest timetable for the Government's plans to phase out the Northern Ireland provisions.

The Minister was courteous and helpful in Committee, and he outlined the Government's plan. Clauses 65 to 113 remain controversial. Under them, extra powers are still granted for Northern Ireland. Those powers are given an extended life, but the Government did not intend them to exist indefinitely. I ask about that because in some clauses the evidential burden will not revert to the normal position under English law. Amendment No. 19 will do that for other provisions.

Controversial clauses remain on the so-called Omagh provisions, although I understand that they have never been used. They were introduced almost two years ago when the House was recalled after the Omagh bombings. Again, it would be helpful if the Minister could tell us whether I am right in thinking that they have not been used. Although those controversial provisions remain, the burden of proof matter has been dealt with and a less controversial form of words has been used.

We welcome that change; it represents a significant improvement, and many people have been encouraged by the fact that the Government have been willing to listen and have agreed to make a similar change in other Bills, including the Regulation of Investigatory Powers Bill. We hope that the Northern Ireland provisions will be phased out speedily, as has been suggested, and that the Bill will become more clearly compatible with the European convention on human rights so that the rights of the individual are defended while the interests of the state are safeguarded.

Mr. Lidington: I confess that I am somewhat puzzled about the importance of the amendment. I thought that I heard the Minister say that it was designed to clarify the Bill, yet the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) says that it represents an important shift in the evidential requirements of the legislation. Perhaps that matter could have been sorted

[Mr. Lidington]

out at the appropriate Cabinet Sub-Committee before this debate. I hope that the Minister will spell out exactly the Government's view.

As a fully paid-up member of the non-lawyer tendency of the House, I am always grateful for the occasional interpolation of plain English into legislation. The amendment is helpful in making plain the assurance that the Minister repeatedly gave in Committee about the importance of the statutory defences included in the Bill. I hope that he will be able to tell us whether the amendment marks a shift in the evidential balance, or whether it is no more than an important clarification.

Mr. Charles Clarke: I have enjoyed these exchanges. The whole House, the whole country and, possibly, the whole world will know that this is a listening Government who listen to all proposals, and I am grateful to hon. Members for acknowledging that.

The powers under the Omagh provisions have not been used to date, but it is important that they remain as powers that can counter the terrorist threat. The Irish Government recently renewed their equivalent powers for 12 months. The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) referred to the timetable. The situation is reviewed annually. The Government intend that the power should end as soon as the security situation allows, but such matters are security dependent and we must see how the situation develops. There is a time limit of five years, after which the powers will return to the House. I hope that that clarifies the specific points.

On the claims and counterclaims, which I always appreciate, about the importance and constitutional significance of the amendment, I shall repeat what I said earlier. It is the Government's view that the Bill was already compatible with the European convention on human rights when it left the House, although we saw the expensive and powerful legal opinions that were circulated that stated that the Bill was not. We are always interested in counsels' opinions, but we had our own views and certified that the Bill was, in our view, compatible with the ECHR.

In the light of the Kebeline case, we accepted that it would be helpful to make express provision for the burden placed on the defendant under the Kebeline provision to be evidential rather than persuasive. The new provision will apply not only to the Kebeline offence itself under clause 57, but to similar provisions in clauses 12(2)(a), 39(5)(a), 54, 58, 77 and 103, together with their equivalents in the transitional Northern Ireland (Emergency Provisions) Act 1996, which is retained under schedule 1.

I emphasise that the amendment is not intended to alter the effect of the provisions; it merely states what we believe would have been their effect as originally drafted. We want to clarify how we think the courts will interpret the provisions. That is reasonable, given that the aim is to produce as wide a consensus as possible for important legislation of this kind, and we were delighted to do so. I commend the amendment to the House.

Lords amendment agreed to.

Lords amendments Nos. 20 to 24 agreed to.

Clause 122

ORDERS AND REGULATIONS

Lords amendment: No. 25, in page 58, line 8, leave out ("1(2)(b)") and insert ("2(2)")

Mr. Charles Clarke: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 28, 30 to 33, 35 and 36.

Mr. Clarke: These amendments relate to transitional provisions in schedule 1.

Lords amendment agreed to.

Lords amendment No. 26 to 63 agreed to.

Schedule 7

PORT AND BORDER CONTROLS

Lords amendment: No. 64, in page 104, line 41, at end insert

("and

"vehicle" includes a train.")

Mr. Charles Clarke: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 65 to 72.

Mr. Clarke: These amendments deal with provisions on ports and border controls. They are primarily technical.

Mr. Simon Hughes: Will these amendments have any knock-on effects on the way in which immigration and nationality directorate officers' powers can be applied at ports? I ask that question in ignorance, and if the Minister cannot answer it now, but will let me know later, that will be perfectly satisfactory.

Mr. Clarke: I will write to the hon. Gentleman.

Lords amendment agreed to.

Lords amendments Nos. 65 to 74 agreed to.

Schedule 8

DETENTION

Lords amendment: No. 75, in page 111, line 25, at end insert—

("( ) This paragraph does not confer the power to take—

(a) fingerprints, non-intimate samples or intimate samples (within the meaning given by paragraph 9F below), or

(b) relevant physical data or samples as mentioned in section 18 of the Criminal Procedure (Scotland) Act 1995 as applied by paragraph 22 below.")

Mr. Charles Clarke: I beg to move, That this House agrees with the Lords in the said amendment.

Mr. Deputy Speaker: With this it will be convenient to discuss Lords amendments Nos. 78 to 106, 112 to 116 and 120 to 123.

Mr. Clarke: These primarily technical amendments deal with rights in detention and the withholding of information.

Lords amendment agreed to.

Lords amendments No. 76 to 131 agreed to.

5.58 pm

Sitting suspended until Seven o'clock, there being private business set down by THE CHAIRMAN OF WAYS AND MEANS, *under Standing Order No. 20 (Time for taking private business).*

Greenham and Crookham Commons Bill *(By Order)*

Order for Second Reading read.

7 pm

Mr. David Rendel (Newbury): I beg to move, That the Bill be now read a Second time.

First, I pay tribute to the two people who have done most of the work in creating and drafting the Bill: Mike Harris, the director of West Berkshire council, who has special responsibility for recreation, and Monica Peto, who has acted as our parliamentary agent.

There can be few people in the country who have never heard of Greenham common, made famous internationally by the protests of the 1980s against the stationing of nuclear cruise missiles. Some hon. Members are rather envious of my constituency as it seems to attract protesters—Aldermaston, Greenham common and, more recently, the Newbury bypass. However, that period was but one chapter in the chequered history of a unique piece of land just south of Newbury in west Berkshire.

Before the second world war, both Greenham common and Crookham common, which adjoins it, were areas of heathland common, open to the public at large and over which rights of common were exercisable. Since that time, the people of Newbury and the surrounding area have had to put up with a lot. Most of the land was requisitioned in 1941 from the then Newbury borough council and other landowners for use as an air base. Although de-requisitioned in 1947, it was re-requisitioned in 1951 for defence purposes and the land was subsequently purchased by the Secretary of State and used as an air base, mainly for the United States air force.

The people of Newbury lived with the base and the aircraft disturbance until a new use for the land emerged, as a nuclear cruise missile site. The transformation of the site into a storage facility for nuclear weapons meant that local residents saw their area become the focus of sustained protest on a scale seldom seen in this country.

Nuclear district council—*[Laughter.]* Newbury district council—sometimes known as Nuclear district council—which has now become West Berkshire district council, owned most of the land surrounding the air base when it was deactivated in 1991. It saw the opportunity to regain the land for the people of Newbury and wider afield and to transform it back into an area of open countryside, to be used for recreational purposes.

At the time, I was a member of Newbury district council. On 16 July 1991, I had the privilege of moving a motion that said:

> Following the deactivation of RAF Greenham Common, this council:
>
> 1. reaffirms its desire that, on termination of any military requirement for the continued occupation of parts of Greenham and Crookham Commons, this land, as far as possible, should revert to public open space;
>
> 2. deplores the purported extinguishment of rights of common; and
>
> 3. seeks to discover whether the status of the land as common land and the rights of common may be preserved for posterity in order to preclude any further development of the common.

In the years that followed, members and officers, a group of local campaigners including many commoners—known as Commons Again—and many others worked tirelessly

[Mr. David Rendel]

towards that vision of restoring the land for public use, spurred on by the commitment of the local ward members, Councillors Tony Ferguson and Audrey Appleby. Negotiations with the Defence land agent took many years, until eventually the open area of the air base was purchased by the council in 1997.

A charitable trust known as the Greenham Common Community Trust Ltd. was established, in partnership with local business men, led by Sir Peter Michael, to acquire the developed area of the air base in order to develop a business park. Under that imaginative public-private partnership, profits from the business park are to be paid to the council to reimburse its costs incurred in restoring the open area and removing the remnants of the military occupation, including runways, buildings, oil tanks and pipework, as well as the substantial fuel contamination.

The council is spending approximately £2.5 million to restore the land that it has acquired to fitness for public access. Help towards those costs is coming not only from the trust but from various other organisations, such as English Partnerships and English Nature. A small, and more or less symbolic, section of the surrounding fence was removed in September 1997, opening about 20 hectares to the public.

Much more importantly, on 8 April 2000 I was present when the council's dream started to become a reality and the whole of the rest of the fence began to come down. It was an emotional day, as local people who had been excluded from the land for 60 years could at last walk freely over the whole area. It was a time for reconciliation, as former protesters walked side by side with wardens and others who had opposed their presence: a time when it could truly be said that swords were being turned into ploughshares.

A new chapter in the life of the commons is unfolding, and I am proud not only to have been associated with the council's progress to date but to be supporting the Bill today. The Bill completes the picture by providing several main elements. It restores commoners' rights extinguished by the Ministry of Defence under the Defence Lands Acts. It extends commoners' rights across the whole area so that it can be managed as a single entity. It sets up a new register of commoners' rights that can be kept up to date. It grants a right of public access in perpetuity, on foot, horseback and bicycle, over defined paths.

The Bill creates a new, locally accountable body, the Greenham and Crookham Common Commission, to assist in the management of the common. That body will have an equal number of commissioners appointed by public and other bodies and elected by the commoners themselves. The Bill places new general duties on the council and the commission in respect of the management of the common, including a specific duty to prepare and keep under review a management plan for the common.

Finally, the Bill contains measures to regulate public access and the exercise of commoners' rights, to avoid conflict and ensure the conservation of this important area of ecological, cultural and historic significance.

The council conducted extensive consultation before promoting the Bill, with other local authorities in both west Berkshire and Hampshire, with conservation bodies and amenity groups, with the Crookham and Greenham Commoners Association and all known commoners, and, indeed, with the public at large. The initial drafting of the Bill was amended in response to comments received, and its principles have received support from all who have expressed views to the council.

Let me give the House two examples. The head teacher of Whitelands primary school, Thatcham, Mrs. J Salmon, said:

> As the Headteacher of a local primary school, I welcome the Greenham and Crookham Commons Bill, as it will increase the amount of land available for recreational and educational activities.

Garry Poulson, manager of Newbury Volunteer Bureau, said:

> Volunteering plays and will become an increasingly important feature of the life of the commons and we feel that anything that can be done to create a stable and well defined open space that is accessible to all should be encouraged and welcomed.

There remain three outstanding petitions against the Bill, but the points raised are concerned with detailed provisions of the Bill and the petitioners have all made it clear that they support it in principle. The Open Spaces Society said that it

> wishes to assure Members that they fully support its purpose and contents in principle and have no wish to delay its progress.

English Nature said that it

> sees this Bill as a positive way forward and congratulate West Berkshire on their visionary approach . . . It is our duty to ensure the nature conservation of Greenham and Crookham Commons SSSI, both now and in the future, and because of this we have to make sure that the Bill advances the nature conservation aims for the site.

The Royal Society for the Protection of Birds said:

> We believe that our concerns could be easily remedied in a manner which is wholly consistent with the overall purpose of the Bill.

It is my intention and that of the district council that we shall do everything that we can to meet any remaining reservations that the petitioners may have about the Bill by introducing appropriate amendments in Committee.

Mr. John Redwood (Wokingham): I join the hon. Gentleman in his tribute to the council for the work that it has put in to try to find the right answer, but I am worried that there remain detailed objections from the prestigious bodies to which he referred, which are trying to do their best for the local flora and fauna. Can he give us a better idea of when the new drafting may be completed and whether it will meet all those worries or whether there will be a compromise?

Mr. Rendel: I cannot answer for the bodies as to whether they will feel that all their objections have been met. The drafting of the original form of the Bill is complete, in the sense that it will—I hope—get its Second Reading tonight. The Bill could be amended in Committee. My understanding is that negotiations are continuing with various bodies which have set out objections to the Bill and it is believed that all their requirements will be able to be met. However, in such situations, with so many different potential users of the site—some on foot, some on bicycles, some wanting to do one thing and some another—there is the potential for some conflict. The potential also exists for conflict between wildlife on the common and human uses of the common. I cannot guarantee to the right hon. Gentleman that all the objections will be met: all I can say is that the district council and I will work as hard as we can to meet the objections. Much work has already been done and it is fair to say that all those who have objected now feel that their objections will be met sufficiently. It may be that some form of agreement will have to be reached between the various objectors, with each getting some of what they want, but I hope that such compromises will be avoided as far as possible.

The promotion of the Bill in Parliament received unanimous cross-party support at the council meeting which agreed its promotion. I hope and understand that during this debate support will also be shown by the other two hon. Members whose constituencies include parts of the west Berkshire district. We were also very pleased to receive a letter from the Minister, who in February of this year wrote:

> I am pleased to say that the objectives of this Bill appear entirely consistent with Government policy in this area—particularly the proposal to secure public access to the common in perpetuity.

This is a proud moment for me as we near the fulfilment of what is, for me and many people in west Berkshire, a long-standing dream. I hope that hon. Members will make it a happy moment for me by giving their total commitment to the Bill in its Second Reading tonight.

7.12 pm

Mr. John McDonnell (Hayes and Harlington): I also welcome the Bill and congratulate the local authority, the local campaigners, the local councillors and the hon. Members who have worked so hard to bring it to fruition. We all have a long-standing affection for Greenham common in our different ways. I remember being threatened with surcharge in the 1980s, as the chair of finance for the Greater London council, for seeking to send sleeping bags to the Greenham common women at ratepayers' expense. [*Interruption.*] Well, it was an enjoyable period in which we were able to support those campaigning to bring about a pacific world.

Several hon. Members objected to the promotion of the Bill at an earlier stage to encourage debate today. That objection was not to the content of the Bill but to the failure of the Government to address the issue of private Bills and their compliance with the Human Rights Act 1998. I am happy to withdraw that objection. We have received assurances from the promoters of the Bill that it complies with the Act, but I have again to draw the House's attention to the fact that all other legislation under section 19 of the Act requires a statement from the promoters or the Minister in charge that the Bill complies with the human rights legislation and that statement should be on the face of the Bill. I urge the Government to consider that matter again, otherwise we will have the debate time and again on private Bills. There is no rationale for private Bills to be excluded from the human rights procedures on which the House has legislated so recently. Having said that, I wish the Bill a fair wind and hope that I will be able to accompany other hon. Members when the commons are reopened.

7.14 pm

Mr. John Redwood (Wokingham): Following my intervention on the hon. Member for Newbury (Mr. Rendel) and his reply, I am grateful to him for the information that he and those behind the Bill are seeking a way forward with the three bodies that have made representations that its detail could be improved. I urge those promoting the Bill to try to come to an accommodation and to be flexible towards any amendments tabled in Committee.

Some of the drafting of the Bill could be improved. Clause 23, for example, which is the guts of the Bill because it would give commoners their rights, contains a set of propositions that would impose restrictions on the use of commoners' rights as well as a provision that commoners' rights must take precedence over the restrictions in various areas. It is plain from that long and complex clause that the Bill is still somewhat muddled. We are told that people cannot graze

> stallions, rams, bulls or other male entire commonable animals.

However, further on we are told that people cannot be prevented from grazing two or fewer animals and that that overrides the exclusion on stallions, rams and bulls. However, I presume that the idea behind the prohibition on stallions, rams and bulls was the fear of what they might do to some of the other animals seeking to enjoy the advantage of the commons. That is one example of many I could cite, but it would repay a little study in Committee to try to sort out some of the loose drafting.

I hope that it will be possible for the council and those actively furthering the Bill to reach agreement so that the legitimate concerns of English Nature and the RSPB, in particular, can be met. I am sure that the people of the west Berkshire district want to feel when the commons are opened up and returned that they will be a good sanctuary for birds and other wildlife. That will be one of the reasons why public money will be committed in the future to the maintenance of the area as a green and open space in what is otherwise becoming a congested and overbuilt county.

7.17 pm

Mr. Martin Salter (Reading, West): While I do not stand to benefit financially from the Bill, I should declare the fact that I am a member of the Open Spaces Society. However, it did not consult me when it lodged its petition, and I might have withdrawn my £15 a year had it done so.

In December, it was my privilege to write to my right hon. Friend the Deputy Prime Minister and formally record my support for the provisions of this important and historic—locally, at least—proposed legislation. I enjoy an interesting relationship with West Berkshire district council and add my congratulations to Mike Harris, who has a senior position in the council, and to Councillor Tony Ferguson who, despite being a slippery Liberal, is sound on some of the nuclear-related issues.

For 60 years, local people from across Berkshire and elsewhere were denied access to that once beautiful piece of our county. We do not need to get into the whys and wherefores of the siting of cruise missiles on British—never mind Berkshire—soil, because anyone who saw Greenham common in its previous incarnation could not fail to conclude that the presence there of a military base represented a blot on the landscape of an outstandingly beautiful part of the upper Kennet valley.

It is important that hon. Members on both sides support the restoration of commoners' rights. I am looking forward to taking my recreation time on Greenham common. Like my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell), I attended certain political events in the 1970s and 1980s outside Greenham common

[Mr. Martin Salter]

and I will consider it a political event to be able to walk freely across that countryside that will, once again, become part of Berkshire and of England.

I would welcome the opinion of my hon. Friend the Minister on whether the Bill represents the first nationalisation under new Labour. If it is, many of us will rejoice.

I shall conclude by saying that I understand the objections raised by my hon. Friend the Member for Hayes and Harlington. He and other Labour Members are engaged in a campaign to draw attention to some of the anomalies in the private Bill process. I pay tribute to them for withdrawing their objections and for wishing the Bill a fair wind in its passage through the House. They have not conceded the very important principle that motivates them, and I share much of their concern, but this Bill is a boon for the people of Berkshire and of this country as a whole.

Our country is extremely overcrowded, and Berkshire suffers from the same problem. A Bill that gives us a little more beautiful open space is to be whole-heartedly supported, and I am proud to do so.

7.20 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): I have no intention of being drawn by my hon. Friend the Member for Reading, West (Mr. Salter) on the broader political implications of the Bill. Before we conclude this brief debate, it might be helpful if I gave the House the Government's view on the Bill.

The Government are adopting the traditional neutral stance on private Bills, although the parliamentary agents for the promoters are aware that we have concerns about some of the Bill's provisions. However, the Standing Committee to which the Bill will be referred will be in a far better position to consider points of detail and hear expert evidence on them.

I hope that the Bill will be given a Second Reading and that it will be allowed—

Mr. Redwood: Will the Minister give way?

Mr. Hill: I must allow myself to be tempted.

Mr. Redwood: Is the Minister reluctant to express a view on the Bill because he thinks that he will need a lot of the green space on the commons for the massive house-building project that he wishes to force on Berkshire? Will he take advantage of this opportunity to apologise to the people of Berkshire, and lift the spectre of more homes?

Mr. Hill: That intervention reminds us all why the right hon. Gentleman remains on the Back Benches.

The Government hope that the Bill will be allowed to proceed in the usual way to Committee.

Question put and agreed to.

Bill accordingly read a Second time, and committed.

Alcohol and Young People (Wirral)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Hill.]*

7.22 pm

Mr. Ben Chapman (Wirral, South): I am delighted to have secured an Adjournment debate on this important subject. The issues surrounding high-proof alcohol and its effects on our young people are matters of serious concern. In my many discussions with the police in my constituency, the severe problems surrounding high-proof drinks are a regular topic.

I take this opportunity to thank the local police, especially Sergeant Seeborn and the community police team based at Bromborough for their work on the problem, and for providing a great deal of background information. I know that they are pleased that the matter is being brought before the House today.

The police tell me that most of the time in the community forums that they hold locally in the Wirral is taken up with discussing complaints related to young people engaged in anti-social behaviour. I do not believe that Wirral, South is any different in that respect from other constituencies, which I am sure are experiencing similar problems. The problems are often exacerbated by the fact that the youths involved have consumed alcohol.

Gangs of youths can be perceived as intimidating even when sober and behaving well. When they are drunk, the perceived threat is much more substantial, especially to elderly citizens. That problem is much evident in Wirral, South, where a high proportion of the population is over pensionable age.

The problems are made significantly worse because the drinks involved are often high-proof drinks—8, 9, 10 or even 12 per cent. by volume in some cases. In effect, young people of 13 or 14 years of age are drinking the equivalent, in each bottle or can, of three or four pints of ordinary beer. The consequences are predictable—anti-social behaviour, damage, theft, graffiti, assault, and so on.

Vandalism and damage to churches and churchyards is becoming increasing common in my constituency, and I am sure that it is a direct result of the actions of youths who have been drinking. That is especially distressing to many people.

Research reported last year showed that youngsters between 11 and 15 are drinking more than twice as much alcohol as in the early 1990s. The charity Alcohol Concern believes that as many as 2.75 million pints of beer are consumed every week by under-age young people. Last year, Liverpool's Alder Hey children's hospital revealed that doctors were treating 200 intoxicated youngsters a year—some of them as young as 9 years of age. If anyone doubted the scale of the problem, those facts show it clearly.

Wirral magistrates tell me that more cases involving young people are connected to alcohol than to drugs. As Alcohol Concern has stated:

> More young people drink alcohol than take drugs, and more get into trouble from it.

I shall give a brief outline of how the problem came to light in the Wirral. The Confiscation of Alcohol (Young Persons) Act 1997 gave police power to confiscate alcohol from young people in public areas, and it has proved highly successful. Merseyside police mounted Operation Cask in June 1998 in the central Wirral area, which includes my constituency. That highlighted the extent of the problem as, between 6 pm and 9 pm on a Friday evening, alcohol worth £700 was seized.

The significant result was not that such an amount was seized, shocking as that might be, but that the received wisdom of the time—that alcopops were the main contributor to under-age drinking—was discovered to be untrue. The House will recall the public outcry when those drinks were introduced to the market but, although I have strong reservations about them, they do not seem to be the major cause of the problems.

During the operation, no alcopops were seized, and, in any case, their alcohol by volume is only about 5 per cent. The alcohol seized was all either lager or cider, and all of it had a high alcohol content. The drinks were much stronger than alcopops, and much cheaper. For example, cider, which costs as little as £1 per litre in an off-licence is, on average, twice the strength of most beers, so the stark reality is that £1 allows kids to consume major amounts of alcohol. It can be no surprise that the young people involved are frequently drunk and abusive. Many are not in control of themselves: they are, indeed, out of their minds.

In most other respects, the youngsters are well behaved. They may have no income other than pocket money, and their parents often have no idea about what is going on. For example, parents might give a child £5 for the cinema, little knowing that it could be spent on alcohol. A considerable amount of alcohol can be consumed for £2 or £3, and the evidence is building that many youngsters' first experience of alcohol is with these high-volume products.

Why are the kids on the street in the first place? They will tell people that there is nothing else to do and, sadly, in some cases, that is true. In my constituency, for example, there is a lack of facilities for teenagers. Most importantly, there are too few facilities that they want to use—as opposed to what we older people think that they should want to use.

Moreover, facilities are often in inner-city and urban areas. Little thought seems to be given to suburban areas such as those in my constituency. I continue to press the lottery boards to take account of suburban issues and to put right the consequential lack of lottery funds for projects such as the West Wirral Trust for Sport. The facilities that it could offer could greatly help in attracting youngsters away from the streets and parks and into productive fun. That would be an alternative to the "bit of fun" that drinking represents in an area where the youngsters say that they have nothing to do.

Any alcoholic drink is strong to people in their early teens, but the high-proof drinks multiply that problem considerably. We often forget that alcohol is a drug, and must represent a potential cause of harm when it is taken in such strong doses.

All police operations since Operation Cask have resulted in the confiscation of high-volume lager and cider. The police tell me that they are now having difficulty in finding the stashes of drink that youngsters go to increasingly greater lengths to conceal. The police believe—and I believe them—that youngsters sneak these drinks through their back doors at home, unnoticed and attracting no comment. To some extent, that happens on the back of, or under cover of, alcopops. The drinks involved may be bootleg imports.

Who buys these drinks, and why are they produced? My hon. Friend the Minister will recall from his visit to Wirral, South earlier this year that a call on an off-licence, particularly a discount off-licence, can provide evidence of the hard sell that surrounds such products. He will recall that they formed a major part of the display in an off-licence that he visited, and that the sales staff confirmed that they were a good seller.

This is surely a time when the social responsibilities of the brewing industry, off-licences and perhaps supermarkets need to be examined closely, not least by the industry and the outlets themselves. These beers and ciders are packaged to be attractive to young people. The cider comes in blue or green bottles. It is consumed—as is the fashion these days—from the neck of the bottle. All these drinks have a high alcohol content. They are seen as "wicked" in both senses of the word—in the sense that they are fashionable for young people, and in the sense that they are harmful and undesirable because they have a bad effect on youngsters and because anti-social behaviour surrounds their sale and consumption.

Is there any need to sell such beers? They may provide a good profit margin, but surely the damage that they do to our young people outweighs that commercial consideration. I enjoy a drink or two of beer, but neither I—nor anyone else I have spoken to—drink beers with such a high alcohol volume. That is simply an observation, not a scientific fact, but it bears out the police's view that the consumption of high-alcohol content products is, in the main, by under-age drinkers and alcoholics. They are not enjoyed, bought or consumed by social drinkers.

Why does the industry produce such products? Why are they sold in such a high-profile way? A cynic might assume that they are targeted at young people. I understand that in some supermarkets, sales of these products can make up to 1 per cent. of total sales.

The social cost of these products is far too high. It is time for action, and if the industry is not prepared to look at this problem voluntarily, I ask the Government to ensure that it does.

Before concluding, it is important to say something about the outlets for these products. My hon. Friend the Member for Pudsey (Mr. Truswell) is seeking to tighten the laws against those who sell alcohol to under-age drinkers, and I support his proposals wholeheartedly. However, such measures would not solve the problem in its entirety. The majority of licensed premises in Wirral, South do not sell alcohol to young people. However, that does not mean that there does not need to be even more supervision of off-licences and other outlets. They may not be the direct cause of the problem, but disturbance, violence and criminal activity often occur nearby. If they are not the cause, they are certainly often the focus.

Research shows that disorder around licensed premises has increased dramatically—by about 30 per cent. from the mid-1990s. We need to ensure that youngsters under 18 are not being sold alcohol of any type. We need to monitor displays in off-licences and supermarkets. The police have to ensure that frequent visits are made to outlets and, as far as possible, measures need to be taken to discourage and stop adults from buying drink for teenagers.

[Mr. Ben Chapman]

That brings me to a more sinister aspect of the problem. A large number of people over 18 are more than willing to purchase alcohol for under-age youngsters. Legitimate customers can be harangued, but are often bribed, into buying alcohol for teenagers. Sadly, in some cases, parents buy the drinks. More disturbingly, the police often find groups of teenagers—mainly girls—in the presence of males over 18. One can draw one's own conclusions as to the motives behind that, but assault and sexual assault on youngsters too drunk to know what is happening cannot be ruled out, and does occur.

Will the Government be taking action to criminalise purchasing alcohol and supplying it to under-age drinkers? The anti-social behaviour of such youngsters is a huge problem, but of equal concern is the danger that they put themselves into, and the risk of assault, or even accidents, when drunk.

The only purpose of these products seems to be to ensure that the consumer gets drunk quickly and cheaply. To me, high-volume ciders and beers with a high alcohol content often taste appalling. To my lights, they are not social drinks in any shape or form.

To impose a punitive tax on high percentage products is one suggestion for drinks with, for example, a percentage volume greater than 6 or 6.5 per cent. That would place these products further out of the price range of the pocket-money drinkers, and might be the best solution, short of their withdrawal from sale.

High-profile advertising and health campaigns against their use, educating not only young people but their parents of the dangers of such products, would also be a welcome measure. Indeed, following Operation Cask, Merseyside police wrote directly to parents about the problem, and are continuing to do so. There is a role for schools and for the youth service. I ask the Minister to comment on what could be done in these areas.

The fact remains, however, that all these measures still leave these products on the shelves, available and obtainable in one way or another. I hope that I have outlined my serious concerns about the problem, which certainly needs addressing.

I call on the industry and retail outlets to address the issue voluntarily by looking at the way in which the products are marketed and produced, and at the need for them in the first place. I call for Government action if the industry is not prepared to do this. I call for the introduction of a punitive tax on beers and ciders with a percentage volume greater than, say, 6.5 per cent. I call for increased supervision of licensed premises and the displays within them. I call for a high-profile campaign, aimed particularly at adults, to highlight the dangers of these products. Finally, I call for measures to criminalise the purchase of alcohol for consumption by under-age youths.

7.36 pm

The Minister of State, Home Office (Mr. Charles Clarke): I begin by congratulating my hon. Friend the Member for Wirral, South (Mr. Chapman) on securing the debate and by saying how grateful I am that he has done so. I visited my hon. Friend's constituency earlier this year, and talked at length to a number of organisations, particularly the police, about the issues that he has described so graphically this evening. The situation that was described to me demonstrated that the issue was of such importance and significance that we must address it actively. I intend to set out this evening our approach to the matter.

I regret that the issues described by my hon. Friend are not restricted to the Wirral, but also apply to other parts of the country. In too many parts of the country, there is too much drinking of strong alcohol by young people in parks, as my hon. Friend described. That leads to a range of crimes and disorders that cause problems for society as well as, more significantly, causing serious problems for the individuals as they go about a process of personal decline, which is tragic in its own way.

It may be of interest to the House if I describe the general situation in this country, so that some of the figures are on the record. Our starting point must be a recognition that nearly 90 per cent. of the United Kingdom population take alcoholic drinks and spend something like £25 billion a year on them. The vast majority enjoy alcohol sensibly—my hon. Friend indicated that he occasionally takes a glass, and I confess that I do, too. However, the industry, with its wide variety of representative organisations, is encouraging sensible drinking and positively discouraging the kind of drinking that my hon. Friend describes as taking place in some parts of his constituency and elsewhere.

The fact is that alcohol-related crime, disorder and nuisance, particularly at weekends outside some pubs and clubs, is an increasing problem in many areas. The Government are determined to give the police and local authorities the support and powers that they need to deal with those who abuse alcohol and behave in the kind of unacceptable ways that my hon. Friend has described. For example, it seems that more than 80 per cent. of criminal damage cases are committed by offenders under the influence of alcohol. That figure demonstrates that it is a real issue which impacts on the quality of life in our communities, affecting in particular those who happen to live in the vicinity of certain pubs and clubs.

I have seen figures suggesting that up to 75 or 80 per cent. of those who go to hospital accident and emergency departments have alcohol in their bloodstream. In itself, I suppose that that should not be a particularly surprising statistic; nevertheless, the scale indicates the impact of alcohol consumption on society as a whole.

Research indicates that under-age consumption of alcohol increases substantially the risks of young people becoming involved in criminal or disorderly activity, as well as leading to under-achievement at school, poor health and poor employment prospects. That is an important contributory factor to the cycle of decline that has affected too many of our young people.

The evidence suggests that young people have substantial access to alcohol. The youth life styles survey conducted between 1998 and 1999 suggested that 84 per cent. of 12 to 17-year-olds had drunk alcohol at some time in their lives—with their drinking increasing as they grew older. The survey found that 63 per cent. of those aged between 16 and 17 and 10 per cent. of those aged between 12 and 15 who had drunk during the past year said that they usually bought alcohol for themselves—most often in pubs, bars and nightclubs.

As I travel around the country—not only in the Wirral, but elsewhere—police and local authorities report to me that the problem of alcohol consumption at, say, 2 am on a Friday or Saturday night is not only serious in itself, but requires a considerable diversion of police resources to keep control of difficult and problematic situations.

The problem is real and substantial. There are important implications for the health service, for crime, for social services and for other aspects. Furthermore, although it may seem a lesser problem, too many parks are made unattractive for people to use, because certain areas are dominated by groups of young people consuming high-strength alcohol, as my hon. Friend described.

The problem addressed by my hon. Friend is important and profound for our society. Unfortunately, too many of our opinion formers in various walks of life have tended to undervalue the seriousness of the issue. Because we all have a drink from time to time, we tend to think that the problem of alcoholism is not too serious. In fact, alcohol abuse is increasing—especially among young people—and it should be reduced.

Earlier this year, in response to the problem, as the responsible Home Office Minister, I convened two seminars for the large range of individuals and organisations involved in the matter. There was wide participation—including the police, magistrates, representatives from local government and from victuallers and licensees associations, members of pressure groups such as Alcohol Concern, the Portman Group and pub watch schemes, and representatives from companies involved in beer production and in the leisure industry.

I convened the seminars—a further one will be held in September—to find out what common ground existed between all those organisations, so that we could make progress in addressing the issues. I am glad to report to the House that much common ground exists. For example, breweries are not interested only in maximising the consumption of alcohol. They accept that it is in their interest that alcohol consumption be regarded as a civilised and reasonable leisure activity in our society. It should not be seen to lead to excess, and to the problems and difficulties described by my hon. Friend.

All the organisations acknowledge the obligation to try to work more effectively to address the issues. We have begun a serious dialogue about what we should try to do. A range of initiatives are under way. In some localities, there are arrangements between club doorkeepers and the police. I visited York a few months ago, where there is a good relationship between the police and licensees—with a requirement for licensees to meet the police for discussions every year.

In some parts of the country, photographs are circulated of certain offenders who drink to excess in particular places. In some areas, licensees play an active role in carrying out their responsibilities effectively. However, as my hon. Friend pointed out and as I saw in the Wirral, the role of off-licences in selling—or not selling—alcohol to young people is a matter of concern. In my hon. Friend's constituency, I saw an off-licence near a railway station, where there were serious problems. People obtained alcohol and caused the type of disorder that my hon. Friend so eloquently described. There are too many similar examples.

The main message from the discussions that have taken place is that there is a real commitment to a series of measures based on partnership, which will powerfully and efficiently address the issues. As a result, I am glad to tell the House that, later this year, the Government will publish toolkits setting out ways in which organisations can work together, so that the dialogue between licensees, local authorities, the police and the companies can be put into effect. They will include various measures, for example, on pub design and strengthened glass, as well as more effective byelaws to prevent drinking in public places. That will enable us to move forward.

There is wide consensus that an effective proof of age card is needed to ensure that alcohol is sold only to those who are legally entitled to buy it. There are still serious issues to deal with in order to address that problem effectively. The optimistic note that I offer my hon. Friend is the real willingness on the part of the whole industry to co-ordinate effective measures. That is a serious and most important point.

Our statutory crime and disorder partnerships address these issues. It is significant that more than 60 per cent.—three in five—of local crime reduction partnerships identified tackling alcohol and crime as a priority. That work has shown that, as with drugs, the consumption of alcohol is a major accelerator of crime.

In addition, we have taken some general measures. The White Paper "Time for Reform", published earlier this year, recognised the need for a real balance between people's rights and freedoms and tough measures to punish those who abuse those rights and freedoms. For example, the White Paper proposed that, in certain circumstances, the police should be able to close down clubs where there had been particular problems. New powers are proposed for the police to shut disorderly premises and to combat under-age drinking—especially in public.

We propose new measures to back up the age of 18 as the legal age for buying and drinking alcohol on licensed premises, including off-licences. That will include a new offence of buying alcohol on behalf of an under-18-year-old. That deals with one of the concerns expressed by my hon. Friend. I urge him to continue to press the matter. As the measure is recommended in the White Paper, I am confident that it will be introduced, but it is important to change public perceptions on that matter. There will be a new offence of knowingly permitting the sale of alcohol to an under-18-year-old and a new duty on those selling alcohol to satisfy themselves as to the age of their customers. A proof of age card would have special relevance in that context.

As my hon. Friend said, some of these issues have been covered by the private Member's Bill promoted by my hon. Friend the Member for Pudsey (Mr. Truswell)—the Licensing (Young Persons) Bill. It has had cross-party support and has made good progress in the House. If it is given a fair wind in another place—I hope that it will be—it will become new law in this parliamentary Session. It will improve the effectiveness of our licensing laws by protecting youngsters in advance of the changes proposed in the White Paper. We therefore have proposals to deal with under-age drinking.

My hon. Friend the Member for Wirral, South raised a difficult matter on which the police in his constituency have been particularly active. He referred to the means of

[Mr. Charles Clarke]

banning the unacceptably and extraordinarily high-strength beers, ciders and lagers that are sold in many off-licences and which are welcomed by young people who want to get blotto for reasons that pass my understanding and, I suspect, that of my hon. Friend. This is an issue for the Department of Trade and Industry, but the Government take it seriously and we are actively considering what we can do. I cannot say anything positive tonight, but, as with what I said about sales to those aged under 18, I hope that he will continue his campaign and press it strongly.

There are technical and difficult problems about distinguishing between the obvious high-alcohol drinks, such as vodka, and the drinks that are marketed in a particular fashion. Those difficulties present problems in setting about addressing the issue effectively, but it is important that my hon. Friend continues to press his campaign in the powerful way that he has done today.

My congratulations to my hon. Friend are genuine. It is an important campaign whose time has come. Many people have already suggested that they want to work together and the Government are determined to make progress on these issues. I wish him well and urge him to continue the pressure that he has started with this debate. I hope that the House will agree that this has been a worthwhile debate and that it is a worthwhile subject for the Government to focus on in their actions.

Question put and agreed to.

Adjourned accordingly at nine minutes to Eight o'clock.

House of Commons

Tuesday 11 July 2000

The House met at half-past Two o'clock

PRAYERS

[Madam Speaker *in the Chair*]

PRIVATE BUSINESS

City of Newcastle upon Tyne Bill *[Lords]* (*By Order*)

Order for Third Reading read.

To be read the Third time on Tuesday 18 July.

Alliance & Leicester Group Treasury plc (Transfer) Bill *[Lords]* (*By Order*)

Order for Second Reading read.

To be read a Second time on Tuesday 18 July.

Oral Answers to Questions

ENVIRONMENT, TRANSPORT AND THE REGIONS

The Secretary of State was asked—

Rail Services (North-West)

1. **Mr. Tony Lloyd** (Manchester, Central): What recent discussions he has had with Virgin Trains on the rail service to Manchester and the north-west. [128400]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): It is the franchising director's responsibility to monitor the two franchises that Virgin Trains holds: west coast main line and cross country. He is in regular contact with Virgin Trains about all its services, including those to Manchester and the north-west.

Mr. Lloyd: Does my right hon. Friend agree that the travelling public in the north-west, served by Virgin Trains, hold the strong view that the standard of that service is appalling? It is not punctual often enough; it is shoddy and shabby; and, more importantly, is it very over-priced. Can he get the message across to Virgin Trains that we do not want to live for ever on promises from it? Can he scotch the rumours about delays in upgrading the west coast main line? As he is well aware, it is important to invest in that infrastructure so that we can have a world-class train service on the west coast and up to Scotland.

Mr. Prescott: I am well aware of the complaints made about the services of Virgin Trains; I travel by train quite often and passengers come up to me and make that point very clearly. The company's target was that services should arrive within 10 minutes of the expected time and about 80.6 per cent. of services achieved it. The service has improved by 8 per cent., but that is a pretty miserable record. To be fair, the desperate need for investment in the west coast line has to be taken into account. We faced problems in that Railtrack and Virgin reached an agreement on the cost of modernisation, which they estimated to be about £2.3 billion; the figure is now £5.2 billion. That two private companies can produce such different estimates does not make it easy to modernise the west coast line. I assure my hon. Friend that we shall ensure that the modern standard of line that has been guaranteed is delivered. He knows that the Director General of Fair Trading and the regulator are questioning Virgin Trains about fares.

Mr. Nicholas Winterton (Macclesfield): I fully endorse the remarks of the hon. Member for Manchester, Central (Mr. Lloyd). Does the Deputy Prime Minister accept that, unless more trains arrive in accordance with the timetable—thus reducing the lateness that is so typical of the north-west line—the transfer of people from road to rail will not be achieved? Does he also agree that a town such as Macclesfield deserves a modern railway station as it is one of the major profit centres for Virgin in the north-west? Will he press Virgin, Railtrack and all those involved to make the necessary investment in the station and the track as well?

Mr. Prescott: The hon. Gentleman is correct to say that the reliability record is far worse than under public ownership, but I make it clear that investment is still the critical factor. I have already referred to the major miscalculation of the resources needed to modernise that line. The regulator is investigating, with Virgin and Railtrack, the cost of that operation. I hope that there will be a statement shortly, especially on Railtrack's contribution, and that we can get on with modernising the line. The Strategic Rail Authority is very much involved. There is an important difference between the previous Administration's approach under privatisation and ours; we are trying to bring back public interest in the management of our railways.

Mr. Eric Martlew (Carlisle): Although I do not condone the performance of Virgin or Railtrack, the upgrading has started—we have waited many years for it—and the new tilting trains have been ordered, for which my right hon. Friend should take some credit. I have received a briefing from Railtrack today, and it seems to be getting its act together, but does he not agree that it is a great shame that all the track-laying equipment—and other heavy equipment—used to modernise our railways has been built abroad? Will he consider ways in which to help British manufacturers to get involved in those contracts?

Mr. Prescott: My hon. Friend is right. We are already seeing an increase in the number of people travelling by rail, even on Virgin. There has been an increase of about 17 per cent. on average in rail passenger numbers since May 1997. The improvements that we are making and our commitment to the long term are important contributory factors in that. My concern about the manufacturing of rolling stock goes back to when we were in opposition. The problem is that no one was prepared to make a commitment to the long-term planning of the rail industry. We are now correcting that and, with our announcement on the 10-year transport plan, we will give a future to the long-term development of the railways and transport in this country.

Mr. Bernard Jenkin (North Essex): Will the Deputy Prime Minister at least acknowledge that the west coast main line upgrade has started and that the money is being provided by the privatised rail industry—money that he would never have been able to obtain from the Treasury? In comparison, as we approach the general election, why are we still waiting for Labour's so-called transport plan to be announced, let alone started? What have the Government been doing for the past three years? As they feed the press, day after day, with speculation about £50 billion, £80 billion, £140 billion or £160 billion, will he reflect on his own words about what people really think? Did not he say, "They think, 'Isn't this spinning and spinning is about lying'"?

Mr. Prescott: In 18 years of a Tory Administration, we had a decline in the use of the public transport service and disinvestment on a massive scale, but in three years, this Government have produced their first White Paper, the first piece of—[HON. MEMBERS: "Oh!] If the Opposition had thought a bit more about what they were doing, they would not have ended up in a mess. We have a White Paper, legislation and a major announcement of long-term investment in transport. That is why people now have faith in the development of an integrated transport system.

Portland

2. **Mr. Ian Bruce** (South Dorset): If he will make a statement on the progress of the South West of England regional development agency in letting the former HMS Osprey site on Portland. [128401]

The Minister for Local Government and the Regions (Ms Hilary Armstrong): The South West of England regional development agency is developing a framework plan for the former Royal Naval air station on Portland and a public consultation exhibition seeking local views was held at the end of June. I understand that the hon. Gentleman met the deputy chairman of the RDA yesterday to discuss development of the site.

Mr. Bruce: I thank the right hon. Lady for that answer, but she will know that three years ago, the South Dorset economic partnership was dealing with the former Ministry of Defence sites very effectively. However, there is no permanent tenant on the site as yet and I am told by the South West of England RDA that dealing with other Government agencies—namely the MOD and the Crown Estate—is the problem. It also tells me that it is being held up by a consultation over flooding with the Department of the Environment, Transport and the Regions. Can she please make sure that Ministers take a personal interest in the matter to cut through the problem and get some of the so-called joined-up government that we hear so much about?

Ms Armstrong: I thank the hon. Gentleman for acknowledging that the RDA is getting on with the job. It took responsibility for the site from 30 March and has already got a public consultation up and running. Although he was unable to attend the exhibition, he has seen the plans, which are working well, so he knows that there is a site of special scientific interest within the site. Obviously, we have to deal with that properly and undertake proper consultation, but I can assure him that the RDA, with our backing, is doing all that it can to make sure that proper and appropriate development takes place on the site.

Rural Economy

3. **Dr. George Turner** (North-West Norfolk): What plans his Department has to encourage the economic development of rural economies. [128402]

The Minister for the Environment (Mr. Michael Meacher): The regional development agencies, established in April 1999, have all drawn up regional economic strategies, which fully recognise the needs of rural as well as urban areas. In pursuing rural development, they have at their direct disposal the £29 million rural programme and round 5 single regeneration budget funds, which included some £70 million to be spent on rural areas.

Dr. Turner: I thank my right hon. Friend for that reply. He will know that the rural group of Labour MPs has recently published a manifesto. Although we acknowledge that the Government have done much and are doing much, there is a lot still to be done. Can he tell us today when my right hon. Friend the Deputy Prime Minister will be able to publish the rural White Paper, for which we are waiting? Can he commit the Government to ensuring that the White Paper represents an action plan to address problems in rural areas? In particular, will he assure the House that changes will be made to the planning regime to ensure that it helps to achieve the diversification that so many of our farmers need if they are to secure a reasonable income?

Mr. Meacher: My hon. Friend is right to say that the manifesto produced by many of my hon. Friends on the Back Benches is an extremely good document by any standards. We expect to publish the rural White Paper in the autumn. It will take account of my hon. Friends' proposals, and it will be a wide-ranging, practical and ambitious paper covering the whole range of rural services: regeneration, access to services, new directions for agriculture, social exclusion, rural empowerment, conservation and recreation, and rural proofing.

My hon. Friend asked a particular question about diversification. We are well aware of that problem, and my hon. Friend the Minister for Housing and Planning recently held a seminar on the issue. We recognise the need for farmers to diversify their businesses beyond agricultural operations, and we have issued national guidance to assist farm-based diversification.

Mr. Don Foster (Bath): If the Minister is so committed to the regeneration of rural economies, why are so many of the Government's initiatives on regeneration massively underspent? Is he aware that the single regeneration budget has been underspent by £45 million since 1997, that the European regional development fund has been underspent by £0.25 billion since 1994, and that the Minister's wonderful new scheme, the new deal for communities, spent only 2 per cent. of its budget in 1998-99 and less than half last year? Does he accept that, as a result of the massive mountain of bureaucracy and the Government's failure to co-ordinate these initiatives, rural economies have been offered a feast but are getting a famine? Will he at least publish details of those underspends and the reasons for them, and take action to stop them?

Mr. Meacher: The hon. Gentleman is not quite right. We are aware of underspend, but we are working with local communities precisely to increase their capacity to utilise those funds. He has ignored the fact that the actual spend on countryside programmes will increase in the current three-year period from £128 million in 1998-99 to a projected £174 million by 2001-02, which is an increase of almost 40 per cent. In addition, the Minister of Agriculture, Fisheries and Food announced the rural development plan, which includes a 60 per cent. increase to £1.6 billion and a degree of modulation for expenditure on the countryside. It is a pity that the hon. Gentleman, in making a fair point, did not acknowledge the huge increase in expenditure that is now going into the countryside.

Mrs. Alice Mahon (Halifax): Given that a good, well-maintained water supply is vital to any regeneration in rural communities, has my right hon. Friend had time to study the Kelda proposals to sell Yorkshire Water back to its users? It seems blatantly to be trying to foist its debt on to my constituents and others in Yorkshire. Does he agree that there should be a public inquiry into this so-called sell-off, and that the managers, who have been incompetent and greedy over the years, should be held to account? They have put us all in danger by mismanaging a vital resource.

Mr. Meacher: My hon. Friend raises the important issue of the Kelda proposals for Yorkshire Water. This is primarily a matter for the Director General of Water Services, whose approval is required before such proposals can proceed. He issued a consultation paper, which has not quite run its course—I think that the process ends on 17 July. Ministers do not have a direct responsibility in this area, but I have overriding responsibilities to ensure public health and to meet environmental obligations. I am expecting to see the Director General of Water Services later this week to discuss this very issue.

Mr. James Paice (South-East Cambridgeshire): Given that agriculture, which is the major industry in rural areas, has experienced a 70 per cent. decline in income under the Government, that 400 post offices closed last year and many more expect to close in the coming weeks and months, and that the Royal Mail has decided to stop delivering post by private vehicle, which will detract from the service provided to countless rural businesses, how can the Government take any credit for any development in rural areas? *[Interruption.]* If the question is about—*[Interruption.]*

Madam Speaker: Order. The hon. Gentleman has raised a question, but because of the noise, it has not been heard. Will the hon. Gentleman begin again at "How will the Government"? I at least heard him.

Mr. Paice: I will willingly repeat my question, Madam Speaker.

How, in responding to a question about encouraging the development of rural economies, can the Government take any credit for what has been going on in real rural areas over the last three years? If that is what happens when they encourage rural development, what would happen if they discouraged it?

Mr. Meacher: I must say that I cannot but admire the brass neck of representatives of the Tory party who talk of the state of the countryside and rural areas, after the rundown of virtually every kind of service throughout the last two decades. By 1997, buses did not go to many villages. There has been a decline in the number of doctors' surgeries, and schools have closed.

The hon. Gentleman may be thinking particularly of the decline in agricultural incomes, which is unquestionably very severe—probably the worst for half a century or more. However, it preceded the present Government, and it has gained pace under the present Government for much wider international reasons. We are trying to deal with it; the Prime Minister held an agriculture summit, which was extremely well received by the farming community.

I repeat that we are putting more money and more services into rural areas in an attempt to regenerate them after the collapse that occurred in so many villages. The hon. Gentleman ought to recognise that.

Regional Development Agencies

4. **Mr. Ken Purchase** (Wolverhampton, North-East): What contribution the regional development agencies are making to the development of regional economies. [128403]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): The RDAs are emerging as strategic drivers of economic development in their regions. They have had an excellent first year, putting £400 million into regenerating the most deprived areas and creating or saving some 35,000 jobs—including 5,000 new jobs in the west midlands.

Mr. Purchase: My right hon. Friend played an important role in ensuring that RDAs were at the heart of Labour's economic motor in the regions. I pay tribute to what he did well before we were in government. Does he accept that the competitive agenda for the global economy as it applies to the regions is best driven along by further decentralisation to the RDAs, to improve their powers? Does he agree that the more quickly their lines of accountability can be developed, the sooner they will be able to take more control of national budgets, and thus bring about decentralisation from this place to the regions?

Mr. Prescott: I have always believed that the RDAs can play a major part in reducing disparities of economic growth within and between the regions, and in the record level of inward investment that Britain has just achieved. To that extent, I believe that the RDAs should be given more influence—and, indeed, more resources—so that they can get on with their job.

In my hon. Friend's area, the RDAs have played a significant part in regard to the Rover taskforce, which had a special job to do in diversifying the economy and at the same time encouraging new investment by, for instance, Marconi. I believe that they are already a success following their first 12 months in operation, and that the spending review will show just how important we think their future is.

Mr. Archie Norman (Tunbridge Wells): Has the Deputy Prime Minister seen House of Commons Library research which suggests that the Government have abused the boards of the RDAs by packing them with Labour supporters and cronies? Can he confirm that RDA membership contains six times as many Labour supporters as Conservatives, and that 70 per cent. of all board members with known affiliations are Labour supporters or trade unionists? Is not the real truth that the Deputy Prime Minister has used the RDAs to extend the culture of cronyism, rewarding his friends in failed Labour councils with well-paid positions on regional quangos?

Mr. Prescott: The evidence does not show that. Clearly, we believe that the RDAs properly reflect industrial interests as well as local authority and political representation in the region. About 100 Tory councillors are involved in the regional chambers alone. About four Tory members are involved in the boards of the eight regional development agencies. The Tories did not get many votes in the last election. It was in all the papers. Did the hon. Gentleman not read it? The number is proportional to that.

We believe that the regional development agencies should be retained. Even the Tory councillors are asking us to ensure that we keep the RDAs. If Conservative Members feel so strongly about abolishing them in England, why are they leaving them in Scotland and Wales? Why should the English regions be denied the possibility of keeping RDAs?

Mr. Norman: Can the Deputy Prime Minister now confirm that the RDAs are costing £17 million in administration alone, while spending on the ground on urban regeneration has gone down compared with spending under the previous Government? Does he agree with last week's report by the Select Committee on the Environment, Transport and Regional Affairs, which described regional intervention under the present Government as confused and badly co-ordinated?

Is not the real truth that the only thing that has gone up under the Deputy Prime Minister is spending on advertising in his Department, which has doubled; spending on spin doctors—there are up to 40 in the DETR, up 20 per cent. on last year; and spending on bureaucracy, on cronyism and on trips abroad? It is Britain's inner cities that are paying the price.

Mr. Prescott: I think that the House generally agrees that the interventions of the hon. Gentleman, whether in speeches or at Question Time, can lead only to the certainty that the right hon. Member for Wokingham (Mr. Redwood) will shortly replace him on the Conservative Front Bench. As for the investment of £10 million, I have already informed the House that £400 million in regeneration and 35,000 jobs have been secured by the active intervention of the regional development agencies. On its own, that is a justification for the investment, but, since we introduced development agencies in Scotland, it has seen an improvement: it went from having the seventh highest GDP in the United Kingdom in 1986 to the fourth highest. That shows the success of the development agencies in Scotland and Wales. Why does the hon. Gentleman want to deny that for the English regions, or is it just a promise made in opposition to be changed in government?

Mr. Richard Burden (Birmingham, Northfield): My right hon. Friend has mentioned the work of the Rover taskforce and of Advantage West Midlands, the regional development agency there, in the economic strategy for the west midlands. Does he agree that, to deliver that economic strategy, it is vital that there is a transport infrastructure, particularly in an industrial heartland such as the west midlands, which is a major trade route from south-east to north-west and beyond?

Given the fact that, between 1992 and 1999, capital investment in public transport in the west midlands was only 5 per cent. of that in the capital, does my right hon. Friend agree that it is vital that we get much more investment into our road infrastructure, our rail infrastructure and public transport in the west midlands area?

Mr. Prescott: I readily accept that there is a strong connection between the two: investment in the infrastructure and the level of economic prosperity in the regions. The RDAs are playing a part. They produced their regional plan within the first year. We are changing our planning mechanism to allow them to influence the regional transport planning structure. We must await the spending review to see how much we are prepared to put into transport.

Brown Trout

5. **Mr. Elfyn Llwyd** (Meirionnydd Nant Conwy): What proposals he has to combat the effects of acid rain on the brown trout population; and if he will make a statement. [128404]

The Minister for the Environment (Mr. Michael Meacher): Government measures to reduce acidifying emissions include the United Nations Economic Commission for Europe Gothenburg protocol, the proposed national emission ceilings directive, the proposed amendment to the large combustion plant directive and the sulphur content of liquid fuel directive.

Mr. Llwyd: I am grateful to the Minister for that response. I know that he is something of an expert in environmental matters and has a great track record in that area, but may I urge upon him the need to move quickly with regard to intrinsic stocks of brown trout? They are dwindling now. May I suggest that the Environment Agency's remit be extended, so that a full audit is prepared and it can then look at ways of combating the present trend?

Mr. Meacher: The hon. Gentleman makes a valid point on a matter that we are very concerned about. I am glad to say that, as a result of the string of directives that I read out, United Kingdom emissions of sulphur dioxide—which is the main cause of acid rain—have decreased by 57 per cent. compared with 1990 levels, and are expected to decrease by 84 per cent. by 2010. However, I understand that further action is needed.

I believe that liming—which I understand to be the practice of treating acidified waters with calcium oxide—is proving very successful. The latest evidence shows that the river Tywi—which is in south-west Wales, and was almost fishless in 1990—has had an increase of about 600 adult salmon and 2,500 adult sea trout returning to the river each year. However, we shall keep a very close eye on the issue and take account of the hon. Gentleman's comments.

Mr. Bill O'Brien (Normanton): When considering work to improve the environment, will my right hon. Friend have a word with his colleague the Secretary of State for Trade and Industry about promoting research and development and a private finance initiative in clean coal technology—which will help not only to improve the environment, but to secure jobs within both the electricity generating industry and the mining industry?

Mr. Meacher: Yes, I certainly shall. Although my hon. Friend's question is fairly wide of the main question, I am very happy to have such discussions with my colleagues in the Department of Trade and Industry. I think that clean coal technology is indeed very interesting. It is not yet commercially viable, but it has the potential of achieving continued and high levels of coal production in a manner that minimises the impact on the environment. We are certainly keen to see further research done, both in the private sector and in the public sector, to secure that technology.

Mr. Edward Leigh (Gainsborough): Does the Minister accept that the greatest impetus to a healthy brown trout population is the existence of fishing? Is not the reason why so many Labour Members are enthusiastic supporters of the practice of fishing the fact that fishing is good for conservation? However, if that is true, why do not the same arguments apply to the co-existence of a healthy fox population and hunting?

Mr. Meacher: That is a very good try. I congratulate the hon. Gentleman on his ingenuity, but I am afraid that there is no analogy between the two issues.

Transport Infrastructure

7. **Gillian Merron** (Lincoln): What progress regional development agencies are making in developing transport infrastructure in the regions. [128406]

The Minister for Local Government and the Regions (Ms Hilary Armstrong): The RDAs are expected to work within the regional transport strategies, which are key parts of the regional planning guidance. The RDAs are making a significant input into those strategies, and will also be invited to comment on the forthcoming 10-year plan for transport.

Gillian Merron: Bearing in mind the inextricable link between economic development, prosperity and transport—which is why my constituents so welcomed the Government's commitment to dualling the A46, and the fact that work on that will commence next year—can the Minister say what action she will be taking to ensure that regional development agencies are able to inform and support the development of much-needed train links to places such as Lincoln? Such a link would enable my constituency not only to be drawn more fully into the regional and national rail transport system, but to benefit more fully from economic opportunity.

Ms Armstrong: I congratulate my hon. Friend on the very constructive role that she has played in establishing the Lincoln rail forum. We would expect that the regional development agency would work closely with the local authority and with the franchise director, who operates within guidance issued by my right hon. Friend the Deputy Prime Minister on the provision of rail services within Great Britain. The guidance requires the franchise director to maintain effective liaison with the RDAs. It is, therefore, linking the national, regional and local imperative that will allow us to develop rail services across the country that really meet local people's aspirations while fitting into a national programme.

Mr. Tim Loughton (East Worthing and Shoreham): That all sounds very fine, but where in the Regional Development Agencies Act 1998 does it make any mention of transport as a responsibility of RDAs? Is not that something that RDAs have complained about? Is it not also symptomatic of the widespread confusion about the role of RDAs and their relationship with Government, which has been criticised by the Government-appointed RDA board members as follows:

> too many overlapping national and regional bureaucracies, confused delivery systems . . . too many joins in joined up . . . a system full of treacle . . . disjointed, contradictory and very complex . . . ?

At the crisis meeting in Birmingham last month, the Deputy Prime Minister promised new tools to pursue a wider leadership role for RDAs. Apart from the sacking of the chief executive of the west midlands RDA—Advantage West Midlands—just a week later, what exactly did the Deputy Prime Minister mean?

Ms Armstrong: Everyone else in the House recognises that for economic development it is vital to have an effective transport infrastructure. Therefore any organisation that is considering economic development will of course liaise with the organisations responsible for the transport infrastructure. That is precisely what is happening and what RDAs are participating in, and why they meet regularly with my right hon. Friend the Minister for Transport.

As for the second part of the question, the meeting with RDA chairs in Birmingham was to discuss with them the way in which funding will be allocated and developed in the future, and their role in the future. They warmly welcomed the Government's paper and produced a response to it last week. We will publish our views after the spending review next week.

Mr. David Taylor (North-West Leicestershire): Given that the East Midlands development agency was recently very positive about the regenerative potential of the Ivanhoe rail line through north-west Leicestershire and south Derbyshire, is my right hon. Friend confident that next week's comprehensive spending review will free sufficient resources to back such local projects and improvements to the rail infrastructure? Will she encourage one of her colleagues to receive a delegation from Leicestershire, including local Members of Parliament, to discuss the finance potential for that project?

Ms Armstrong: I know that my right hon. Friend the Minister for Transport is always happy to meet Members of Parliament to discuss their commitment to developing local transport initiatives. The recent local transport plans demonstrated the Government's commitment to building up local transport that will make a real difference to local people, both in terms of economic development opportunities and more effective public transport. I am sure that those factors will be taken into account in the spending review for the next three years.

Brownfield Development

8. **Mr. Geoffrey Clifton-Brown** (Cotswold): What proportion of houses in England has been built on brownfield sites in the last three years. [128407]

The Secretary of State for the Environment, Transport and the Regions (Mr. John Prescott): The latest year for which estimates are available is 1997—the last year of the previous Administration. In the three years to 1997, 56 per cent. of new dwellings were built on previously developed land or provided by converting existing buildings.

Mr. Clifton-Brown: I am glad that the Deputy Prime Minister has chosen to answer this question himself. Does he recall saying that the green belt was a great Labour achievement and we should build on it? Would it not be a better achievement if we stopped the present rate of building on greenbelt and greenfield sites and gave developers some real incentives to build on brownfield sites, so that we could meet the Government's target of 60 per cent?

Mr. Prescott: The area of greenbelt land has increased by 2 per cent. under this Government. In the last four or five years of the previous Administration, it did not increase at all. It might have been useful for the hon. Gentleman to consider the implications of the 56 per cent. development on brownfield sites. That means that 44 per cent. of development under the previous Administration was on greenfield sites.

Mr. Andrew F. Bennett (Denton and Reddish): Does my right hon. Friend agree that we have been extremely successful in getting some regeneration into inner-city areas, mainly on brownfield sites? Is he aware that there is now a major problem with the European Union's refusal to let us continue with gap funding? Can my right hon. Friend say something helpful to ensure that developers can carry out redevelopment of brownfield sites and existing buildings in our inner cities to continue that urban renaissance?

Mr. Prescott: I very much agree not only with what my hon. Friend says, but with what the Environment, Transport and Regional Affairs Committee, of which he is a Chairman, has been pointing out to us—namely, that we should increase the amount of building on brownfield sites. I gave a commitment to the House to increase building on such sites to 60 per cent. by 2008 and we will stand by that commitment. I am not sure what the Opposition's commitment is—it has changed five times in five years. The previous Administration stated that it would be 50 per cent. in their housing White Paper of 1995; their household growth Green Paper said 60 per cent.; at the election they said 60 per cent.; the hon. Member for South Suffolk (Mr. Yeo) said 70 per cent. in October 1997 and 66 per cent. in January 1998; and by March 2000 it was 70 per cent. Perhaps the hon. Gentleman could tell the House which figure they are picking ready for the election.

Mr. Nigel Waterson (Eastbourne): Is it not the case that under this Government the proportion of new development on brownfield sites is falling and that there is no prospect in the real world of the Government hitting even their own targets? Is it any wonder that the Secretary of State is poised to ignore the democratic voice of the south-east regional planning committee and permit large tracts of the south-east to be concreted over?

Mr. Prescott: I notice that the hon. Gentleman did not give us the latest version of the percentage figure that the Opposition accept at present. He is wrong to suggest that the proportion of new development on such sites is falling. I said that in the last year for which figures are available—1997—it was 56 per cent. and the figure for the two previous years was 56 per cent. That is exactly where we are at the moment. To be fair, it fell in only one year, which was 1997—I should have said that it was 55 per cent. then, not 56 per cent. Our target means that we have to increase it by 0.5 per cent. a year. It is a tough target, but we have already spelled out to the House how we intend to do it: with the land database, the urban report by Lord Rogers and other things that make it clear that the change to the sequential testing means that one has to show that one is building on a brownfield site before there is any agreement for a greenfield site.

Humber Bridge

9. **Shona McIsaac** (Cleethorpes): If he will make a statement on tolls for the Humber bridge. [128408]

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): The Humber bridge board, which owns the bridge, is responsible for its operation and its finances, and for proposing any changes in the tolls to be charged. The Secretary of State has responsibility for determining applications to revise tolls solely according to certain statutory criteria.

Shona McIsaac: While I welcome some of the action that the Government have taken to assist the board to restructure the debt on the bridge, does my hon. Friend agree that Europe's plans to impose value added tax on tolls will have a devastating effect on the communities north and south of the Humber? If that is to happen, I suggest that he does one of two things: restructure the debt again so that there is no increase in the tolls, or wipe it out completely.

Mr. Hill: My hon. Friend takes a keen interest in these matters on behalf of her constituents. She has acknowledged that the Government have made considerable progress in finding a solution to the debt problem of the Humber bridge.

On VAT on tolls, I must enter the usual caveat that that is a matter for the Chancellor and the Paymaster General. Having said that, the position, as my hon. Friend said, is that we await the European Court's judgment. As she knows, the United Kingdom has staunchly opposed the Commission's view that tolls involve a business activity and should be taxable at the standard rate. We take the view that tolling is an exempt activity of a public body in pursuit of a statutory obligation. I can make no further commitment with regard to restructuring the debt. Naturally, we hope that our view will prevail in Europe. If the tolls of all tolled undertakings had to rise to take account of VAT, it would not be right to mitigate the effect of VAT by subsidy for the Humber bridge alone.

Miss Anne McIntosh (Vale of York): Perhaps we can revisit this matter when the European Court has given its ruling.

Does the Minister agree that the proposed £1 toll on the Millennium bridge is too high? What would be the impact of VAT on that toll?

Madam Speaker: Order. We are on the Humber bridge at the moment and I know where that is—it is nowhere near that other bridge.

Tenant Initiatives

10. **Dr. Alan Whitehead** (Southampton, Test): If he will make a statement on the progress of initiatives to give tenants a greater role in running their own estates. [128409]

The Minister for Housing and Planning (Mr. Nick Raynsford): The introduction of best value in housing and of tenant participation compacts from 1 April 2000 should ensure that tenants have more influence over the way in which their homes are managed. We will be monitoring whether local authorities have introduced compacts, and their performance on tenant participation generally, through this year's annual housing investment programme assessment process. We have also recently commissioned research to monitor how best value in housing and compacts are being introduced and developed. The initial findings will be available next year.

Dr. Whitehead: I thank my hon. Friend for that answer. He is undoubtedly aware that a number of large housing estates are run by housing associations, sometimes after large-scale voluntary transfer. Will he encourage such associations to follow the lead of those such as the Swaythling housing society in Southampton in introducing programmes of tenant participation and tenant management on their estates, so that the benefits of the programme that he outlined can be extended to other estates?

Mr. Raynsford: I very much agree with the approach described by my hon. Friend, and can confirm that the Government are working closely with the Housing Corporation so that the introduction of best value in respect of local authorities and tenant participation compacts is mirrored by measures taken by housing associations to ensure that they adopt best value principles and that they fully involve their tenants in an appropriate participation framework.

Mr. John Bercow (Buckingham): Which three steps would most empower tenants?

Mr. Raynsford: The hon. Gentleman asks which three steps would most empower tenants, but, if he had read our housing Green Paper, published in April, he would know that the measures that we are taking to give tenants greater choice, greater opportunity in respect of lettings policy and fairer rent structures will all give tenants a far greater say and involvement in their housing. That will lead to greater tenant satisfaction.

Drinking Water

11. **Jane Griffiths** (Reading, East): If he will make a statement on the outcome of the water quality consultation on regulations for drinking water. [128410]

The Minister for the Environment (Mr. Michael Meacher): The consultation period for proposed new regulations on drinking water quality closed on Friday 30 June, and almost 350 responses were received by that date.

The 10th annual report of the drinking water inspectorate, which will be published tomorrow, shows a welcome further improvement in water quality, and reports that water companies are well placed to meet the quality improvements required by the new regulations.

Jane Griffiths: I thank my right hon. Friend for that reply.

No one likes furry kettles, so will my right hon. Friend reassure my constituent, Mrs. Sandy Campbell and her company, SC Softeners? Given that the regulations under consultation appear to propose a more stringent regime than the EU regulations on which they were based, will he give my constituent some assurance that she can continue to contribute to water softening and improved water quality under the new regime?

Mr. Meacher: I certainly can give that assurance. My hon. Friend is right: under the new EC directive, we had the option to reduce controls on sodium or artificially softened water. On the advice of the Department of Health, we opted not to do so. The reason for that is the concern that when sodium is used in conjunction with infant formula, it should be safe for babies to drink without putting them at risk of the condition, infant hypernatraemia.

A problem has arisen because of an orchestrated campaign of misinformation: people, who may include my hon. Friend's constituent, have been told that they will have to blend their softened water with hard water in order to achieve the desired result. That is not true. The regulations will have no impact on them whatever.

Officials from the Department of Health are meeting representatives of British Water—because they have the greatest concerns about the matter—further to discuss the regulations.

Sir Sydney Chapman (Chipping Barnet): Will the Minister consider carefully the provisions under any new draft directives emanating from Brussels on the quality of drinking water? Is he aware of estimates showing that 50 per cent. of previous EU directives have not dealt with aspects of health and safety, but were entirely to do with the colour and taste of water? It can thus fairly be said that this country has spent hundreds of millions—if not billions—of pounds on meeting unnecessary standards.

Mr. Meacher: Of course the hon. Gentleman is quite right to say that the health and safety of drinking water is absolutely at a premium, but I believe that he understates how important it is that all householders should receive water that is not unpleasant to taste or discoloured. Some 300 or 400 incidents a year are reported. I believe that, as we shall learn tomorrow, the number is gradually decreasing, but it is a matter of serious concern. It is true that, partly as a result of the investments that began under the previous Government but which we have extended substantially, the quality of drinking water in this country is second to none—as good as it is anywhere in the continent, and I would say considerably better than that of bottled water.

Local Deprivation

12. **Ms Karen Buck** (Regent's Park and Kensington, North): If he will publish the underlying data used to compile the proposed index of local deprivation. [128411]

The Minister for Local Government and the Regions (Ms Hilary Armstrong): Last December we published for consultation the information relating to local authority district rankings on five different measures of deprivation. As part of the consultation exercise we also offered each authority information on the ward scores and rankings for their area. I am today arranging for the updated ward scores and rankings to be sent to each authority for information. The summary report will be published later this year along with the deprivation scores and rankings of all wards and districts in England. The report will provide details of where to obtain, subject to any confidentiality constraints, the underlying raw data.

Ms Buck: I am extremely grateful to the Minister for that reply. She will be aware of the concern that exists in some London boroughs about the possible implications for the index. I wonder whether she will allow a period of formal consultation following the publication of the data that she has announced today, to allow authorities to respond on the basis of that new information. Will deprived wards or ward clusters that fall outside the new index of local deprivation priority rank be able to access Government funding streams targeted at certain deprived areas?

Ms Armstrong: The work is a research project which has been carried out for the Department and for the Government by Oxford university. It provides considerable new information. We are now using 33 different factors to give us better information about wards. That information has been shared with authorities over the past six months. The formal consultation finished earlier this year and additional work has been taking place to refine that.

We shall ensure that, before the index is used to allocate money, it takes account of the fact that we are in a changing position, and therefore we would of course institute transitional arrangements if and when we do proceed. This is a very difficult issue. No statistics tell the whole story. None of us trusts statistics wholly. However, we want to ensure that we obtain the best information available, so that local authorities know where deprivation is occurring and where they should target their money in order to tackle that deprivation.

Mr. Peter Lilley (Hitchin and Harpenden): Does the Minister accept that if her local deprivation index takes into account access or lack of access to a local sub-post office, it is set to show increasing deprivation because of the Government's cancellation of £400 million of revenues going to sub-post offices? Can she further confirm that the so-called guarantee against closures of sub-post offices will be completely worthless, because the fine print shows that the Government will still allow them to close if they cannot find anyone willing to run them because they have rendered them unprofitable?

Ms Armstrong: I think that my right hon. Friend the Secretary of State gave the right hon. Gentleman his answer some questions ago: that under the present Government there has been a concerted effort to improve access to services for people, wherever they live. The index and the work that I mentioned, as well as other work through the national strategy for neighbourhood renewal, will enable us better to ensure that people, wherever they live, have access to the services that they need, including post offices. The statement that my right hon. Friend the Secretary of State for Trade and Industry made a couple of weeks ago demonstrates that the Government will follow through that commitment, and that support for rural post offices—and post offices in urban areas that have been struggling—will now be much more secure than it ever was under the regime of the right hon. Member for Hitchin and Harpenden (Mr. Lilley).

Affordable Housing

13. **Mr. Simon Hughes** (Southwark, North and Bermondsey): If he will revise planning guidance to allow local authorities to require that all housing developments in their area include at least 50 per cent. of homes at affordable cost for members of their local community. [128412]

The Minister for Housing and Planning (Mr. Nick Raynsford): Planning policy guidance note 3 "Housing" and circular 6/98 "Planning and Affordable Housing" recognise a community's need for affordable housing as a material planning consideration, and allow local authorities to require an appropriate percentage of such housing on suitable sites, where a local need exists. We have no plans at present to revise the guidance.

Mr. Hughes: That is an unsatisfactory answer. I have not seen the minutes of the policy forum in Exeter, but would the Labour party like to think about a slightly radical policy for the next general election? Would it like to allow local councils, which at present are able only to have housing built to meet demand, not need—expensive homes rather than affordable homes—to decide that up to 50 per cent. of the properties in any housing development should be affordable? Can we have homes for people on lower incomes rather than big profits for property developers?

Mr. Raynsford: If the hon. Gentleman bothered to look at reality rather than producing soundbites, he would realise that that is possible under the existing guidance that he ridiculed. The London borough of Hammersmith and Fulham has recently agreed a major new private development with a 50 per cent. element of affordable housing. If it can do it in London, so can other authorities. The hon. Gentleman, who represents a London constituency, should check his facts in future before mouthing soundbites.

Ms Claire Ward (Watford): Is my hon. Friend aware that the increasing demand for affordable housing is making it difficult in Hertfordshire, and especially in my constituency, to recruit teachers, nurses and many other public sector or lower-paid employees to work? What advice and hope can he give to those communities that the Government will introduce measures to assist local councils and housing associations to provide affordable accommodation and thereby ensure that we can fill those important jobs within the public sector?

Mr. Raynsford: My hon. Friend makes an extremely valid point. She will know that in the housing Green Paper that we published two months ago, we set out a number of proposals for tackling precisely those needs. Those proposals include the starter home initiative, which is designed to help precisely the categories that she mentions—teachers and nurses—who need accommodation to enable them to work in the area in which they live. She will also be aware of our concern to introduce more effective measures to ensure a good supply of affordable housing provided through both the Housing Corporation-funded programme and planning agreements such as the one to which I referred in my reply to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes).

Mr. Desmond Swayne (New Forest, West): But why are the Government building fewer affordable houses than the previous Government? Surely if the previous Government could do it, this Government ought to be able to do it.

Mr. Raynsford: Before the hon. Gentleman asks such a question, he ought to do a bit of homework. He would then know that the programme that we inherited from the previous Government involved a dramatic and damaging decline year on year—1992, 1993, 1994, 1995, 1996 and 1997. We have stopped the decline. We have guaranteed the funding for the Housing Corporation. The hon. Gentleman will obviously have to wait until after the spending review to see plans for the future.

Green Belt

14. **Mr. James Clappison** (Hertsmere): What plans he has to give additional protection to the green belt. [128413]

The Minister for Housing and Planning (Mr. Nick Raynsford): The Government remain firmly committed to the protection of green belts. Planning policy guidance note 2 contains a presumption against inappropriate development in designated green belts.

Mr. Clappison: Earlier the Secretary of State spoke about obtaining more information about brownfield sites, but is he aware that in authorities such as Hertsmere, the planners have already done their homework and, in that borough as in many others in the south-east of England, there are precious few brownfield sites left in the sense of previously developed sites, let alone derelict or damaged sites? Is he aware that the greater the housing targets required of boroughs, the greater the incursion will be into the green belt, at the expense of the countryside, the environment and quality of life? Will he consider real policies to strengthen the green belt, rather than concreting over huge swaths of countryside, and will he listen to the views of Serplan?

Mr. Raynsford: As a former Minister in the Department that we have succeeded, the hon. Gentleman knows perfectly well the very considerable range of policy development that has taken place in the three years since we took over responsibility from him and his colleagues. He will know about PPG3; he will know about the sequential approach; and he will know about the proposals on increasing densities. They are all designed to ensure that we make better use of brownfield sites, that we provide for the housing needs of our country and that we do so while taking no more greenfield land than would otherwise have been required. That is practical, sensible politics, designed to balance a responsible attitude to the environment with a responsible attitude towards meeting housing needs.

Type 45 Destroyers

3.30 pm

The Secretary of State for Defence (Mr. Geoffrey Hoon): With permission, Madam Speaker, I would like to make a statement about the procurement of the first type 45 destroyers.

The strategic defence review set out the Government's firm commitment to a modern and effective destroyer and frigate force for the Royal Navy, including substantial investment in new ships.

I am pleased to be able to announce today that we have decided to procure the first type 45 destroyers, part of a planned class of up to 12 ships. The type 45s will be the largest and most powerful air defence destroyers ever ordered for the Royal Navy.

Subject to the satisfactory completion of negotiations, a contract will be placed later this year with BAE Systems for the construction of the first three of these ships, and certain large items such as the propulsion plant for a further three, at a total cost of about £1 billion. The first ship will enter operational service in 2007. I expect a contract for the second batch of ships to be placed in about 2004.

These ships represent a huge improvement in capability over the type 42 destroyers that they will replace. Their key weapon system will be the highly advanced and capable principal anti-air missile system—PAAMS—already being procured in collaboration with France and Italy.

The type 45s equipped with PAAMS will defend other ships against the most dangerous supersonic sea-skimming missiles as well as enemy aircraft. In this role, the type 45 will protect a wide range of our maritime assets, from aircraft carriers to logistics vessels. In addition, the type 45 will be a highly potent, multi-role platform capable of operations across the spectrum of tasks from peace support to high-intensity warfare.

The design will be capable of evolutionary improvement over the life of the class, through an incremental acquisition plan—a key feature of smart procurement. Its size, at about 7,200 tonnes, will ensure that space is available to allow for both additional and enhanced capabilities to meet this plan.

Our procurement strategy for the build phase has been developed with the maximum participation of the prime contractor, in line with smart procurement principles. This has allowed a rapid recovery following the demise last year of the tri-national Horizon programme—a programme which had been running since 1994 to meet the Navy's need for a new area air defence ship. Under the control of the prime contractor, a single design definition is being developed involving the two shipbuilders, Vosper Thornycroft and BAE Systems Marine, in a risk-sharing design team. This means that from the outset we have a design that can be efficiently constructed by either company.

Our intention to place a first-build contract for three ships is a further break from the traditional way of contracting for destroyers and frigates. Previously we would have ordered only a single first of class. This approach means better, cheaper procurement.

Our approach in this programme will ensure that experience in type 45 construction is spread between BAE Systems Marine and Vosper Thornycroft. That will assist future competition for follow-on ships.

Radical modular construction techniques will also assist competition. We will invite bids from both traditional shipyards and from wider industry for the manufacture of modules. These might be a section of the ship from keel to main deck, with equipment and systems already installed.

This method of construction represents a revolution for warship building in this country. Although it has been successfully employed in the commercial shipbuilding sector and overseas, we have never before used it for Royal Navy ships. It will permit more efficient construction of the warships and provide a basis for effective competition from a wider industrial base.

Provided that satisfactory arrangements can be agreed between the prime contractor and the two shipbuilders, we intend that the first and third ships will be assembled by BAE Systems Marine and the second ship by Vosper Thornycroft. Both companies will be able to compete independently for the assembly of batches of follow-on ships.

The type 45 programme will sustain up to 3,000 jobs directly in the shipyards over the next 10 years, and it will sustain or create almost as many elsewhere in the defence industry. It is part of the largest programme of warship construction in this country since the second world war. The first of class is expected to be launched from the BAE Systems Marine Scotstoun yard on the Clyde. I understand that Vosper Thornycroft is examining the possibility of building type 45s at Portsmouth as an alternative to Woolston.

Finally, I am pleased to announce that the class is to be named the D class. Her Majesty the Queen has graciously agreed to the first of class being named HMS Daring, and the second HMS Dauntless. This revives two famous names that have served the Royal Navy well since the early 1800s. As the seventh ship to bear the name, Daring's most recent predecessors were destroyers from 1932 to 1940 and from 1952 to 1974. It will be the sixth time that the name Dauntless has been used; the last warship of that name was a cruiser from 1918 to 1946.

Today's announcement clearly demonstrates the Government's commitment to maintaining the shipbuilding industry in this country, and our determination to procure military equipment faster, more cheaply and better than we have in the past. It is good news for Britain and Britain's shipbuilding industry, and it is good news for the Royal Navy. I commend these proposals to the House.

Mr. Iain Duncan Smith (Chingford and Woodford Green): I start by thanking the Secretary of State for his courtesy in passing the statement to me reasonably early, so that I would be able to respond.

I unequivocally welcome the announcement of the order for the two ships and I congratulate the yards that have been successful in obtaining the orders. Although I welcome the statement, it is worth pointing out—only in passing, of course—that this is the first warship order to be placed by this Government in the past three years. It is good news, but the Secretary of State needs to assure the House that older ships in need of refit will not be paid off early over the next few years as a result of the order. I would like him to make that point unequivocally at the Dispatch Box.

The Secretary of State also referred to the nature of the contract, and said that the design had been produced by two companies that subsequently bid for the contract. Will

[Mr. Iain Duncan Smith]

he tell us how he will balance that fact with the competition element, if yards such as Swan cannot bid because they do not have access to commercially sensitive information? How will he deal with that matter, and maintain a competitive environment?

Today's announcement of the type 45 is in many senses tied up with the roll on/roll off ferry order, which is not, it appears, going to Govan. Will the Secretary of State remove any doubt and tell us whether that order will go to British yards, or is he preparing to let it go overseas? Is he using this announcement as a smokescreen to try to make that sound like good news at this moment?

The Secretary of State referred to the air defence system, but then moved quickly on to other matters. Why was he so coy about all the other systems? An order has been placed for the ships' hulls, but the key question relates to the fact that their capability will depend wholly on the systems used. Therefore, I have a few questions about the systems, which I hope that he will answer.

On Merlin, will the Secretary of State dispel the doubts that have appeared in the press? Will he confirm that the type 45 will be able to carry, and will carry, Merlin helicopters, and that the landing systems on the ships will be designed to carry them? Otherwise, the capabilities of the ships will be much reduced.

Will the Secretary of State assure the House that the ships will receive the very best and latest design of command and control, and that they will not be hamstrung by costs so that they have to accept a lesser system, as has been reported and leaked by the Navy?

Will the ships have surface-to-surface guided weapons capability, and if so, will he tell us which one that will be? Will they have a good close-in weapons system—or is it, as reported, unlikely that they will get one at all?

The launchers will be critical and the Secretary of State referred briefly to them in connection to PAAMS. However, is it the case that the ships will not be able to fire tactical Tomahawks using the launchers because the launchers are not capable of accommodating tactical Tomahawk or Tomahawk as it exists today? Will that not limit their capacity to operate in the environment that the Secretary of State described?

The Secretary of State's strategic defence review rightly said that our troops are likely to be at risk in future from ballistic missiles in theatre. Will these ships have any anti-ballistic missile capability to deal with that, or is the Secretary of State planning to design in any capacity, as referred to in his own SDR? Will he assure the House that the Sylver launcher will be adapted to make such flexibility available, and tell us what the cost of that will be? What is his response to the recommendation of the Select Committee on Defence that such flexibility should be incorporated?

We have heard reports that either the sonar capability will be very limited or there will be none at all, certainly in coastal waters. Is it not a reality that more and more potential aggressors whom we might face are investing money in the coastal capability of submarines? Will the Secretary of State clarify the position, as without either a Merlin or such coastal capability, does this ship not become vulnerable to attack?

The Secretary of State said that the ship would be designed on commercial lines. Will he explain the Navy's attitude to that in relation to the protection of the ship? What lessons have been learned on damage control, especially from the Falklands, and can those be implemented? Will sacrifices on damage control issues be made for commercial reasons?

In conclusion, we welcome today's statement about the order for ships, which we have been urging the Government to make for some time. However, serious questions remain about the systems. The ships alone are not good enough, as they rely on the systems to operate properly. This weekend, the comments of a naval officer were leaked in the press. He said that if the ships do not get the best systems, it will be a case of

> cut price ships for a cut price Navy.

In short, is this going to be a first-rate Royal Navy ship—or a Treasury ship?

Mr. Hoon: I am grateful to the hon. Gentleman, at least for his opening remarks and his conclusion. I am not quite sure about what he said in between, and I shall try to deal with that in due course.

I am not sure that the hon. Gentleman, or any Conservative Back Bencher, is in a position to criticise too much the fact that we have made this announcement today. I mentioned the date that the Horizon programme started, and I would have thought that the hon. Gentleman might just have noticed that that was during the Conservative Administration. The programme failed—and frankly, one reason for the delay in making the announcement is the fact that we had to deal with the failure of the previous Government. We have managed to turn that failure around with the outstanding success that we are announcing today. The hon. Gentleman does not have much ground for complaint. If there were delays, they were the creation of the Government whom he supported.

As for competition with other yards, the idea underlying the use of modules is partly that we can extend the opportunity for constructing parts of these ships to yards other than the two that I mentioned. Equally, clearly we can involve those who are not necessarily shipbuilders, either historically or traditionally, which will be good for competition and for British industry, as it will diversify the necessary skills and ensure that others are involved in the process. There will be real opportunities for the shipyard that the hon. Gentleman mentioned, as well as other shipyards—and, indeed, those who, perhaps, have not previously seen themselves as in the business of making ships.

I see no connection whatever between that and the order for ro-ro ferries. The total of this order already amounts to some £1 billion. I assure the hon. Gentleman, as I do the House, that the Government are not in the business of spending £1 billion of taxpayers' money as a smokescreen. This is a vital capability required for the Royal Navy, and is long overdue as a result of the failure of the previous Government to organise procurement effectively.

The hon. Gentleman asked detailed questions about systems. I shall simply back his concluding point, as he is right to say that it is vital that we rely on the systems to make sure that these ships operate effectively. In the past the Royal Navy, like navies throughout the world, has had the problem that the technology moves on much more quickly than does the ability, for example, to build a ship.

That also applies more generally to procurement of high-technology equipment. Central to the way in which the ships are to be designed is the fact that they will be capable of adjustment as the technology changes and develops. In response to the hon. Gentleman's points about Merlin, command and control, surface-to-surface guided weapons, close-control weapon systems and tactical Tomahawk, there will be an ability to deploy each of those weapons, should they be appropriate when the ships enter service in 2007. We shall be able to consider the strategic situation in the years leading up to 2007.

Let me make it clear that the ship's design and development is firmly in the hands of the Royal Navy, which is advising Ministers about the decisions that are made. The Navy is happy not only with the particular decisions made about these ships, but with the sophisticated range of warship building on which the Government have embarked, so I see no cause for concern. [HON. MEMBERS: "What about Merlin?"]

This will be a very different approach from that taken in the past, when technology has overtaken the vehicle carrying the various systems. Instead, we will be able to adjust. [HON. MEMBERS: "What about Merlin?"] Opposition Members keep repeating the word "Merlin". I have made it clear that it will be possible to use Merlin from the ship, if necessary. Those judgments will have to be made in light of the circumstances closer to the in-service date of 2007.

Mr. Syd Rapson (Portsmouth, North): I welcome the statement, especially as it places contracts with British shipyards. Of particular interest to me is the possibility—and it is only a possibility—of shipbuilding returning to Portsmouth, whether in my constituency at Vosper Thornycroft or in the dockyard in the constituency of the hon. Member for Portsmouth, South (Mr. Hancock). We would both support that. I hope that the statement does not undermine Vosper in the competition process, or with regard to the company's capacity for ship repair. We will look into that later, but I thank my right hon. Friend for the statement and the welcome possibility of shipbuilding returning to Portsmouth.

Mr. Hoon: I am grateful to my hon. Friend. He is right to use the word "possibility"; ultimately, a commercial decision will be made by Vosper Thornycroft, but I understand that it is considering the matter carefully.

Mr. Menzies Campbell (North-East Fife): It would be churlish not to welcome the placing of this order—and, in particular, not to recognise the innovative approach being adopted for design, with the involvement of BAE and Vosper at that stage. Will the Secretary of State confirm that one of the advantages of the design will be to provide a higher standard of accommodation for all ranks who serve on the ship?

I respectfully say to the right hon. Gentleman that he rather pushed aside the question of the roll on/roll off ferries, and there is no doubt that there is considerable anxiety about that order. I hope that he will be able to tell the House that he expects to make an announcement about the Government's position very soon.

Should not we recognise the fact that there has been some trade-off between cost and capability because of funding constraints? The Secretary of State does not have to take my word for that; he can accept the conclusions of *Jane's Defence Weekly*, which said that the type 45 would enter service without some desired capabilities, several of which were referred to by the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith), who speaks for the official Opposition. Is not the real question the extent to which the overall capability of the vessel will be affected if it goes into service without them? What assessment have the Government made of its ability to fulfil the likely tasks that will be imposed on it in the foreseeable future without the particular capabilities that have already been drawn to the Secretary of State's attention?

Mr. Hoon: I am grateful for the right hon. and learned Gentleman's observations. He is right to say that one of the advantages of the new designs is significantly to improve accommodation for those who work on board the ship. I know that he had to raise the question of ro-ros, but I am at a loss as to why that is considered relevant to today's statement. *[Interruption.]* One of my hon. Friends suggests that for the right hon. and learned Gentleman, every cloud has a silver—*[Laughter.]* Perhaps I will forget about that, but it was a good joke the way my hon. Friend told it to me.

As for cost and capability, we have to recognise that there are limitless capabilities that can be incorporated into any given ship. The right hon. and learned Gentleman mentioned some, and the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) mentioned others. It is always necessary to make an assessment of what we want any given ship to do. The Royal Navy is entirely happy—indeed, pleased—about the prospect that this ship, whose primary function will be defensive, against an attack from the air, will have a full range of equipment for that purpose. In addition, there will be opportunities for adjusting and enhancing that capability in future. That is built into the design. As I have said, the danger, otherwise, is that we design a ship for today's technology, knowing that it cannot enter service until 2007, as this one will. The reality is that technology and the strategic situation will have changed by then, and we shall not have the opportunity of making adjustments to the design. The design of the ship allows for changes and enhancements as we go along; that must be a smart way of dealing with the problem of a changing strategic environment.

Mr. Frank Field (Birkenhead): Is the Secretary of State aware that as he was preparing his statement, Cammell Laird was declaring record profits, output and employment growth? Does it puzzle my right hon. Friend as much as it puzzles me that this premier group of yards, which wins its orders from a worldwide market, finds it so difficult to fight its way through the public procurement procedure? If he is as puzzled as I am, will he ponder on that before he makes his next group of announcements, to which I look forward?

Mr. Hoon: Certainly, as I made clear, there will be the opportunity for other yards to bid for the modules for the construction of the third ship and for subsequent ships, bearing in mind the fact that we have made an announcement in relation to the first three of a planned

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class of 12. Clearly there will be opportunities for other yards, including Cammell Laird, to participate in what will be an exciting programme.

Mr. Crispin Blunt (Reigate): Is it smart procurement to make the statement months before a contract will be placed?

Mr. Hoon: The issue for the House is to be informed of the Government's intentions as soon as those intentions become clear. We have done that. Had we delayed, we would have been criticised for delaying. We are giving the House as much information as we can as early as we can.

Mr. George Galloway (Glasgow, Kelvin): Please forgive me, Madam Speaker, for appearing before you improperly dressed. I had not expected this statement to be made today.

Will the Secretary of State accept from me that this is wonderful news for the Clyde, for Glasgow and for the hard pressed economy of west central Scotland? It is especially gratifying that the first of class of the new type 45s, which I hope will never have to be used in anger, will go down the slipway of the first-class Yarrow shipbuilders in Scotstoun in my constituency, where the work force is grieving the untimely death, at a very young age, of the shop stewards' convener, Stewart Crawford? In a dark week for the work force, my right hon. Friend's announcement will come as great news.

Will my right hon. Friend accept from me that it is "dauntless", even "daring", for us to have an unexpected visit from the three Scottish National party Members? If they had their way, made England a foreign country and broke up the United Kingdom, none of those ships and none of those jobs would be coming to Scotland.

Mr. Hoon: I am grateful to my hon. Friend. It is certainly good news for Glasgow, for the Clyde and for the United Kingdom, whose Royal Navy is ordering these ships.

Mr. John Wilkinson (Ruislip–Northwood): Is it not ironic that the most Europhile Secretary of State for Defence that we have had for a long time should be announcing, in essence, a national programme to fulfil an area of our defence requirement for the Royal Navy that could not be fulfilled either by the NFR 90 or by the Horizon project collaborative European programmes before it?

Is there not a risk that the type 42s will have to continue for an inordinately long time—longer than anticipated—at an extra cost to the Exchequer, as estimated by the National Audit Office, of £537 million? Furthermore, is there not a risk that the principal anti-air missile system, which is in essence a Franco-Italian ASTER missile system, could be late, with a further augmentation to cost and a further deficiency in the overall capability of an already under-equipped ship?

Mr. Hoon: As I made clear to the hon. Member for Chingford and Woodford Green (Mr. Duncan Smith), who speaks from the Opposition Front Bench on defence, we are making the announcement today because of the failure of a joint programme entered into by the Conservative Government whom the hon. Member for Ruislip–Northwood (Mr. Wilkinson)—sometimes—supported. We had to pick up the pieces from that failure. I made it clear that the reality of modern warfare for a modern Royal Navy is its involvement in sophisticated joint projects. The defence systems that will be employed will be joint projects involving France and Italy. Sophisticated collaborative projects are inevitable in the modern world, and we need to ensure that the Royal Navy is equipped with the very best and latest technology.

Mr. Ian Davidson (Glasgow, Pollok): May I tell the Secretary of State clearly and unequivocally what a wonderful man he is for announcing the order, which will create and safeguard so many jobs on Clydeside? May I say how much I, and my constituents south of the Clyde, welcome the way in which the ships will be built? That will mean work going to Govan shipyard, as well as to Yarrow. May I ask him, however, about the engines of the ships? Will the Rolls-Royce WR21 engine be selected in due course? As he is probably aware, a number of export orders depend on whether that engine gains credibility by powering the vessel. Finally, although modesty precludes my suggesting any name for the D class, should my own be suggested, I would not resist its use.

Mr. Hoon: I am grateful to my hon. Friend for his observations, although he will forgive me for saying that I have not been used—lately, at any rate—to enjoying such enthusiasm on the part of my hon. Friends north of the border. No decisions have yet been taken about the engines. A fiercely competitive commercial contract is on offer for them. Rolls-Royce is certainly one of the bidders, and I am sure that it will submit an extremely competitive and effective tender. As for my hon. Friend's final observation, I shall have to investigate with my naval historians whether there has ever been an HMS Davidson—although there is a first time for everything.

Mr. Mike Hancock (Portsmouth, South): I am delighted that the Secretary of State has made the announcement today, and I am sure that everyone in Portsmouth is delighted at the prospect of a return to shipbuilding at its naval base. That will happen only if Fleet Support Ltd. co-operates—and, more importantly, if the Ministry of Defence makes facilities available to Vosper in the naval base and dockyard area. I hope that there will be no impediment in the way of that. I am also grateful for the Secretary of State's comment about module development. I hope that if it is not possible to build the ships in Portsmouth dockyard, the MOD will try to secure Vosper's support at least for the building of some of the modules there.

Mr. Hoon: I am grateful for the hon. Gentleman's constructive approach. I made it clear that ultimately, Vosper Thornycroft must decide on the opportunity. Its facilities in Southampton will certainly be made available for the modular construction process that we anticipate, providing benefits across the country. Instead of the benefits of such a contract being located in a particular yard or two, as has historically been the case, there is an opportunity for the whole of the UK's shipbuilding industry to benefit.

Dr. Alan Whitehead (Southampton, Test): May I express my delight at the announcement that the second of class will be built on the south coast by Vosper Thornycroft—a shipyard with a proud record of building first-class vessels for the British Navy over many years? Naturally, my personal inclination would be towards ensuring that it was built at Woolston. Bearing in mind what my right hon. Friend has said about the possibility of the work going to Portsmouth, will he assure me that any decisions will be reached purely on commercial considerations, and that the requirement, were production to be transferred, for Vosper to use a Royal Navy dockyard, will not receive any additional consideration other than that of commercial best practice?

Mr. Hoon: I certainly understand my hon. Friend's concern. I have always emphasised the importance of the commercial considerations that will effect any decision taken by Vosper Thornycroft. Whatever decision it takes on the precise location, I am confident that it will continue to require the very considerable skills of the work force in and around Southampton, which have been built up over many years and will still be required to complete such a contract—as well as future warship orders that the Government will be making in due course.

Dr. Norman A. Godman (Greenock and Inverclyde): As an ex-shipwright—the only one in the House, I think—I am always delighted to hear news of vessels being built in our yards. I only hope that Cammell Laird and other yards will secure orders in the future. I hope that my right hon. Friend will forgive my greed, but I want to see the four ro-ro vessels built on the upper Clyde, by my constituents. I think that I am right in saying that I have more constituents in those yards than any of my hon. Friends. It may not be within my right hon. Friend's gift, but I would be grateful if he would ask BAE to ensure that when workers are recruited to Scotstoun and Govan, they are given decent terms of engagement, not short-term contracts. If the work is there, craftsmen and others should be given security of tenure.

Mr. Hoon: It was only on 6 July that we received the revised bids relating to the ro-ro ferry order. A great deal of detailed work has already gone into an assessment of those bids, and a lot of work was done over the weekend to give us an idea of how they were shaping. More work will still have to be done, but I will certainly try to ensure that the House is given as early a warning as possible of the likely outcome of the bids.

Mr. David Davis (Haltemprice and Howden): There is much to welcome in the Secretary of State's announcement today, but may I ask him how he will deal with one potential problem? Recurrent in naval systems is the problem of matching—interface. That has led to cost and performance problems over many years, and it is clearly a potential issue with the type 45 and the PAAMS. How will the Secretary of State deal with that, given that there are two separate contracts, one under English law and one under French law?

Mr. Hoon: The right hon. Gentleman is right to raise the issue. We have been concerned about it, because of previous problems that have arisen with closed IT architecture systems. Specifically, for all the reasons that I hope I have set out to the House already, the IT systems need to be capable of being enhanced and developed, and must also able to respond to brand-new systems that may still be in the process of being thought up, never mind designed. Central to our approach is the idea that the IT systems on board the ships will involve an open architecture, and will be capable of being enhanced and of interfacing with new systems dependent, using a completely different approach. Built into the heart of the radar systems is the ability to interface with new, and, I hope, developing technology.

Mr. Roy Beggs (East Antrim): I welcome the announcement made by the Secretary of State today, on behalf of the Royal Navy and the British shipbuilding industry. I recently welcomed to my constituency HMS Somerset and HMS Quorn, and I hope that I am still around when the first type 45 can be invited to call in to the port of Larne. Can the Secretary of State tell us whether the radical modular construction technique will extend competition so far as to enable Harland and Wolff to compete, and perhaps even provide an opportunity for Short Brothers?

Mr. Hoon: As I made clear in my statement, and in answer to a number of members of the shipbuilding trade union in the House, it is important that the approach is seen as an opportunity not just for a single successful shipyard, or two successful shipyards, but for all those engaged in shipbuilding, and certainly those in Northern Ireland, to participate in a highly competitive process. The challenge is there for British shipbuilding. If there are British shipbuilders that are competitive and capable of offering bids that win the day, there is work available, and we will be delighted to receive the orders from Northern Ireland, just as much as from any other part of the United Kingdom.

Dr. David Clark (South Shields): I very much welcome this afternoon's announcement, which is the first of the largest warship orders for many decades. It is good news for Scotland and the south coast of England. My right hon. Friend placed great emphasis on the need to maintain a strong shipbuilding capability. Does he know that only three years ago, 14,000 people worked in river-related jobs on the River Tyne, but that fewer than 1,000 people now work in such jobs? In view of my right hon. Friend's emphasis on commercialisation, will he explain the way in which a shipbuilding company such as Swan Hunter can participate in the order when it is up against its prime competitors, BAE and Vosper Thornycroft?

Mr. Hoon: The way in which the competition is organised is specifically designed to allow not only for competition between the two companies that I have mentioned, but to ensure that those companies make sure that others have the opportunity of participating, especially in the construction of the modules. Many hon. Members know far more about the history of British shipbuilding than I. However, specific shipyards have depended too often on particular orders for their survival. Indicating that the first three ships are part of a planned class of 12 provides an opportunity for some yards to plan

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for the future. The benefit of such planning for the taxpayer and the Government is that we anticipate that it will reduce the yards' costs, and thus the cost to the British taxpayer. It will also allow the yards to plan ahead, and not be dependent on the single order approach that has done so much damage to British shipbuilding in the past.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): I welcome the announcement, and pass over the remarks of the hon. Member for Glasgow, Kelvin (Mr. Galloway)—which owed more to the state of mind of the Scottish Labour party than to the order.

The first and third warships will be assembled by BAE Systems. The Secretary of State said that the first warship would be launched at Yarrow. Where will the third vessel be launched? On modular construction, will the Secretary of State outline a typical percentage that may be contracted out from the launching yard under the arrangement?

Mr. Hoon: I am grateful for the hon. Gentleman's welcome. However, my hon. Friend the Member for Glasgow, Kelvin (Mr. Galloway) had a point when he contrasted the policy, which I assume that the hon. Member for Galloway and Upper Nithsdale (Mr. Morgan) supports, of taking Scotland out of the United Kingdom, with applauding an order placed on behalf of the United Kingdom Government. The hon. Gentleman is being a little uncharitable to my hon. Friend, who used his powerful and logical mind to expose the dishonesty that the hon. Gentleman appears to want to avoid mentioning. However, in view of the hon. Gentleman's generosity, I shall not make too much of that.

If the third ship is to be assembled on the Clyde, it follows that it will be launched from there.

Mr. Tony Worthington (Clydebank and Milngavie): The news that my right hon. Friend the Secretary of State has announced today is welcome to my constituents who work in Govan and Yarrow. He will know BAE Systems' view that, were it to obtain the order for ro-ro ferries, the preparatory work would reduce the price of the ships that we are discussing. Would that not be smart procurement?

Mr. Hoon: My hon. Friend is tempting me to put together two different orders for which there are different sets of criteria. The previous Government approached the matter in a similar way. Ro-ro ferries have a commercial requirement, which contrasts with the military requirement for the warships. I have made the Government's position on ro-ro ferries clear. I shall try to make an early announcement.

Madam Speaker: I call Mr. Quentin Davies. *[Interruption.]* Mr. Davies?

Mr. Quentin Davies (Grantham and Stamford): Will the Secretary of State finally come clean on the question that he has studiously avoided until now—the Merlin? It is not a future weapons system; it is coming into service now. Contrary to expectation, the platform on the type 45s does not specify taking the Merlin. Why not?

Mr. Hoon: I am sorry that hon. Member for Grantham and Stamford (Mr. Davies) had to be disturbed.

I have already said that the platform will be capable of taking the Merlin. Judgments will be made nearer the in-service date about the equipment that will be required on the platform to take the Merlin. It is sensible to approach such matters in that way, rather than to design a ship today, knowing that the in-service date is 2007 and that the technology is likely to change. We are preserving flexibility in the design and the equipment that will be available—precisely to avoid the problems that we and the previous Government faced because ships were designed knowing that the technology would be significantly different when they came into service.

Points of Order

4.11 pm

Dr. Liam Fox (Woodspring): On a point of order, Madam Speaker. I wonder whether you can clarify a point that has arisen as a result of a reply to an answer given at 3.30 this afternoon on the publication of the Treasury report, "Review of Ill Health Retirement in the Public Sector". The reply states that the present levels of retirement on the grounds of ill health in the public sector are higher than necessary, at 22,000. However, a letter from the Secretary of State pursuant to an answer given in the House on 4 July in relation to consultants states:

> The Department of Health does not collect data on the number of early retirements.

The Treasury is either using old NHS data or excluding NHS employees from its figures, making nonsense of the report. Or perhaps figures exist of which the Secretary of State for Health either is or is not aware. In either case, the Government will have a lot of explaining to do. Have you, Madam Speaker, had any request from the Treasury or the Department of Health to make a statement to establish which version of the truth we are supposed to accept?

Madam Speaker: I have not heard that any Department is seeking to make such a statement. There is no basis for the hon. Gentleman's point of order; it is a matter of disagreement, and as such, he should pursue it with the relevant Minister by means of the Order Paper.

Mr. Crispin Blunt (Reigate): On a point of order, Madam Speaker. I have been lucky enough to be given sight of a letter that my hon. Friend the Member for Surrey Heath (Mr. Hawkins) received from the Secretary of State for Defence. It was placed on the letter board before the statement at 3.30. I notice that one or two other hon. Members have also had the privilege of receiving that letter—the hon. Member for Glasgow, Kelvin (Mr. Galloway) is holding a copy. Is it in order for the Ministry of Defence to place letters containing the details of a statement on the board for Members before the statement is made, or for that to be done at the time of the statement?

Madam Speaker: It is a matter for the Minister concerned if he wishes to communicate with colleagues, wherever they may be. I have been a Member for a very long time under several Governments, and Ministers have always corresponded with colleagues about statements, so there has been no departure. If the hon. Gentleman has more information, perhaps he will give it to me.

European Single Currency (Referendum)

4.13 pm

Mr. John Maples (Stratford-on-Avon): I beg to move,

> That leave be given to bring in a Bill to provide for a referendum on 28th September 2000 to decide whether the United Kingdom should join the European Single Currency.

It has become commonplace to say that this is the most important political issue that our generation will have to decide, but it is. I have been a firm opponent of Britain joining the European single currency for a long time, but I raise the issue today because I believe that there is significant confusion at the top of the Government which makes an early decision on the issue vital if Britain's interests are to be pursued. I also believe that in this debate the argument should be conducted honestly and openly, not by the chicanery, scaremongering and leaks that we have seen in the past few weeks.

The events of the past few weeks have added confusion to uncertainly. It looks as if there is a conspiracy, involving at least four senior Ministers, to speed Britain's entry into the European single currency. Three Cabinet Ministers and another senior Minister have been sounding the drum for early entry. They have been spreading scare stories in the press and leaking internal documents from their Departments. They arrogantly lecture the rest of us on what is good for business, but would any of us take business advice from them? Apart from the fact that one of them spent a few years working for the late Robert Maxwell—one of the great crooks of the 20th century—they have never between them made a single investment, created a single job or run a single business.

A few weeks ago in the debate on European affairs, the Prime Minister and the Chancellor humiliated the Foreign Secretary by forcing him not to deliver some of the warm remarks about the euro that were contained in the written text of his speech, which, unfortunately for him, had already been released to the press. Afterwards, the Chancellor made sure that those transactions were leaked, to the further embarrassment of the Foreign Secretary. Last Friday, the Foreign Secretary said that joining the euro was inevitable. Within hours, he had been disowned by the Prime Minister's spokesman—again apparently at the Chancellor's request.

Now we come to the Secretary of State for Trade and Industry—there is a name that the business community conjures with. He is a real expert on European business and a man who understands the intricacies of the minds of German industrialists. A brief phone call to BMW and he has all the facts at his fingertips. What about the Chancellor? He has defended his turf aggressively and his position seems to be, "How dare anybody else have something to say about this issue?" His legendary bad temper seems to have got the better of him and it seems that Leo is not the only baby in Downing street to throw his toys out of his pram. His reward is to be rubbished in the press.

Some weeks ago, a colleague of the Chancellor told us anonymously that he is psychologically flawed. Now, according to other Ministers and again anonymously, we are told that he is either bonkers or power crazed, although I suppose that it is possible to be both. This must be a unique example of a campaign to undermine the authority of a Chancellor of the Exchequer that is apparently sanctioned by the Prime Minister. Where, one

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asks oneself, has the Prime Minister been in all this? Giving a lead? Not this Prime Minister. He wants to climb, but is frightened to fall. He wants to join, but is terrified of public opinion. He will not bow to public opinion nor lead it, so he seeks to manipulate it.

On the most important issue facing this country, the Prime Minister is paralysed by weakness. That would be funny if we were discussing dragging hooligans off to cashpoints, but the Government's indecision is seriously damaging Britain's position in the European Union. If we eventually decide not to join the euro, we will not be at the heart of Europe. However, I believe that we can construct a more flexible relationship in which Britain can flourish and all the recent talk about manufacturing meltdown and the drying up of foreign investment will be seen for the nonsense that it is. If we decide to join the euro, perhaps we can be at the heart of the EU and perhaps we can influence its policy and future direction in Britain's interest. At the moment, we can do neither.

In a speech on this subject nearly three years ago, the Chancellor set out five tests. Four are so unspecific that they could be answered either way at any time. No doubt that is what he intended. I suggest that over the next two years or so we are unlikely to learn anything more or any further facts that will help us to evaluate whether those tests have been met. Four—on flexibility, investment, employment and the City—can be answered only by joining the euro and seeing what happens. However, we know that being out of the euro for the past 18 months has done us no harm in any of those areas. In fact, in all four we have by far the best record in the EU.

The Chancellor's first—and, I think, main—criterion was that he wanted to see convergence. That is sensible, but he will not find out about convergence in 18 months or two years. I could have understood him saying that he wanted to wait for a whole economic cycle as wanting to see how the single currency works in bad times as well as in good represents a sensible position. What would happen in a recession? After all, a recession destroyed the exchange rate mechanism. We have seen some convergence on inflation and interest rates and even on growth, but there is little or none on economic cycles, or even evidence of it.

There are not five tests, four, three or even two. Like many of my hon. and right hon. Friends, I believe that the Prime Minister has only one test: when can he get away with conning the British public into agreeing to join a single currency? That argument has been going on for well over a decade, one way and another. Members of Parliament, newspaper editors, economists and other commentators all made up their minds long ago, did they not? I believe that we all did and that nothing that happens in the next two years will make any of us change our views.

Under this Government, and with the present confusion and uncertainty, the decision can be made only in a referendum. My Bill calls for that referendum to take place on 28 September—the date on which the Danish Government have invited Danish voters to decide whether they want to join. If that is good enough for them, it is good enough for us. However, I acknowledge what one or two of my hon. Friends have said: it would take time to put proper campaigns together, so in due course I should be happy to accept an amendment to allow a referendum to take place a few weeks later. However, it ought to be held before the end of the year.

I have for a long time believed that the euro is bad economics and bad politics. It is like the exchange rate mechanism without an exit door. In any referendum I will campaign vigorously for a no vote. I believe that the time for a referendum has now come. What the business community wants is not a commitment to join, but a decision one way or the other. It needs to know so that it can plan. The Government's position makes that impossible.

Let both sides take their case to the voters. Let us have a proper, full and open argument with the advantages and disadvantages honestly debated. I hope passionately that the answer will be no, and that we can build with the European Union a constructive and flexible relationship of benefit to Britain. If the answer is yes, we will all have to work to ensure that the resulting relationship works to Britain's advantage. A continuation of the current confusion and uncertainty cannot be justified. That confusion bedevils our relationship with the European Union, makes it impossible for business men to plan, and makes the Government look pathetic.

Question put and agreed to.

Bill ordered to be brought in by Mr. John Maples, Mr. Edward Leigh, Mrs. Gillian Shephard, Mr. Nicholas Soames, Sir Michael Spicer and Sir Peter Tapsell.

EUROPEAN SINGLE CURRENCY (REFERENDUM)

Mr. John Maples accordingly presented a Bill to provide for a referendum on 28th September 2000 to decide whether the United Kingdom should join the European Single Currency: And the same was read the First time; and ordered to be read a Second time on Friday 21 July, and to be printed [Bill 156].

Orders of the Day

Hundredth Birthday of Her Majesty Queen Elizabeth the Queen Mother

4.22 pm

The Prime Minister (Mr. Tony Blair): I beg to move,

That an humble Address be presented to Her Majesty on the hundredth birthday of Her Majesty Queen Elizabeth, The Queen Mother, humbly conveying to Her Majesty, on such a unique and memorable occasion, the loyal affection of the House and the nation for Her Majesty The Queen Mother;

That the said Address be presented to Her Majesty by such Members of the House as are of Her Majesty's most Honourable Privy Council or of Her Majesty's Household;

That a Message be sent to Her Majesty Queen Elizabeth The Queen Mother rejoicing with Her on the attainment of Her hundredth birthday; expressing to Her Majesty the people's gratitude for Her lifelong example of trust in the Lord, and courage and service in war and in peace; and praying for Her health and happiness in days to come;

That Madam Speaker, the Prime Minister, Margaret Beckett, Mr. William Hague and Mr. Charles Kennedy do wait upon Her Majesty with the said Message.

I have moved the motion to assure Her Majesty of the great pleasure that this House shares with the nation on the occasion of the forthcoming 100th birthday of Her Majesty Queen Elizabeth the Queen Mother.

Queen Elizabeth the Queen Mother holds a unique place in the heart of the nation and of many people across the world. As we think back over the multitude of events in her long life, many will recall first the remarkable part played by the Queen Mother as Queen and Consort to her much loved husband, the late King George VI. Countless people have etched on their minds the wartime pictures of the Queen and her husband engaging with the hazards of the capital during the blitz. Sustaining the nation's morale and strengthening its resolve in the epic battle for freedom, she was a source of inspiration which sealed her in our nation's heart, just as, during the first world war, the young Lady Elizabeth had provided care and welfare in the hospital at Glamis castle helping others in her direct, straightforward and positive way.

Her Majesty gives her support to some 350 organisations as patron or president—charities, voluntary bodies and other organisations: a vast tapestry of public service. She is Commandant-in-Chief for women in the Royal Navy and of women in the Royal Air Force, as well as Colonel-in-Chief of seven Army regiments and one Army corps. For many years, she was President of the British Red Cross and remains Commandant-in-Chief of the nursing division of St. John Ambulance. She has enthused countless people, for countless good causes, with her familiar smile, her sparkle and, of course, her wonderful hats.

Representatives from many of those organisations will come together in a unique tribute on Horseguards parade next week. Young and old, soldiers and civilians, will appear with race horses, corgis and, I am told, even camels to capture Her Majesty's huge range of interests.

We remember, too, the Queen Mother opening the Victory in Europe 50th anniversary commemorations in Hyde park and taking her place on the balcony at Buckingham palace. We have seen her there on state and royal occasions. We have seen her present at Cenotaph ceremonies on Remembrance Sunday, and she has represented this country on numerous occasions in the Commonwealth and elsewhere. Whether an occasion is sad or celebratory, formal or intimate, it is always enhanced by her presence.

Today, Her Majesty remains at the centre of the royal family's life and work, important to every generation and—as a mother, grandmother and great-grandmother—bringing stability and continuity to our monarchy.

Often when people reach 100, others ask them for their recipe for a long and happy life. I do not know what the Queen Mother's reply would be. I might guess that her secret lies in her genuine and unaffected interest in people, and in her zest for life. She has indeed lived out the Strathmore motto—"In you, Lord, have I put my trust"—and has combined a strong faith and a compassion for others with a great sense of fun. She has moved with the times, but has consistently displayed the age-old values of loyalty, duty and constancy.

The Queen Mother has been witness to, and has played a prominent role in, 100 years of change. Amid that change—faster in our world today than at any time in our history—she, and the monarchy, have acted as a rock of stability and strength to our nation. We wish her health and happiness, and we offer from the House our heartfelt greetings and gratitude at this very special time.

4.26 pm

Mr. William Hague (Richmond, Yorks): It is a privilege for me to associate myself fully, on behalf of the Opposition, with the tribute that the Prime Minister has just paid to Her Majesty Queen Elizabeth the Queen Mother, and to support the motion that a message should be sent from the House conveying our warmest congratulations to Her Majesty on the occasion of her forthcoming 100th birthday. I believe that, in doing so, we are reflecting the sentiments of millions of people throughout the United Kingdom who hold this truly remarkable lady in the highest possible affection. The Queen Mother's 100th birthday is an occasion to unite the entire nation—and, indeed, people throughout the Commonwealth that has always meant so much to her.

Everywhere she goes, the Queen Mother radiates warmth, charm and dignity, combined with a sense of fun that captivates everyone who meets her. Born in the final year of the reign of Queen Victoria, she has come to represent the continuity and strength of the monarchy, and its central role in the affairs of our nation. She has helped to bring home to people the stability that constitutional monarchy brings to our country—and, in the opinion of many, how much better we are served by it than by any of the alternatives that are sometimes suggested.

In both her public and her private life, the Queen Mother has been an immense source of strength. That was most apparent in the way in which she supported the monarchy and the country, and supported King George VI after he acceded to the throne. Together, they sought successfully to restore public confidence in the monarchy. For most people, it was the leadership and inspiration that the King and Queen showed during the war that ensured

[Mr. William Hague]

their lasting place in the hearts of the nation. Their refusal to leave London at the height of the blitz—especially after Buckingham palace itself was bombed—and their sense of duty and determination established them as the focal point for national unity, at the time of Britain's gravest as well as finest hour.

Everyone remembers the Queen Mother's remark about being able to look the east end in the face, but to me the comment that best encapsulates her attitude is her response to the suggestion that her daughters be evacuated: "They will not leave without me, I will not leave without the King, and the King will never leave."

Few of us here today who were privileged to see it will ever forget the emotion of the Queen Mother's appearance on the balcony at Buckingham palace in 1995 to recreate, with her two daughters, the scene on VE day 50 years before. It reminded us why the Queen Mother, devoted to her family and her country, has come to symbolise the sacrifices that our parents and grandparents made to preserve the freedoms that we all enjoy in Britain today. Since the war, and the death of the King in 1952, she has devoted herself tirelessly and selflessly to public duty, carrying out more than 40 official visits abroad, and serving as patron and president of more than 350 organisations. She is still carrying out public duties in her 100th year.

Two years ago, the Prince of Wales described his grandmother as indestructible. Nothing better sums up the strength and spirit of a lady who, as she approaches her 100th birthday, continues to enrich the life of our nation. Her birthday is a matter of rejoicing for us all; and, as we celebrate it, we do so in the hope that this "indestructible" and gracious lady will enjoy still more in the years to come.

4.30 pm

Mr. Charles Kennedy (Ross, Skye and Inverness, West): On behalf of my right hon. and hon. Friends in the Liberal Democrat party may I equally entirely associate myself with the sentiments that were expressed by the Prime Minister on this unique occasion? I think that all the party leaders who were present earlier today at that magnificent ceremony in St. Paul's will be in no doubt as to the breadth as well as the depth of respect and affection in which Her Majesty is properly held.

If one looks at this unique and remarkable life, it is in so many ways the story of the 20th century itself. It has spanned the 20th century and seen everything from the discovery of penicillin to two world wars, the emergence and then disappearance of the Soviet Union, as well as all the vast social changes in our country, the continent of Europe and the Commonwealth as a whole. She is an inspiration and a beacon. We all share in her pleasure and happiness today. She has enriched many people's lives and our lives have been enriched accordingly.

4.31 pm

Mr. David Trimble (Upper Bann): It is with considerable pleasure that I join in supporting the motion that has been moved by the Prime Minister. Of course, in doing so, I speak for the Ulster Unionist party, but I believe that I speak for more in Northern Ireland than just that party, and that the proposal that has been made—that a humble address be presented to Her Majesty with regard to the approaching centenary of the Queen Mother—would be warmly supported throughout society in Northern Ireland. There may be a few curmudgeonly people who pretend to hold to anti-monarchical principles, but the truth is that most reasonable people recognise the tremendous contribution not only that the monarchy in general has made, but that the Queen Mother personally has made throughout the century.

Other right hon. Members have referred to the tremendous contribution that the Queen Mother made at the time of the abdication crisis and, of course, throughout the war. We in Northern Ireland will remember particularly the many visits that she has made to Northern Ireland—more than 11, I think—since the second world war, the most recent being in 1990 as part of her 90th birthday celebrations. Of course, we do not expect similar tours on the occasion of the centenary, it being an achievement even to reach that.

The humble address refers to the great pleasure that the House shares with the nation. Often, the terms in motions that are proposed in the House have a formal character, but, on this occasion, there is no doubt about the reality of the great pleasure that everyone in the nation will take on this centenary. Great pleasure is there not just because of her longevity and war-time service, but because of the character of the Queen Mother. That great pleasure undoubtedly is shared throughout the House. We should add that not just in our own nation, but, I am sure, throughout the Commonwealth, many will be eternally grateful to the Queen Mother for all her characteristics, but particularly for the sense of duty that has characterised her entire life of service.

4.33 pm

Mr. John Swinney (North Tayside): May I make a brief comment and associate the Scottish National party and Plaid Cymru with the terms of the motion and with the message that it is proposed be conveyed to Her Majesty Queen Elizabeth, the Queen Mother? I have the privilege to represent the village of Glamis, the childhood home of Her Majesty in the county of Angus; the family home of the Bowes-Lyon family is located there. She spent much of her youth there before her marriage to the then Duke of York.

Much has already been said about the courage of Her Majesty during the second world war in remaining in London. I was pleased that the Prime Minister mentioned the fact that, during the first world war, when Glamis castle was turned into a hospital, the Queen Mother spent most of her time there caring for patients who had been injured in the first world war and who were recuperating in the splendour of the county of Angus.

Her Majesty has maintained a very close interest in the life of the village of Glamis. Her interest has been long-standing, including a visit to the village only two years ago for a ceremony with the Black Watch regiment, of which she is Colonel-in-Chief. We wish Her Majesty health and happiness at this proud moment in her long life.

4.35 pm

Rev. Ian Paisley (North Antrim): I should like to associate the Ulster Democratic Unionist party with the motion.

I have been informed by the Library that this is the first time that the House of Commons has been asked to debate a motion commending a King or Queen on attaining his or her century year. The Queen Mother, however, is a first in her own right. During her years as the Queen and Consort of King George VI, she became a legend: because of her steadfastness, her courage, her dignity, her resourcefulness and her majesty as she stood with her husband and her kingdom in the darkest days of the second world war.

Early on in her life, as a teenager, the Queen Mother had learned something of the trials of war, with its bereavements, deaths, heartbreaks and sorrows. She is indeed a first in the lives of the subjects of her Kingdom: because of her genuine interest in and concern for the public of this country over a long life of dedicated and majestic service.

On a visit to my constituency of North Antrim, she said to me, "I am not in a hurry; I have time. Time is not my dictator; I dictate to time. I want to meet people." She also reminded me about, and inquired about, people whom she had met many years before, when she and her husband had opened the town hall in Ballymena. She has a marvellous memory for people, places and facts. I believe that that comes from her deep commitment to the task that she was appointed to do.

One day, one of the Queen Mother's pilots said to me, "Often, when we take off on a journey, the Queen Mother says to me, 'We are not in any hurry to get away. Let's stay a little longer.'" It is indeed a great joy to us all that she has achieved her century year. Although I do not often agree with the Archbishop of Canterbury, I agree with his comments today on the Queen Mother—I can even say an amen to them.

We know that the Queen Mother lives in the hearts and minds of her people. Although Kings and Queens were once addressed with the words, "O live for ever", that royal person lives in the hearts of all her subjects. I believe that she will live there for ever, and I sincerely wish her many happy returns.

4.38 pm

Mr. Tom King (Bridgwater): I had the great privilege and pleasure of accompanying Her Majesty the Queen Mother at celebrations hosted by the Ministry of Defence, 10 years ago, on the occasion of her 90th birthday. On that very remarkable occasion, it was the dearest wish of everyone that we should indeed be able to see her celebrate her centenary.

The Queen Mother greatly enjoyed and showed great enthusiasm for all the events of that day. After the parade, which lasted one and a half hours, she spent another one and a half hours going round and talking to people, thanking every single person who had participated in the parade or helped to organise it, at a party in the Banqueting house. That was simply symptomatic of the way in which, throughout her life, she has shown an interest in and concern for people.

It is a matter of the greatest pleasure and warmth that, having had the pleasure of welcoming the Queen Mother to her 90th birthday, we see her now celebrating her centenary.

Question put and agreed to.

Resolved,

That an humble Address be presented to Her Majesty on the hundredth birthday of Her Majesty Queen Elizabeth, The Queen Mother, humbly conveying to Her Majesty, on such a unique and memorable occasion, the loyal affection of the House and the nation for Her Majesty The Queen Mother;

That the said Address be presented to Her Majesty by such Members of the House as are of Her Majesty's most Honourable Privy Council or of Her Majesty's Household;

That a Message be sent to Her Majesty Queen Elizabeth The Queen Mother rejoicing with Her on the attainment of Her hundredth birthday; expressing to Her Majesty the people's gratitude for Her lifelong example of trust in the Lord, and courage and service in war and in peace; and praying for Her health and happiness in days to come;

That Madam Speaker, the Prime Minister, Margaret Beckett, Mr. William Hague and Mr. Charles Kennedy do wait upon Her Majesty with the said Message.

Police (Northern Ireland) Bill (Allocation of Time)

4.40 pm

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): I beg to move,

That the following provisions shall apply to the proceedings on the Police (Northern Ireland) Bill—

Timetable

1.—(1) Proceedings on Consideration shall be completed at today's sitting and brought to a conclusion (if not previously concluded) six hours after the commencement of proceedings on this Motion.

(2) Proceedings on Third Reading shall be completed at today's sitting and brought to a conclusion (if not previously concluded) seven hours after the commencement of proceedings on this Motion.

Questions to be put

2.—(1) This paragraph applies for the purpose of bringing proceedings on the Bill to a conclusion in accordance with paragraph 1.

(2) The Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

(3) On a Motion made for a new Clause or Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(4) If two or more Questions would otherwise fall to be put under sub-paragraph (2)(c) on amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those amendments or Motions.

Miscellaneous

3. Standing Order No. 15(1) (Exempted business) shall apply at today's sitting to proceedings to which this Order applies.

4. Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

5. No Motion shall be made to alter the order in which proceedings on the Bill are taken or to recommit the Bill.

6. No dilatory Motion shall be made in relation to the Bill except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

7. Standing Order No. 82 (Business Committee) shall not apply to the Bill.

Supplemental Orders

8. The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall (if not previously concluded) be brought to a conclusion one hour after they have been commenced: and Standing Order No. 15(1) shall apply to those proceedings.

9. If at today's sitting the House is adjourned, or the sitting is suspended, before the time at which any proceedings are to be brought to a conclusion under this Order, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

I shall set out why the Government regard the motion as necessary. The Government are committed to the implementation of the Belfast agreement in all its elements, and the reform of policing in Northern Ireland, which the Police (Northern Ireland) Bill will achieve, is an integral and extremely important part of the agreement. We want to see a new beginning to policing in Northern Ireland, and the Bill lays the foundation for that fresh start and that new beginning.

As my right hon. Friend the Secretary of State for Northern Ireland said on Second Reading on 6 June:

> The Bill paves the way for the most complex changes in policing practice and culture ever attempted—changes that, if successful, will provide as good a model for policing as can be found anywhere in the world. The philosophy, size, structure, composition, training, accountability, human rights ethos, planning and information systems and community base of Northern Ireland's police will all change if the Bill is enacted.—[*Official Report*, 6 June 2000; Vol. 351, c. 177.]

The whole House should know that we made good and constructive progress in our 11 sittings and more than 40 hours of debate on the Bill in Standing Committee B. This progress was assisted, even focused, by the structured way in which members of the Committee dealt with the issues. We were able to have useful debates that concentrated on the key issues of concern to the various parties represented on the Committee. I hope that those hon. Members who were on the Committee will acknowledge that the Government were willing to consider, and make, constructive changes to the Bill. We have also brought forward further changes to consider later today.

The Government want to maintain that good momentum. We have had a full debate on the Bill in Committee and we want to ensure that we make good progress tonight. My understanding is that it was not possible through the usual channels to reach broad agreement on an informal timetable for this evening's debate. This timetable motion will help the Government to stick to their timetable for the Bill. It will help focus debate. It is a precautionary approach.

All the provisions in the Bill were dealt with in detail in Committee. The Committee did its job properly. Discussion was full and reasonable. We covered the issues thoroughly. However, it is important to note that there are no issues raised by the amendments in front of us today that were not aired in Committee. The Government's judgment is that six hours ought to be sufficient for the House to deal with the Report Stage. It is up to hon. Members to use the time available responsibly and to best effect.

We are willing to work with those who want to play a constructive role in helping us to fashion and improve the Bill. That will require the House to focus on the issues in a structured way. For that reason, we believe that a timetable is helpful. We have not sought to stifle debate on the Bill. There can be no criticism of how the Government dealt with the Bill in Committee, nor of the other parties represented in Committee.

The House should not baulk at the amount of work that needs to be got through on Report. Right hon. and hon. Members should know that the vast majority of amendments for consideration are technical changes on the name. Many of the others are in response to issues on which there was general agreement in Committee. Only a few of the amendments could be classed as being of a contentious nature.

The Government have demonstrated that we are open to debate and that we are prepared to take on board constructive and helpful proposals to improve the Bill.

We are still prepared to listen to constructive suggestions for change. The good work that has been done needs to continue and I look forward to debating the issues further. That is the best way forward and the best way to serve the needs of all the people of Northern Ireland.

There is fundamental change ahead for the police service. The Government, in discussion with the police and others, have sought to identify an ordered and logical way to take that forward. Our approach, and the timetable that we have set, is outlined in the implementation plan, which the Secretary of State published on 6 June and which is available in the House.

The implementation plan recognises that such a wide range and depth of change cannot happen overnight and, as Patten recognised, will take time to implement. However, we need to get the building blocks in place to take the change forward. The Bill is one of those building blocks. Those who oppose the Bill and the Government's approach serve no one but their own factional interests. That has to be recognised, as have the reasons for it, but it does not move the process forward. This Bill is about putting in place building blocks for the future, and that must be the best way to make progress.

I have been brief in my explanation of the timetable motion. That was my deliberate intention, as it is important that the House should move on to consider the Bill and the important issues raised by the selected amendments. I trust that we will not be treated to an extended debate on the motion, which could be interpreted as calculated to eat up the whole of the three hours that have been timetabled for discussion and to lay the ground for accusations in another place that insufficient time was allowed here for discussion of the issues. For that reason, I have set out fully, and I believe succinctly, my reasons for commending the motion to the House.

4.46 pm

Mr. Andrew MacKay (Bracknell): This is a sad day for the House and for Northern Ireland. This is not a timetable motion, but a straightforward guillotine. It is not up to the Minister to decide how long the House should take to debate the motion; it is up to hon. Members to decide whether they want to speak. It was unhelpful, and typical of the arrogance of this Government, that we were lectured on how long we should debate the motion.

The motion is deeply insensitive on a day when the Royal Ulster Constabulary is yet again bravely and professionally acting as the thin green line between the rule of law and the Province descending into anarchy. What a way to treat those officers, who have a natural vested interest in this legislation being right, at a time when they are risking life and limb and when so-called loyalist thugs only last night shot at them and petrol-bombed them when they were only fulfilling their professional duty and protecting the right of the ordinary decent majority of people in both communities freely to travel around the Province and to go to and from work. The very least that the House owes the Royal Ulster Constabulary is a proper and full debate on the Bill.

As an Opposition, we regularly acknowledge that the Government have a right to get their business. This Bill was in the Queen's speech and, after proper debate, deliberation and amendment, it is right that the Government should get it on to the statute book. We did not oppose the Second Reading and we will not oppose Third Reading, but we believe that the Bill is fundamentally flawed in a number of ways.

A large number of amendments have to be considered—amendments tabled by individual Members on both sides of the House. I should like to think that my hon. Friends and I have tabled some significant amendments on the name and who sits on the bodies and partnerships. Significant amendments have also been tabled by the Ulster Unionists and the Democratic Unionists and important amendments by the Social Democratic and Labour party and by certain Labour Back Benchers, at least one of whom I can see in his place. We also have to consider a number of Government amendments—some on the name of the police that are very contentious, and others that are a response to concerns expressed by hon Members in Committee.

All the amendments need to be considered properly on Report. To allow a mere six hours, which must include the debate on this motion, is hopelessly insufficient. It is an insult to the brave men and women of the RUC—*[Interruption.]* The Minister seems to think that is not the case, so I repeat: I sincerely believe that the motion is an insult to the brave men and women of the Royal Ulster Constabulary and that it shows the arrogance of the Government, because they do not allow proper debate.

Let us consider the progress of the Bill. A full debate was held on Second Reading, when the Bill was not opposed by the official Opposition. When the measure was considered in Committee, the Minister rightly acknowledged that there was proper debate and that no member of the Committee had engaged in filibustering. After a mere 11 sittings, this detailed Bill left Committee with co-operation from both sides. In those circumstances, why on earth is a guillotine motion needed?

I have been a party to guillotine motions. Throughout the previous Parliament, I was a Whip, becoming Deputy Chief Whip. Unlike my hon. Friend the Member for Aldridge–Brownhills (Mr. Shepherd), I had a record of supporting guillotine motions at certain times. However, only after filibustering and a long delay in Committee should there be a guillotine on both Committee and Report. On no occasion was a guillotine imposed when a Minister admitted that no undue delay had taken place, and that a measure had received proper professional consideration in Committee. There is no good reason for the motion.

Why has the guillotine motion been introduced? I suggest that it is because the Government—legitimately—want to send the Bill to the Lords so that it can receive its Second Reading there before the summer recess. Why are we in such a difficulty? Let us examine the chronology. The House will recall that Patten reported on 9 September 1999. On 17 November, the Prime Minister made it clear in the Gracious Speech that there would be legislation to reform the police service in Northern Ireland. The consultation period on Patten ended on 1 December. On 19 January, the Secretary of State made a statement to the House giving the conclusions.

What happened to that legislation announced in the Queen's Speech? From the moment that the Belfast agreement was signed, everybody knew that the legislation would be introduced. There was no sign of it in January, February, March or April. Finally, on 16 May, the Government staggered forward and published the Bill. On 6 June, the measure received its Second Reading and on 6 July its Committee stage was concluded after 11 sittings.

[Mr. Andrew MacKay]

If there is any problem in getting the Bill to the Lords in good time and then on to the statute book, it has been caused exclusively by the Government. They introduced the Bill so late that there was insufficient time to debate it. If it is so vital that a Bill introduced so late should go to the Lords for a Second Reading debate, which will probably be held in the last week before we rise for the recess, then we should consider it over more than one day. We should scrap some of the unnecessary legislation that the Government are introducing.

The Government are in a mess, although I feel slightly sorry for the Secretary of State and the Minister of State. It is not entirely their fault that Parliament has been overburdened with a huge number of Bills—more than have ever been introduced in one sitting. Bills are being presented desperately late in the sitting—for example, the measure on football hooliganism. That Bill should have been introduced several months ago, when the problem was identified by my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe). Instead, apparently it is to be rushed through in just a couple of days.

This is a Government whose legislative programme is totally out of control. It is a shambles. They are not just an incompetent Government; they are also an arrogant Government, and we, as an Opposition, will not encourage them either in their incompetence or in their arrogance by supporting the guillotine motion this afternoon.

4.55 pm

Mr. Lembit Öpik (Montgomeryshire): The right hon. Member for Bracknell (Mr. MacKay) said that the motion was not a timetable motion but a guillotine, because it had not been agreed beforehand by other parties.

I do not feel that this guillotine is disrespectful to the RUC or to its record of courageous achievement in Northern Ireland. I say that because anyone who spent in the Committee the 40 hours that the Minister described will have seen that Members from all parties were obviously committed to making a better police service while being respectful to the RUC and the contribution that it has made. Therefore, I feel that some of the criticisms made by the right hon. Member for Bracknell were slightly out of kilter with the debate that took place in Committee. I am not criticising him; I just have a different view.

Mr. MacKay: At no point did I suggest that there had not been proper scrutiny in Committee. In fact, the only thing on which I agreed with the Minister of State was that there had been proper scrutiny and no filibustering in Committee. Surely the hon. Gentleman would agree that the RUC and the whole country deserve proper scrutiny of the Bill not only in Committee but on the Floor of the House. A large number of Members are present on both sides of the House who did not serve on the Committee, and they have a right to debate, consider and discuss the amendments. That is the reason for our objection. We are simply saying that there should not be a guillotine on Report, and that there should be the opportunity to discuss properly all those important matters of reform.

Mr. Öpik: I understand the point that the right hon. Gentleman makes, which he makes quite clearly, but I am sure that he would agree that this is not a matter of principle but a matter of judgment about what the Government were trying to do with what I would imagine that they intended basically as a timetable motion, regardless of whether they agreed it with the other parties beforehand.

On that subject, I must simply agree to differ with the right hon. Member for Bracknell, for two reasons. First, the 40 hours of debate in Committee were comprehensive, and the Committee was one of the most effective Standing Committees that I have ever worked on—not least because the Government showed some willingness to modify their position as debate progressed, although obviously not in all regards. We shall come to those issues as today's debate progresses. In fact, we could have taken more time in Committee, but there were occasions when, the debate's having concluded early, people were satisfied that it had been as extensive as was required at the time.

The second reason why I am of the judgment that the time that has been allocated is probably sufficient is that many of the Government's amendments were tabled specifically in response to points made by non-Government Members during the Bill's earlier stages. Various proposals that the Liberal Democrats made, and proposals that the official Opposition made, are now being carried out.

However, there are issues to which I know that we shall have to return. It is no surprise to the House that I continue to be extremely unhappy with the use of quotas, and I hope that, in the time available, we shall be able to raise that and other issues of substantial importance to myself to other hon. Members and to other parties.

On balance, therefore, I draw the conclusion that, as long as we do not spend the next three hours debating the programming motion, we shall have enough time to get on with it, and to have the debate in the fullness that it needs.

It is worth remembering that, by the end of the Committee's deliberations, those Members who served on it were apprised of the importance of getting the Bill passed; and if, by twenty minutes to 12 tonight, we have not debated all the important outstanding issues sufficiently deeply before the Bill passes on to the other place—whether or not the Government accept the wise words that will be presented to them from other parts of the House—I shall be extremely surprised. For that reason, as a matter of judgment rather than a matter of principle, we consider that the Government's attempt to timetable the debate is basically common sense.

4.59 pm

Mr. Ken Maginnis (Fermanagh and South Tyrone): The Bill derives from the Patten commission report, which was presented several months ago and which, in itself, was flawed in that it stepped far outside Patten's terms of reference, which were based on the Belfast agreement. Patten chose to ignore that and published a report that was described in this House and elsewhere—I believe by Home Office officials—as an interesting report, but certainly one that had nothing to do with policing. That, of course, has had a knock-on effect in that we have before us a Bill that no doubt has to do with political accommodation, but has nothing to do with policing or law and order.

The reality is that, after 30 years of violence in Northern Ireland, a different ethos pervades our society than that which some of us grew up with. It is an ethos that adjusts easily to criminality, to the extent that we have in Northern Ireland a powerful mafia sub-culture. That is an issue that should be debated at length as we go through the Bill. While it is all very well to say that we dealt with each of the issues in Committee, it is important that any of us who are elected to the House recognise our responsibility to our electorate and realise that we cannot dismiss the input of the House just because a Bill has gone through a Committee to be fine-tuned.

If my calculations are right, the Government have tabled 222 amendments to the Bill, and they expect us to deal with them and the other amendments in six hours. One realises why the Minister was so apologetic about the Government's intention to guillotine the Bill.

I hope that the House will be able, on Report and Third Reading, to move the Bill into a form in which it primarily deals with the interests of the police and society in Northern Ireland as they grapple with a growing drugs problem and a huge tax evasion problem—something that should interest the Government. We hear that petrol prices have to be kept high in order that we can pay for our health and education programmes, yet the Government are ruling over a Province in which up to £1 billion in petrol duty is probably being evaded by means of smuggling from the Irish Republic. *[Interruption.]* The Minister of State corrects me from a sedentary position and suggests that the figure is £100 million. He knows as well as I do that he is wrong. Even Customs and Excise, who used to throw out that figure with abandon, now admit to a figure that is approaching—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am sorry to interrupt the hon. Gentleman, but I think that I need to remind him that we are debating an allocation of time motion. He is now straying a little too far from it.

Mr. Maginnis: If I appeared to stray, Mr. Deputy Speaker, I apologise. I was trying to illustrate how the Government are presenting the House with a Bill, the Police (Northern Ireland) Bill, that has nothing to do with policing and that the House must therefore put right if it is to have any significance whatsoever for society in Northern Ireland in general and for the police in particular.

The Minister knows that the level at which our mafia sub-culture is becoming organised in Northern Ireland will not be hindered one iota by anything in the Bill. Instead of dealing with that matter, instead of giving the House time to consider the implications of what is before us, the Government are guillotining the debate.

The Minister should give us the facts as to whether the Bill contains anything to enhance policing in terms of the job that the police have to do in order to protect society—protect it from violence, corruption and abuse of the tax system. He may be able to give us an indication of when there has been a major measure to deal with the problem that I have described, whether the extent of that problem is £100 million or nearer to £1 billion. The Minister must tell us what there is in the Bill to reverse the trend in that respect and in respect of drug peddling and drug misuse. Nothing in the Bill will make the ordinary, law-abiding, virtually non-political Mr. Average Citizen in Northern Ireland feel safer and more secure.

That is why it is wrong that the Government should bring forward 222 amendments, on top of those that other parties have tabled, and expect us to rush them through without due consideration, when, as the right hon. Member for Bracknell (Mr. MacKay) said, we could have had the Bill four or five months ago. I do not believe that it was by accident that we had the Bill at the last minute and that the Government asked those of us who are in opposition to co-operate in getting it through the Committee stage. They received that co-operation, so that nothing was left untouched, but we made it clear at the outset that we would not consider a guillotine on Report appropriate. We made it clear that if we were to co-operate with the Government in Committee, the Government would have to co-operate with Members of the Opposition parties—and not just my own party—on Report so that the serious deficiencies of the Bill were not swept under the carpet.

From the outset, the Minister has been aware of our concerns. Therefore, he must answer the points that I have made.

5.10 pm

Rev. Ian Paisley (North Antrim): I have been amazed at some of the statements that have been made in the debate already. They do not have much relevance to the amount of time that we have to consider the Bill.

In last week's Northern Ireland Grand Committee, the hon. Member for Montgomeryshire (Mr. Öpik) referred to the persecution of the Baha'i faith in Ulster as though that were a matter of importance. I am glad that the hon. Member for Belfast, South (Rev. Martin Smyth) put him right on that issue.

Mr. Öpik *rose—*

Rev. Ian Paisley: I am not giving way, because we need time to deal with the Bill, which has nothing to do with the Baha'i faith. I have a good relationship with members of that faith and not once have they said that they have been persecuted in Northern Ireland. I would nail any suggestion that they have been as an atrocious lie.

I was also amazed by the right hon. Member for Bracknell (Mr. MacKay), who rightly condemned the attacks on the Royal Ulster Constabulary. I condemn them, too, and I have already done that on the record in the Assembly. The right hon. Gentleman is laughing with his friends on the Opposition Front Bench, but he forgets the two atrocious attacks that were carried out by republicans. In his opening remarks, he did not even mention the 250-lb republican bomb in Stewartstown or what happened in Aghalee last night when republicans attacked an Orange hall and gutted it. They attacked another hall, too. The attacks that are taking place in Northern Ireland are coming from both sides of the divide and we need to keep that point in mind.

The hon. Member for Montgomeryshire thinks that we have had plenty of time to debate the Bill, but no time has been given to my party. In the House, there are three Members from the Social Democratic and Labour party and two of them were on the Bill's Committee. There are two Members of the Democratic Unionist party in the House, and the hon. and learned Member for North Down (Mr. McCartney) is also a Unionist. Not one of those three voices was allowed on the Committee. We can refer to the hours that were spent on the debates in Committee, but one point of view—the majority Unionist view, as was seen from the vote in the Assembly last Tuesday—was

[Rev. Ian Paisley]

locked out of the Committee. Members who represent that view were locked out simply because they would not have helped the Bill to go forward; they would have sought to curb its provisions. The hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) said that the Bill does not deal with issues such as drugs and the mafia. Its main thrust is to demoralise and destroy the Royal Ulster Constabulary.

Although he does not attend this place, Mr. McGuinness is a Member of the House and he is a Minister in Northern Ireland. On a radio programme about the Stewartstown bombing, he was asked whether he would tell anyone who knew anything about the bombing to go to the police. He said, "Certainly not." When a Minister in Northern Ireland tells the people who know about the laying of a 250-lb bomb at a police station that could have killed many people—it could have been another Omagh—not to go to the police, how can anyone have any faith in what is happening in Northern Ireland at this time? Those are the issues that we should keep in mind.

We have not had time to debate the Bill. We were told that we would have time on Second Reading, but the time for speeches of the representatives of Northern Ireland was limited to 10 minutes.

We should have had more time on Second Reading, but it was not given. The Government kept one section of the community of Northern Ireland out of the Committee, but today they say that we have plenty of time. We do not have plenty of time. The Government say that debate will be guillotined after seven hours, which includes the time spent on this motion. Guillotines did not used to affect the time for discussing the guillotine. Now, however, discussion of the guillotine takes away from the time given to the debate. Why has that departure taken place? Why do we not have the old rules if we are going to have guillotines? We are not having a guillotined discussion now, so there is an encroachment on the time that we should have for debate. That is a fact.

Mr. Douglas Hogg (Sleaford and North Hykeham): The hon. Gentleman will agree that the position is even worse than he has described. Any votes will come out of time for discussion.

Rev. Ian Paisley: When the time for votes is taken away, how much time do we have? I urge hon. Members to look at the fact that more than 200 amendments have been tabled. We do not have adequate time to deal with a matter that has seriously divided the people of Northern Ireland and will continue to divide them.

5.16 pm

Mr. Douglas Hogg (Sleaford and North Hykeham): It is always a pleasure to follow the hon. Member for North Antrim (Rev. Ian Paisley). I oppose the motion on more general grounds which, if I may be forgiven, are not especially related to this particular Bill. I want to protest at the frequency with which the Government are introducing these motions. I believe that this motion is the 36th to be introduced. Indeed, this time last week, we addressed a timetable motion for the Local Government Bill. On that occasion, the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) launched an extremely formidable attack on her own Front Benchers' use of this type of motion.

I find motions of this kind objectionable, both in general and in particular. The present motion is objectionable because the Report stage of a Bill is the only occasion on which the House as a whole has the opportunity to debate the detail of the measure. The hon. Member for North Antrim made a fair point when he said that his party was not represented in Committee. It does not matter whether or not I agree with him, as he should be able to express his distinctive view on the Bill. The Bill's Report stage is the only time when he is able to do that, which also holds true for other hon. Members on the Ulster Benches. Of course, it also true of Conservative Members because, inevitably, we are only lightly represented in Committee.

Mr. Ingram: At the moment.

Mr. Hogg: Yes, of course, at the moment. Our views often coincide with the views expressed by our Front-Bench spokesman, but they do not always do so. It is important that the House should give Back Benchers a proper opportunity to discuss fully the detail of a Bill and amendments to it.

Mr. Kevin McNamara (Hull, North): I have listened with interest to the right hon. and learned Gentleman. Is he aware that many Government Members who wanted to strengthen the Bill were kept off the Committee? The grievance is not the right hon. and learned Gentleman's alone, but we must accept what has happened.

Mr. Hogg: I am not being critical of the hon. Gentleman. Indeed, his point reinforces what I want to say. I am sure that there are Government Members who feel that the Bill is defective in one way or another, and they should have a full and proper opportunity to voice their opinions, as that is what democracy is about.

We are confronted with 10 groups of amendments. In all, there are some 335 amendments, of which 224 are Government amendments, as I think the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) told me. That means that many of the amendments will not be debated at all, and the effect of that is surely to undermine the democratic legitimacy of decisions made in the House. If amendments and new clauses become law without having been discussed at all, how can we say that they have been passed with the democratic authority of this place?

Mr. Robert McCartney (North Down): Does the right hon. and learned Gentleman agree that this is simply another manifestation of the increasing power of the Executive over the liberties of the House and an attempt to circumscribe what is properly the function of elected Members of the House of Commons?

Mr. Hogg: I do indeed. That point was made forcefully by the hon. Member for Crewe and Nantwich when she was speaking on a timetable motion last Tuesday.

I speak now on behalf of Back Benchers. From time to time, Front-Bench Members agree timetables between them. This is not a case in point, because I am well aware that my right hon. Friend the Member for Bracknell (Mr. MacKay) has not agreed to this timetable, and he was right not to do so. Back Benchers need to be cautious about supporting any agreed timetable, because Front-Bench Members will agree on matters that are of great importance to them, but they do not necessarily address what is of great importance to Back Benchers, which may well be different. The reason for that is as follows—

Mr. Deputy Speaker: Order. I must invite the right hon. and learned Gentleman to spare the House that particular reason; we are debating a specific allocation of time motion. If he wants to pursue procedural matters as a whole, he must find another opportunity to do so.

Mr. Hogg: I am now coming from that general point to a particular one. If we consider the amendments that have been tabled by Members other than Front Benchers, we find that a number of them express the particular concerns of Back Benchers, often those from the Ulster parties. The effect of any timetable motion—and this is, in fact, a guillotine rather than a timetable motion, in so far as there is a difference—is that those Members will be shut out and they will unable to articulate the grievances that are felt very powerfully by their constituents. That cannot be right.

We have been told by Ministers that this is a precautionary measure, which is basically in the interests of good order and military discipline, but why is that necessary? I understand that there was no filibustering or unparliamentary conduct in Committee. I saw the Minister of State nodding when the hon. Members for North Antrim and for Fermanagh and South Tyrone said that there was a co-operative approach to the Bill.

Mr. Ingram: I, too, said that.

Mr. Hogg: As the Minister says, he also made that point. What, then, are the Government guarding against? Why are we truncating debate? I am sure that you, Mr. Deputy Speaker, would stop any filibustering, but if the proceedings were filibustered, the proper course of action would be to move for closure and then to consider having a timetabled debate.

Those of us who prize the rights of Back Benchers should protest at a process of pre-empting discussion, and it is no good the Government saying that they do not want to discuss this in the small hours of the morning, which may be implicit in the position that they have adopted. I agree that we do not want to discuss the matter then, but the proper solution is not a timetable on one Bill: it is less legislation. There are many Bills with which I have been concerned in the past three or four weeks and many Bills in this Session which we could very well do without. The Government are not conducting business better through the volume of legislation that they carry through; they carry through legislation simply because they think that Departments have a momentum of their own. That is a scandal, because it undermines proper democratic scrutiny.

As I said, the Bill will go to the other place with scores, or perhaps hundreds, of amendments that will not even have been mentioned in this place. That detracts from the democratic authority of the House and it is a scandal. I deplore what is happening.

5.25 pm

Mr. Jeffrey Donaldson (Lagan Valley): As a Member representing a Northern Ireland constituency, I echo the comments that have been made by right hon. and hon. Members and reiterate what was said by the right hon. Member for Bracknell (Mr. MacKay). This is a sad day, given all that the Royal Ulster Constabulary has done, standing in defence of democracy and of the liberties of people living in Northern Ireland and throughout the United Kingdom. It is shameful that its future should be dealt with in such a shoddy way.

Many police officers and their families live in my constituency, and I represent them in this place. What am I to say to them when I come to tell them that the best opportunity that the House could offer me to represent their views and those of their families, neighbours and friends was a guillotined debate? I was not a member of the Committee that considered the Bill in detail, so I wanted the opportunity fully to debate all the issues that are important and relevant to the Bill. Why is that opportunity to be denied to me and my colleagues?

I am far from convinced by what the Minister said about the need for haste in having the Bill enacted. There is a feeling in Northern Ireland that the agenda has more to do with the need to satisfy the more extreme elements in society, especially on the republican side, and to deliver certain undertakings that were given to them than it has to do with the need for proper legislation and proper debate on it, leading to a proper policing service that can address the real issues that are of importance to people in Northern Ireland, as my hon. Friend the Member for Fermanagh and South Tyrone (Mr. Maginnis) said.

I echo what was said by the right hon. Member for Bracknell and the hon. Member for North Antrim (Rev. Ian Paisley). The police have a difficult job in Northern Ireland and they are under attack. We deplore the attacks that have taken place recently—shootings, for example—against the RUC. There was the bomb at Stewartstown and there have been other such incidents. As I represent Aghalee, I mention especially the attack that took place last night on the Orange hall, when people were meeting in it. There was a petrol bomb attack and, but for the grace of God, people might have lost their lives as a result of the actions of republican extremists, who sought to inflame an already unstable situation. We condemn that attack and all the others.

Mr. William Ross (East Londonderry): The Chief Constable of the Royal Ulster Constabulary is usually able to tell us who is responsible for these attacks—such as the one earlier this week, when he said at about 7 am, the attack having taken place the previous evening, that the bomb was the responsibility of dissidents. Has he been able to say whether it was dissidents or the Provisional IRA who were responsible for that attack?

Mr. Deputy Speaker: Order. That is not helpful to the debate. I suggest to the hon. Member for Lagan Valley (Mr. Donaldson) that he stick closely to the terms of the motion.

Mr. Donaldson: We are dealing with an issue that is vital to people in Northern Ireland. No one in the House would challenge that assertion. It is an extremely emotive issue for those on both sides of the debate. When Chris

[Mr. Donaldson]

Patten was conducting his inquiries prior to compiling his report, he went round Northern Ireland and spoke to many people and listened to their concerns. I attended some of those meetings. I listened to what people said. When they expressed concern that their views would not be taken into account, I and others argued that there would be proper parliamentary scrutiny, that we would raise their concerns in Parliament and that we would seek to have changes made to the proposals that came from Chris Patten.

What am I to say to those people today? Will we have a proper opportunity? Of course not—there are more than 300 amendments and there is no way we can properly and adequately consider them, let alone put forward the arguments that we want to present in support of the amendments that we want to make.

Mrs. Maria Fyfe (Glasgow, Maryhill): I hope that when the hon. Gentleman is talking to his constituents he will not inadvertently mislead them, as a great many of the amendments are tiny, technical and of no great significance. I hope that he will put that across to them.

Mr. Donaldson: The amendments may not be of much significance to the hon. Lady's constituents, but many of them are crucial to my constituents—to those who live in Aghalee and who were on the receiving end of last night's attack; to those who live in Dunmurry and who are on the receiving end of attacks by republican extremists; and, indeed, to those in the Royal Ulster Constabulary, who stand in the line against attacks from extremists on both sides of the community. The amendments are important and they ought to be afforded proper parliamentary scrutiny. That is absolutely crucial.

Whether some of the amendments are technical misses the point. Those of significance—there are quite a few of them—deserve proper parliamentary scrutiny. It is very difficult for my right hon. and hon. Friends and me to reassure people in Northern Ireland that the matter has been properly scrutinised by the House of Commons. Clearly, given the guillotine motion, that will not be so.

Mr. Ingram: In explaining things to his constituents, the hon. Gentleman could say that his hon. Friends the Members for Fermanagh and South Tyrone (Mr. Maginnis) and for West Tyrone (Mr. Thompson) represented their interests and made very robust arguments in all the areas considered in Committee. I therefore suggest that reading what was said by his hon. Friends will help him to explain to his constituents the case that was put.

Mr. Donaldson: Of course my hon. Friends worked very hard to put forward points of view in Committee, but how many of their amendments were accepted by the Government—no matter how good their arguments? We therefore want an opportunity to voice our concerns on the many amendments that the Government refused to accept in Committee.

One very significant amendment, on the import and effect of the clause dealing with the name of the new police service, has been tabled at the 11th hour. That has caused much concern. I do not know whether the Minister heard the interview given yesterday by my right hon. Friend the Member for Strangford (Mr. Taylor), in which he expressed very deep concern about the amendments that the Government have tabled latterly. Those issues are important to people in Northern Ireland.

It is a sad day for democracy and the Royal Ulster Constabulary, its reputation, and all that it has done to defend democracy and to battle terrorism in Northern Ireland and throughout the United Kingdom, when this House of Commons is not afforded a full and proper opportunity to scrutinise the Bill. The Government can make all the arguments that they want, but they cannot deny that that is how the motion will be perceived in Northern Ireland. That is most unfortunate.

Of course, this is not the first time that the Government have treated Northern Ireland legislation in such a way—and, no doubt, it will not be the last. As I said, there are unfortunately pressures on the Government which do not come from within the House of Commons or, indeed, from Parliament, that determine the time scale within which we must deal with the Bill. We ought to have been given proper and adequate time. There ought to be an opportunity for the concerns of people whom I represent and who are represented by right hon. and hon. Members of all political viewpoints in Northern Ireland to be aired properly and fully. The Government's guillotine motion will not allow them the opportunity that we might have expected.

When we go back home to Northern Ireland tomorrow and try to explain to people what happened in the House of Commons, I fear that many will say once again that they have been let down—let down by a parliamentary process that is supposed to defend their rights and enable them, through their elected representatives, to address issues of vital importance. Sadly, in relation to the future of the Royal Ulster Constabulary and the issue of policing in Northern Ireland, the guillotine motion will deny them that right.

5.35 pm

Mr. Tony McWalter (Hemel Hempstead): There are, of course, matters in the Bill that will prove divisive, but the play that has been made of numbers should be put in context.

There are 237 amendments in the name of the Secretary of State, 190 of which refer solely to the change in nomenclature from "police force" to "police service". I expect that the House will want to debate that change in the philosophy of policing, but it is one issue, not 190. We need one debate; we do not need 190. There are more than 20 other amendments that are simply changes consequential on changes of nomenclature.

I should like to get on with the debate on the substantive issues, and I hope that the House will do so in the very near future.

5.36 pm

Mr. Robert McCartney (North Down): The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) properly raised the fundamental constitutional issue relating to the guillotine motion—that is, the relationship between the Executive and the House.

The suggestion that an independent body should deal with the selection of members of Select Committees and Standing Committees has already been mentioned, and is a matter of public debate. The hon. Member for North Antrim (Rev. Ian Paisley) mentioned the composition of the Standing Committee that considered the Bill. It included two out of the three Members representing the SDLP, who had a clear and committed perspective on what they considered appropriate amendments. The hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) was pro-agreement, and had endorsed an agreement that provided Patten with his remit, upon which he has delivered. The hon. Gentleman's views would be very different from those shared by the hon. Member for North Antrim, the hon. Member for Belfast, East (Mr. Robinson) and me, yet all three of us were entirely excluded from the Committee.

The hon. Member for Montgomeryshire (Mr. Öpik) claimed that plenty of time was spent considering the Bill in Committee, but no time at all was spent by the Committee listening to the views or discussing the amendments proposed by the hon. Members who now represent the majority of pro-Union people in Northern Ireland.

The Bill is important because it goes right to the heart of the concerns of the pro-Union community not only about the future protection of their lives, liberty and property, but about a police force that will be able to deal with the mafia atmosphere that is spreading throughout Northern Ireland.

Mr. David Trimble (Upper Bann): I thank the hon. and learned Gentleman for giving way. I have some sympathy with the viewpoint that he and the hon. Member for North Antrim (Rev. Ian Paisley) have expressed with regard to the membership of the Committee and their consequent inability to pursue amendments in Committee. However, the hon. and learned Gentleman has the opportunity to table amendments and have them considered on Report. Can he tell me how many amendments he and his colleagues have tabled?

Mr. McCartney: I have consulted the hon. Member for North Antrim and the hon. Member for Belfast, East. I am sure that the House knows that I do not have the same amount of back-up and number of advisers as the right hon. Member for Upper Bann (Mr. Trimble). However, I have made detailed, comprehensive and lengthy submissions to Patten, both in writing and orally. After all, the Patten report is the basis for the Bill. The Secretary of State and the Minister said more than once that they intended to implement Patten in full.

We now face dealing with a multiplicity of amendments in a short time. As I have already said, those amendments are central to policing Northern Ireland. It is therefore wrong that Back Benchers are denied an opportunity to explore and debate fully, perhaps not all the technical amendments, but the smaller number of important amendments that go to the heart of the Bill.

I conclude by making some remarks about chronology, which the right hon. Member for Bracknell (Mr. MacKay) mentioned at the outset. He said that the Government's delay in presenting the Bill at its various stages had occasioned the urgency that requires a guillotine motion. The reason for that was evident from a political point of view: the Government wished to lure the Ulster Unionists into a position whereby they voted in the Ulster Unionist Council to re-enter the Assembly. They did that by disguising their intentions for the Bill. The Bill is encrusted with a host of amendments, many of which represent a withdrawal from the apparent assurances that the Government had given the Ulster Unionists on the Bill's final form, to encourage them to move in a specific direction. To some extent, that explains the delays in presenting the Bill.

The House must look to its prerogatives and rights, because we are increasingly confronted with the extension of an over-mighty Executive.

5.43 pm

Mr. Richard Shepherd (Aldridge-Brownhills): No hon. Member does not believe that legislation that affects Northern Ireland is supremely important. It is important to everyone who represents a British constituency on the mainland; it is supremely important to the citizens of Northern Ireland; it is also important to those in the Republic of Ireland. The peaceful settlement of Ulster is unquestionably a prize that we all seek. However, the hon. Member for Lagan Valley (Mr. Donaldson) expressed a truth. What is the point of electing Members of Parliament if they cannot speak on the issues that come before the House? What is the point of electing Members of Parliament if they cannot touch on matters of the greatest importance to their fellow citizens? That is the matter of principle that fights against the guillotine.

It is true that not all hon. Members can serve on a Committee, and the only opportunity for those who do not do so to express the voice of their community is on Report and Third Reading on the Floor of the House. I was interested to note that the Minister said, fairly, that the Government had granted up to six hours for considering those matters. Perhaps the vast majority of the more than 220 Government amendments are technical, but none of us doubts that substantial matters of principle are involved.

The simple purpose of a timetable motion—whether agreed between Front Benchers or imposed by the Government—is to curtail debate. The Government have done what they now do in all guillotine motions; they have made the debate on the free-standing guillotine motion part of the consideration of the Bill. That must be wrong. I have full sympathy for hon. Members who feel that their opportunity to discuss matters of importance to their constituencies is being reduced.

Such matters are also important to my constituency. The bombing campaigns that have cursed the nation for 30 years must animate the House to consider the very importance of the Ulster business that is before us, because it is not just their business; it ours, and a settlement is required not just for this island, but for another island as well.

The Minister of State at least put all the arguments for a guillotine, but he did not address the fundamental principle. I shall not take up the time of the House, but the motion involves a matter of principle. The Government have introduced 36 guillotines; some have had the agreement of Opposition Front Benchers, but the purpose has not been to seek consent, which is what the House wants. We want a settlement, but the traditions of the House allow those who oppose or seek to improve Government legislation the opportunity to express themselves to that end. The Government have set aside those traditions 36 times.

[Mr. Richard Shepherd]

The Government are now reducing the opportunities to debate the matters that are most important to us. The guillotine motion, for which all the Government's supporters will vote, will reduce the debate to less than three hours. That is wrong, and every hon. Member knows that perfectly well. The Bill deserves more than a three-hour debate, yet there could be less time than that if there is a Division.

I have set the main objections in the context of the motion, but a wider principle is involved: 36 guillotine motions have denied the House its very purpose and reason to exist. This is Parliament; we do not constitute the Executive, other than by giving our consent to legislation. Such motions deny us the opportunity properly and appropriately to express that consent or to deny it.

5.48 pm

Mr. David Trimble (Upper Bann): This is not the first time that I have had the honour to follow the hon. Member for Aldridge-Brownhills (Mr. Shepherd). I entirely agree with him. We have always taken the view that guillotine motions are wrong in principle. The position of the House is an important matter, which should be vindicated. I do not intend to take much time, but I want to make a couple of points.

First, I want to amplify the point that I made in intervening on the hon. and learned Member for North Down (Mr. McCartney). I agree with the complaint that he and the hon. Member for North Antrim (Rev. Ian Paisley) made about the Standing Committee. This is an important Northern Ireland Bill, so it is appropriate that the Committee that considered it should have been representative of all the main sections of opinion in Northern Ireland that are represented in the House. I expressed that view to the Minister earlier in the proceedings on the Bill. I told him that there should be broader representation, because it is important that hon. Members have an opportunity to debate the Bill in detail.

The hon. Member for North Antrim referred to the attacks taking place in Northern Ireland, all of which we deplore. He said that the attacks came from both sides. That is true, but many of them have come from people who would identify themselves as supporters of the hon. Member for North Antrim.

That fact casts a particular responsibility on the hon. Gentleman and his colleagues to condemn the violence by people who describe themselves as his supporters. That is not to minimise the seriousness of the Stewartstown bomb and the Aghalee petrol bomb, which represent an extremely serious and worrying portent. As I said yesterday, the Prime Minister of the Irish Republic also has a particular responsibility. Terrorist elements are trying to attack the agreement for which 95 per cent. of his electorate voted, and he needs to redeem the promises that he has made over the past year.

On the issue before us, I want to draw out one point. This is an important Bill, as the Minister has said, and Members of the House have different views on it. As the shadow Secretary of State said, Her Majesty's Opposition abstained on Second Reading. We voted against, and the Social Democratic and Labour party voted for. That voting pattern may be reproduced on Third Reading—but looking beyond the positions that, for a variety of reasons, people adopt to the detail of the Bill on Second and Third Reading, there is a similarity between the three parties. They support some parts of the Bill, but are uncomfortable with others and want them to be changed.

The desire of all three parties to engage in a serious debate to improve the Bill characterised the 40 constructive hours spent in Committee—and, as the Minister acknowledged, the Opposition parties made no attempt to delay proceedings or to obfuscate the matter. All desired a serious debate, and that same desire will be apparent on Report, when we want all the serious issues to be reconsidered and all those who were unable to be members of the Committee to contribute. As the hon. Member for Montgomeryshire (Mr. Öpik) said, were there no guillotine the debate would still be unlikely to run for more than six hours, although it would probably run to a second day.

What on earth is wrong with giving this important Bill a second day? Why does it have to be rushed through the House now? It is not being rushed through today to allow those of my colleagues who wish to attend the 12 July celebrations to do so, although one could put that construction on the motion. I have reason to believe that the Government's initial wish was for the Bill to go on Report on the twelfth in the hope that none of us would be present—but that is by the way.

There is no reason why the debate could not have run to a second day, as would have been appropriate for a Bill of this size and importance. We could have had a serious debate without being rushed. As it is, we shall be rushed tonight and we may not consider the whole Bill, which is a sad way to complete a process that in Committee consisted of serious consideration of the issue by a wide range of parties. In these circumstances, it is sad that the Government have tabled a guillotine motion.

5.53 pm

Mr. William Ross (East Londonderry): All visitors to the House pass through St. Stephen's Hall, in which there is a depiction of the barons confronting King John. That was the first formidable effort to restrict the power of the Executive in those days, and the House is directly descended from that incident.

Mr. Robert McCartney: Magna Carta.

Mr. Ross: Magna Carta, as the hon. and learned Gentleman says.

Therefore, Members of the House have a duty not only to represent the views of their constituents, but to curb the excesses of the Executive and to call them to account. Guillotined Bills and timetable motions are an attempt to limit the capacity of all Members of the House to fulfil that duty, and no Member should lose sight of that important fact. As we all know, this is a Bill of great importance, for it will create a new police force for Northern Ireland at the behest not of the law abiding or those who want to remain in the United Kingdom, but of those who want to live under a rule different from the constitutional monarchy that we enjoy.

In the early stages of the Patten inquiry, I said that there was no complaint from members of the public that I could find when the Royal Ulster Constabulary investigated ordinary crime of whatever type and from whatever source. In fact, everyone was glad to see the coppers arrive. Therefore, all the complaints that arose did not stem from the behaviour of the police in investigating ordinary crime, but related to their investigations of and opposition to terrorist crime. That is the real basis of the Bill. Those who were engaged in terrorism deeply resented the actions of the police service and the military in Northern Ireland and the force that had to be used to control that evil activity.

When the Bill is passed, as we all know it will be, the question will be whether it satisfies Irish nationalists of whatever stripe or description, never mind the IRA. That remains to be seen, but I suspect that they will find good excuses for not being satisfied. The Government set out their considered view of the Patten report when they published the Bill, and they have also set out their considered view on the need for the motion, but if they carefully considered what parts of Patten to implement and published a Bill on that basis, why did they accept amendments and give commitments to accept amendments? I believe that that agreement results from the torrent of complaint from the IRA, Sinn Fein, the Social Democratic and Labour party and fellow travellers in the Irish nationalist community. Indeed, IRA representatives are presently touring the United States to complain about the Bill.

In passing, I must say that I am not clear in my own mind about what any British police force has to learn about the use of minimal force from a nation—

Mr. Deputy Speaker: Order. I have allowed the hon. Gentleman some leeway for his preamble, but I remind him that we are discussing the allocation of time motion. His remarks seem to be more suited to a debate on Second or Third Reading.

Mr. Ross: As you will appreciate, Mr. Deputy Speaker, the opportunity to make such remarks on Second Reading has passed and, as a consequence of the motion, time will be so severely restricted that it will be impossible to make them on Third Reading. If I am not to have an opportunity to make such remarks, does not that show that the Government's timetable motion is creating serious defects and that Members of the House have difficulties in calling Ministers to account over how they deal with policing matters in Northern Ireland, which are matters of life and death to many of our constituents? Those matters should receive detailed consideration, which clearly will not be possible as a result of the severe restriction of the time available.

The Government also need time. We are prepared to make the most constructive suggestions and we want to be helpful. We want to explain where they have got it wrong and to give them an opportunity to correct their mistakes. We want them to respond in the fullest and most detailed terms, but, unfortunately, their own motion will prohibit that. It is only right that we should bring those matters to the attention of the House and, in particular, of the Government in the hope that they might go away and think again.

The Minister of State, Northern Ireland Office and the Under-Secretary of State for Northern Ireland, who are on the Front Bench, have been in Northern Ireland for some time. They know that the Bill represents a serious issue in the Province and a problem that will not go away. We are to have a new police service in Northern Ireland—for reasons that I hope to cover later, I disagree with the new term—and we are told in the press that the Government have made some 60 moves in the direction of the SDLP. The Secretary of State says that it should be well satisfied, but it is not satisfied. It has tabled a raft of amendments that we are supposed to consider in the restricted period of a few hours this afternoon and evening.

At this stage in the proceeding, the Government have put before the House 46 pages of amendments. Surely we require more time to consider them than is being given to us, especially as the Bill is only 65 pages long. The Government say that not all the amendments are in their name, but the size of the Bill in relation to the number of amendments tabled shows the Government's willingness to say to Sinn Fein-IRA and the SDLP, "Tell us which way you want us to jump and we'll see what we can do for you." I cannot come to any other conclusion about why there are so many amendments.

I read somewhere that there were 258 Government amendments, and today I heard that there were 220. The figure of 254 has also been mentioned. There is such a multitude of amendments that I have not had time to count them. I may get an hour this afternoon to do so, and discover how many there are. I was not a member of the Committee, and may have a different point of view from that of my hon. Friends who were on it. It is well known that I believe that most of the RUC's problems with policing parades and other matters should have been resolved during the discussions on the agreement rather than at this late stage. The Minister tells us that these are mainly technical amendments. If they are technical amendments, the drafting must have been very sloppy in the first place. We should not have to consider technical amendments.

The Minister told us that the amendments were related to the change from "force" to "service". I have never thought that the police's job was to service the law. I thought that their job was to enforce the law, and to use the minimum force necessary to ensure that the law was kept. Now they will have to service the law, but I am not clear what that term is supposed to mean. No doubt the Minister, in his long-winded approach to the subject, will tell us what it means—at least I hope so, but I am living in hope rather than in expectation.

Given their majority, the Government will steamroller the Bill through the House this evening no matter what is said. It will go to the other place and may return to this House amended—or perhaps not much amended—presumably in the autumn. One thing is certain, when today's debate is over, the people of Northern Ireland will not be satisfied. They will not be happy about what the Government say about the Bill or with the Bill at all, because they understand that the Bill was created as a consequence of terrorist violence and nothing else. That was the only reason. If there were reasons to make minor changes to the police, that could have been done in the natural course of events. The Bill was unnecessary, and the Government know that. They are trying to conceal the failure at an earlier stage fully to appreciate the reasons for the Bill by steamrollering it through and driving it on regardless of the opposition of those of us who live in Northern Ireland. We have to live with the consequences of the Bill, and we are well aware of the problems that it will create downstream.

[Mr. Ross]

As is apparent to every hon. Member, the Government treat the House and the legislative process more and more as if they were running a commercial business, in which the directors and the management decide on a course of action and then go ahead with it. If business men are wrong, only the business suffers. Legislation is not like that: it deals with very different circumstances. Sometimes a measure that at first seems simple and straightforward turns out not to be so. Everyone in the House remembers the poll tax and what a wonderful idea that was. The basic contention was to connect the payment of taxes—

Mr. Deputy Speaker: Order. The hon. Gentleman is going far too far away from the terms of the motion. I must direct him to come back to the point.

Mr. Ross: I respect your ruling, Mr. Deputy Speaker, and I am content to comply with it. I was trying to draw an analogy with what happened with the poll tax legislation, which seemed simple and straightforward at first, but which led to riots and all sorts of problems. That was also driven through the House with a large Government majority and had unforeseen consequences, although some foresaw them. Those who were in a minority in the House were eventually proved correct, as I believe they will be on this occasion. I simply wanted to draw the House's attention to a past error of judgment, and to ask hon. Members to reflect on whether an error of judgment has been made on this legislation, as I believe it has.

On matters relating to Northern Ireland, I am usually in a minority in this place. I have been in the House longer than most: only the hon. Member for North Antrim (Rev. Ian Paisley) has been here longer than I. Like me, he can recall many occasions on which legislation was passed by acclamation. Those of us who objected were subsequently proved to be correct, and I am certain that the same will happen with this legislation. Any hon. Member who has been in the House for a few years realises that a debate in this Chamber is not a light matter: it serves a useful and fundamental purpose. When a Government introduce a Bill, they always have a natural and understandable desire to see that it is passed as soon as possible, no matter how long it is. Time and again, I have seen that the longer the debate goes on, the more likely it is that flaws in the legislation are exposed, and slowly but surely changes take place. When a Bill disappears from this place and then comes back, frequently changes have been made that improve it. Everyone applauds that, but that is not happening with this Bill.

Timetable motions, especially on Northern Ireland matters, should be opposed. Many hon. Members have never set foot in the Province, and know nothing about it. Their perception has been gained from media reports, newspapers, snapshots on the television, which is a poor way to build a policy or an opinion of a place, and above all from journalistic opinion. Journalists rarely sit in the middle of the road trying to give a clear and accurate picture of what is happening. They are always biased. *The Times* used to say that opinion is free but the truth is sacrosanct, but that no longer seems to apply to the media at large.

Mr. Deputy Speaker: Order. I once again say to the hon. Gentleman that he must come back to the particular and get away from the general. I do not want to have to remind him again.

Mr. Ross: Sometimes, Mr. Deputy Speaker, it is necessary to draw analogies.

Mr. Deputy Speaker: Order. I have already opined to the hon. Gentleman what I think is necessary in the circumstances of this debate. I hope that he will accord with that.

Mr. Ross: Indeed, Mr. Deputy Speaker. I am grateful for the help that you give me in reaching conclusions.

I believe that the Chamber is a counterweight to outside influences. It is the place where these matters must be discussed in detail, and that takes time. I remember when a Member of the House changed his mind after long discussions in Committee. If the debate is long and detailed enough, perceptions and opinions can change. Given the nature of the Bill, it is completely wrong to impose a timetable motion. We should have considered the Bill earlier in the week, and we should continue for much longer than will be possible. If we had more time, we could discuss the Bill in greater detail, change people's minds and end up with a more effective law enforcement agency in Northern Ireland.

It is no secret that I believe that the Bill is wrong. It will diminish the effectiveness of the RUC, and a debate would have exposed that. The time we are being allowed for debate is far too short. It is only when a Bill is considered calmly, logically and at length that people come to understand it and change their opinions, and support the necessary changes. The Bill will not fulfil its stated objectives. Whether the Government have unstated objectives, I do not know, but I am certain that time will reveal them.

6.10 pm

Mr. Peter Robinson (Belfast, East): I oppose the motion.

The Bill derives from the Belfast agreement; it is not simply the product of Patten. On Second Reading, I made it clear that I considered the Patten commission's report to be a faithful representation of the remit given to Patten by certain politicians in the Belfast agreement, although many of them want to wash their hands of it now. However, given that the agreement had its passage, as it were, during 1998, I think few hon. Members would not readily admit that this is the most controversial element of it, and has been paid considerable attention by the Northern Ireland community. The issue with which we shall deal this evening is therefore of great significance to the people of Northern Ireland. It cannot be dealt with lightly, and it cannot and should not be dealt with quickly.

It demeans the Government if they are seen not to be confident enough of their arguments to allow them to be fully debated here. For it is clear that the issues in the Bill will not be properly debated this evening: they are too many, and too great, to be considered adequately in the time allowed.

The right hon. Member for Upper Bann (Mr. Trimble), who has left the Chamber, has said outside it that he is delighted with the Bill. I am therefore surprised—*[Interruption.]* Would the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) like to repeat that, so that the Chair can hear it? I think not—but, like everything else that the hon. Gentleman says, it was substantially lacking in factual relevance.

The right hon. Member for Upper Bann said publicly that he was delighted with the outcome of the Standing Committee's work. So he should be: it was he and the hon. Member for Fermanagh and South Tyrone who recommended to the people of Northern Ireland that they should support the Belfast agreement, within which the Patten commission's remit was given and of which the Bill is the outcome.

Intervening on my friend, the hon. and learned Member for North Down (Mr. McCartney), the right hon. Gentleman asked what amendments he had tabled. Any sensible Northern Ireland Member would recognise that there is enough to oppose in the Bill, by way of clause stand part, for the proper result to emerge. It is not necessary to amend a Bill that is so inherently disastrous for the police service in Northern Ireland: it is to be opposed, rather than amended.

The right hon. Gentleman then turned on my hon. Friend the Member for North Antrim (Rev. Ian Paisley), saying that those who were disrupting and perpetrating violence against the Royal Ulster Constabulary in Northern Ireland were supporters of his. If the right hon. Gentleman were a wee bit closer to the ground, he would recognise that the violence in Northern Ireland is being orchestrated by pro-agreement paramilitary organisations—the very same organisations with which the right hon. Gentleman walked into the talks shoulder to shoulder, and which supported him throughout the process.

Mr. Deputy Speaker: Order. The hon. Gentleman is straying far from the motion. I ask him to return to its confines.

Mr. Robinson: I am happy to do that, Mr. Deputy Speaker, but if I have indeed strayed I have been referring to remarks made in the House, without challenge, by others during the debate.

Rev. Ian Paisley: It is well known in Northern Ireland that two members of the Stormont Assembly, on the so-called loyalist side, represent terrorist organisations. It is they, with others, who are seen on the streets, and who are carrying out attacks on the police.

Mr. Deputy Speaker: Order. That has absolutely nothing to do with the motion.

Mr. Robinson: I think that the issue has been dealt with properly, Mr. Deputy Speaker, and I feel that, as it was raised by the right hon. Member for Upper Bann without challenge, it was right for us to have an answer on the record.

The hon. Member for Montgomeryshire (Mr. Öpik) had the audacity to tell the House that there was sufficient time. Having been a member of the Standing Committee, he had every opportunity to say whatever he wanted to say during, I believe, 11 sittings. He now tells those of us who were not allowed to be members of the Committee, and who have therefore not had the same opportunities, that there is enough time—time of which he will no doubt take part in order to have a further say.

Mr. Ingram: It might be helpful if the hon. Gentleman reminded us that the last time he was a member of a Standing Committee—the Committee considering the last Police (Northern Ireland) Bill, which became the Police (Northern Ireland) Act 1998—he attended only two sittings. I think I am correct in saying that.

Mr. Robinson: I have not the slightest idea what the Minister is talking about. *[Interruption.]* The debate will continue for some time, and we shall be able to return to the issue with the Minister.

Mr. Öpik: The hon. Gentleman described my views on the guillotine as audacious. I thank him for the compliment, but surely he accepts that there was simply a difference of opinion. Members are perfectly entitled to have differing views. He himself has made important points, and I hope he recognises that I was not criticising him or his party for having a view different from mine.

Mr. Robinson: I did not suggest that the hon. Gentleman had attacked our view. What he said was that there was sufficient time for the issues to be debated. My party, however, sought representation on the Committee, and was deliberately refused that representation. Our only opportunity to deal with the issues with which the hon. Gentleman had so much time to deal in Committee is tonight's debate, and we are being deliberately denied that opportunity by a Government who are afraid to allow them to be debated properly here.

The Government may well suggest that there is very little time for the issues to be discussed further before the end of the Session. Of course, they left the debate until near the end of the Session because they did not want the details of the Bill to be revealed earlier, in case members of the Ulster Unionist Council saw what they were up to, and therefore formed a different opinion about the return to devolution in Northern Ireland.

One very good reason why we should have more time is the absence of the right hon. Member for Strangford (Mr. Taylor). He has not been able to come along because he is in Cyprus or somewhere. He clearly has such strong opinions on the issue that he did not want to interrupt whatever his business may be elsewhere. It was that right hon. Gentleman, however—this is relevant, Mr. Deputy Speaker—who went to an Ulster Unionist Council meeting, and told that meeting that there was a piece of paper in his inside pocket that he would be able to produce if the Government did not stand by promises given to him. If we cut off tonight's debate, what opportunity will he have to come to the House and reveal for the first time the commitments that he was given—commitments that he said would be sufficient for the Ulster Unionist Council to allow—

Mr. Deputy Speaker: Order. I have been very tolerant in allowing the hon. Gentleman to make the remarks that he has made in the context of the debate, but I must ask him again to return to the terms of the motion.

Mr. Robinson: I am dealing entirely with the issue of time. If a Member who is so central to the issue is not present, I would expect him to want time, in a resumed debate, allowing him to produce the evidence that he produced for the Ulster Unionist Council—evidence that he said would ensure the survival of—

Mr. Deputy Speaker: Order. I do not think that the hon. Gentleman heard my ruling. It is not a matter of what other Members should be doing in the debate; we want to hear what the hon. Gentleman wishes to contribute.

Mr. Robinson: I am grateful. I am sure that the House would agree.

The Government have nothing but the contempt of the law-abiding people of Northern Ireland for the way in which they have dealt with the whole issue of the Royal Ulster Constabulary. They have attempted to use it as a political issue in relation to the Belfast agreement. They have one minute been attempting to suggest to the Unionist community that the Royal Ulster Constabulary was safe in their hands and that, on that basis, they should support the right hon. Member for Upper Bann in resuming the devolution of powers to Northern Ireland; and, the next minute, they have pandered to the republican tradition in Northern Ireland and, as has been seen throughout the stages of the Bill, produced amendments to satisfy that republican element.

This debate—the charade that we are offered of just a few hours to debate a critical issue—reflects badly on the Government. I think that it will ensure that the Royal Ulster Constabulary will be hung around their neck as an example of how they reward those who have stood by and made sacrifices for the community. At the same time, it will be seen in stark contrast to the rewards that they have given to terrorists in putting them into government and releasing their prisoners.

6.21 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. George Howarth): We have had an interesting debate, and I shall be relatively brief compared with some of the contributions.

The hon. Member for Aldridge-Brownhills (Mr. Shepherd) has in these matters the merits of sincerity, which is palpable when he speaks on the subject, and of consistency. Although on this occasion he will understand that I cannot agree with him, I always respect his sincerity.

I come to the hon. Member for North Antrim (Rev. Ian Paisley) and, in so doing, rise to the defence of the right hon. Member for Bracknell (Mr. MacKay), even though he does not agree with us on this occasion. I am sure that, when the hon. Gentleman reflects on what he said, he might regret it. He attacked the right hon. Gentleman for not having mentioned the republican bomb in Stewartstown.

I have to say—I think that the hon. Member for North Antrim knows it—that, just as the Government, he and other hon. Members condemn every terrorist activity, from wherever it comes, so does the right hon. Member for Bracknell. The right hon. Gentleman may have omitted to mention that particular incident, but if the hon. Member for North Antrim consistently followed what the right hon. Gentleman has said on those matters, he would find that, like us, the right hon. Gentleman condemns all terrorist incidents, whether they happen in Aghalee or Stewartstown. I am sure that, when the hon. Gentleman has a cooler head, he will appreciate that that is the case.

The hon. Gentleman argued—it was repeated with greater force by the hon. Member for Belfast, East (Mr. Robinson)—that the Government deprived them of a place on the Standing Committee. The Government do not allocate the places of the smaller parties on Standing Committees. It is not a question of the Government letting him down. Whatever representations he may have made—he referred to representations that had been made—would have been made within the arrangements for smaller parties. I understand that no representations were made through my hon. Friend the Member for Lewisham, West (Mr. Dowd), who speaks on these matters for the Patronage Secretary.

Therefore, the idea that, cynically, out of fear, trepidation or whatever, we excluded the hon. Gentleman's party or, for that matter, the hon. and learned Member for North Down (Mr. McCartney) from membership of the Committee does not stand up to scrutiny. If the hon. Gentleman goes back over the record of what representations may have been made, he will find that they certainly were not made to the Government, so that simply does not stand up to scrutiny.

Rev. Ian Paisley: Will the Minister give way?

Mr. Howarth: Before I do, let me make it clear that, because hon. Members are anxious to talk about the substance of the Bill, I do not intend to give way a great deal.

Rev. Ian Paisley: Will the Minister explain what was mentioned by the leader of the official Unionists, the right hon. Member for Upper Bann (Mr. Trimble)—that he had made representation? He said that he had brought to a Minister's attention the representation from the Democratic Unionist party and the representation from the hon. and learned Member for North Down (Mr. McCartney), and the reply was, "No, we are not having them on the Committee." To whom did he make his representations?

Mr. Howarth: It is my experience of the right hon. Member for Upper Bann (Mr. Trimble) that, generally speaking, when asked to, he defends himself and his position very well. No doubt, when the occasion arises, the hon. Gentleman will tackle him on that very issue. I do not know of any representations that the right hon. Gentleman made, but I am sure that, if he said that he made them, he did. Where he made them, I have no idea.

The hon. and learned Member for North Down and the hon. Member for East Londonderry (Mr. Ross) both referred to the number of amendments that has been tabled. If they scrutinise the amendments, as I am sure that they will have the opportunity to do, and take time to listen to the debate that they have spoken in, they will realise that something approaching 200 of those amendments are consequential on the change of the words "police force" to "police service". Once we make such a change, it is necessary to go through the whole Bill and to make the necessary consequential changes.

I do not know whether the hon. and learned Member for North Down would want to debate every occasion that those words are used in the Bill. I think that, even though he can be loquacious on occasions, it is highly unlikely. I am willing to accept that the hon. Member for East Londonderry probably would want to debate the same point over and again as many times as it is mentioned, but that is a matter between him and the occupant of the Chair, and you made your position clear on that matter, Mr. Deputy Speaker.

If there were ever a demonstration of why the motion is necessary, it was the speeches of the hon. Members for East Londonderry and for Belfast, East. When anyone who is concerned about the matter consults the record of the debate and the number of times that they had to be brought to order by the occupant of the Chair, it will be clear that the Government were right to put the motion on the Order Paper as a precautionary measure. If it were ever necessary to demonstrate that the motion was justified, the two hon. Members to whom I have just referred demonstrated that amply. I commend the motion to the House.

Question put:-

The House divided: Ayes 354, Noes 143.

Division No. 254] **[6.28 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bell, Stuart *(Middlesbrough)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burstow, Paul
Butler, Mrs Christine
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies
(NE Fife)
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack
(Copeland)
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry
(B'ham Hodge H)
Dawson, Hilton
Dean, Mrs Janet
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Ewing, Mrs Margaret
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Andrew *(St Ives)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grocott, Bruce
Grogan, John
Gunnell, John
Hain, Peter
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Heppell, John
Hesford, Stephen
Hill, Keith
Hodge, Ms Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*

Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Reed, Andrew *(Loughborough)*
Rendel, David
Roche, Mrs Barbara
Rogers, Allan
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Winnick, David
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mrs. Anne McGuire and
Mr. Mike Hall.

NOES

Ainsworth, Peter *(E Surrey)*
Arness, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hammond, Philip
Hawkins, Nick
Hayes, John
Heathcoat-Amory, Rt Hon David
Horam, John
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
McCartney, Robert *(N Down)*
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
McLoughlin, Patrick
Maginnis, Ken
Major, Rt Hon John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paice, James
Paisley, Rev Ian
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Thompson, William
Townend, John
Tredinnick, David
Trend, Michael
Trimble, Rt Hon David
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Stephen Day and
Mr. Peter Atkinson.

Question accordingly agreed to.

Resolved,

That the following provisions shall apply to the proceedings on the Police (Northern Ireland) Bill—

Timetable

1.—(1) Proceedings on Consideration shall be completed at today's sitting and brought to a conclusion (if not previously concluded) six hours after the commencement of proceedings on this Motion.

(2) Proceedings on Third Reading shall be completed at today's sitting and brought to a conclusion (if not previously concluded) seven hours after the commencement of proceedings on this Motion.

Questions to be put

2.—(1) This paragraph applies for the purpose of bringing proceedings on the Bill to a conclusion in accordance with paragraph 1.

(2) The Speaker shall forthwith put the following Questions (but no others)—

(a) any Question already proposed from the Chair;

(b) any Question necessary to bring to a decision a Question so proposed;

(c) the Question on any amendment moved or Motion made by a Minister of the Crown;

(d) any other Question necessary for the disposal of the business to be concluded.

(3) On a Motion made for a new Clause or Schedule, the Speaker shall put only the Question that the Clause or Schedule be added to the Bill.

(4) If two or more Questions would otherwise fall to be put under sub-paragraph (2)(c) on amendments moved or Motions made by a Minister of the Crown, the Speaker shall instead put a single Question in relation to those amendments or Motions.

Miscellaneous

3. Standing Order No. 15(1) (Exempted business) shall apply at today's sitting to proceedings to which this Order applies.

4. Proceedings to which this Order applies shall not be interrupted under any Standing Order relating to the sittings of the House.

5. No Motion shall be made to alter the order in which proceedings on the Bill are taken or to recommit the Bill.

6. No dilatory Motion shall be made in relation to the Bill except by a Minister of the Crown; and the Question on any such Motion shall be put forthwith.

7. Standing Order No. 82 (Business Committee) shall not apply to the Bill.

Supplemental Orders

8. The proceedings on any Motion made by a Minister of the Crown for varying or supplementing the provisions of this Order shall (if not previously concluded) be brought to a conclusion one hour after they have been commenced; and Standing Order No. 15(1) shall apply to those proceedings.

9. If at today's sitting the House is adjourned, or the sitting is suspended, before the time at which any proceedings are to be brought to a conclusion under this Order, no notice shall be required of a Motion made at the next sitting by a Minister of the Crown for varying or supplementing the provisions of this Order.

Police (Northern Ireland) Bill

As amended in the Standing Committee, considered.

New Clause 3

DISTRICT POLICING PARTNERSHIP SUB–GROUPS FOR BELFAST

'.—(1) The district council for Belfast shall establish a sub–group of its district policing partnership for each police district established under section 20(2).

(2) The function of each sub–group shall be to provide views to the district commander of the sub–group's police district and to the Board on any matter concerning policing of that district.

(3) Each sub–group shall consist of at least six members of the partnership.

(4) The members of a sub–group shall be appointed by the partnership.

(5) The members of a sub–group shall appoint a member to act as chairman of the sub–group.

(6) If they are unable to agree on whom to appoint as chairman, the partnership shall appoint the chairman.

(7) The code issued under section 19 may contain guidance as to the exercise by sub–groups of their functions.'.—*[Mr. Ingram.]*

Brought up, and read the First time.

6.45 pm

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Lord): With this it will be convenient to discuss the following: Amendment No. 14, in clause 14, page 7 line 32, after "establish", insert—

'within 6 months from the commencement date of this Act'.

Amendment No. 56, in clause 15, page 8, line 3, leave out "section 14(1)" and insert—

'any part of Part III of this Act'.

Amendment No. 59, in clause 16, page 8, line 44, leave out "have regard to" and insert "comply with".

Amendment No. 60, in clause 19, page 9, line 24, leave out "may" and insert "shall".

Amendment No. 61, in page 9, line 25, after "and", insert "may".

Amendment No. 16, in page 9, line 34, leave out sub–paragraph (b) and insert—

'(b) a duty to hold all meetings of the district policing partnership in public;'.

Amendment No. 17, in page 9, line 40, leave out from "police" to "for" in line 41 and insert—

'service of their functions and operations in the district to be put by members of the district policing partnership and by members of the public'.

Amendment No. 62, in page 10, line 8, at end add—

'(3A) Nothing in this section shall require a district commander or his nominee to answer any question or disclose any information which compromises effective policing.'.

Amendment No. 63, in clause 54, page 27, line 37, at end add—

'(j) the effectiveness of district policing partnerships in the carrying out of their functions;

(k) the level of public satisfaction with the performance of individual district policing partnerships.'.

[Mr. Michael Lord]

Government amendment No. 213.

Amendment No. 6, in schedule 1, page 37, line 30, leave out—

'as far as is practicable'.

Amendment No. 8, in page 37, line 33, after "consult", insert—

'for a period not longer than three months'.

Amendment No. 7, in page 37, line 38, leave out sub-paragraph (6).

Amendment No. 9, in page 38, line 6, leave out sub-paragraph (9) and insert—

'(9) The members of the board shall, at their first meeting, elect a chair and a vice-chair; the appointments will not be confirmed unless the First and Deputy First Ministers agree to them; the Board shall ensure that—

(a) the offices of chair and vice-chair are at all times held by members of different political parties;

(b) a person is appointed to the office of chair and vice-chair for a term of 12 months at a time or, where that period is shorter than 12 months, for a period ending with the date of the next Assembly elections, and

(c) the office of chair is held by each of the four largest parties represented in the Assembly after the last assembly election.'.

Government amendments Nos. 215 and 216.

Amendment No. 10, in page 38, line 27, leave out sub-paragraph (c).

Amendment No. 11, in page 40, line 45, after—

'consult', insert for a period not longer than three months'.

Amendment No. 303, in page 41, line 25, at end insert—

'(1A) The Secretary of State shall remove a person from office as an independent or political member of the Board if satisfied that—'.

Amendment No. 12, in page 41, line 26, leave out sub-paragraph (c).

Amendment No. 304, in page 41, line 29, at end insert—

'( ) any organisation to which he is linked has failed to satisfy any of the four factors set out in Section 3(9)(a), (b), (c) and (d) of the Northern Ireland (Sentences) Act 1998;

( ) any organisation to which he is linked has failed to begin the decommissioning of arms and explosives in a manner verified by the Commission referred to in Section 7 of the Northern Ireland Arms Decommissioning Act 1997.'.

Amendment No. 13, in page 41, line 44, leave out sub-paragraph (c).

Amendment No. 305, in page 41, line 45, at end add—

'(d) he has at any time been convicted of a scheduled offence under the Northern Ireland (Emergency Provisions) Act 1973, the Northern Ireland (Emergency Provisions) Act 1978, the Northern Ireland (Emergency Provisions) Act 1991, the Northern Ireland (Emergency Provisions) Act 1996 or Part VII of the Terrorism Act;

(e) he has at any time been convicted in Northern Ireland or elsewhere of any offence and has had passed on him a sentence of imprisonment (whether suspended or not);

(f) the political party of which he is a member is linked to any organisation to which he is linked has failed to begin the decommissioning of arms and explosives in a manner verified by the Commission referred to in section 7 of the Northern Ireland Arms Decommissioning Act 1997.'.

Government amendment No. 218.

Amendment No. 19, in schedule 3, page 48, line 29, after "power", insert—

'within 6 months of the commencement of this Act'.

Amendment No. 20, in page 49, line 3, after "council", insert—

'within one month of receipt of the nominations'.

Amendment No. 21, in page 49, line 18, at end add

' ; before making such appointments the Council shall satisfy itself that it has taken all reasonable steps to make the district community aware that nominations are due to be made, that it has invited applications from that community and that, following thorough consideration of all applications, that the persons nominated, so far as is practicable, reflect that community.'.

Amendment No. 306, in page 50, line 10, at end insert—

'(2A) The Board or the council, with the approval of the Board, shall remove a person from office as a political or independent member of a DPP if satisfied that—

(a) he is not committed to non-violence and exclusively peaceful and democratic means,

(b) the political party of which he is a member is linked to an organisation that has failed to begin the decommissioning of arms and explosives in a manner verified by the Commission referred to in section 7 of the Northern Ireland Arms Decommissioning Act 1997.'.

Amendment No. 307, in page 50, line 24, leave out "an independent" and insert "a".

Amendment No. 22, in page 52, line 2, after first "may", insert—

'with the agreement of the Board'.

Mr. Ingram: I said at the fourth sitting of the Committee on 20 June that the Government were considering Patten's recommendation No. 28 that there should be four sub-groups of the district policing partnership in Belfast. I said that, if the Government decided to amend the Bill—we indicated that we were considering doing so—we would do so on Report. New clause 3 will make that amendment.

The Government concluded that, with an area the size of Belfast, it made sense to establish not four separate DPPs, as some have called for, but four sub-groups of the Belfast DPP, to be established by the council. Each sub-group is to consist of at least six members of the partnership, appointed by the partnership.

The Policing Board's code of practice under clause 19 will cover the operation of those sub-groups. Their function will be to provide views to the police and to the partnership. As the new clause stands, it refers in line 4 to "the Board". That should, of course, be "the partnership". That will be corrected in the other place.

By tabling the new clause, we have implemented Patten's recommendation in paragraph 6.27 of the commission's report, but we have done so in a way that recognises the concerns that have been expressed about the make-up of those sub-groups and how their role will tie in with that of the Belfast DPP. On that basis, I ask the House to accept the new clause.

Mr. David Trimble (Upper Bann): The Minister mentioned the relationship between the sub-groups and the Belfast DPP as a whole. To what extent will the sub-groups work with the partnership and to what extent will they take over functions from the partnership? Those questions raise a series of issues on which the new clause gives no information, but which are matters of great concern to us. The Minister should deal with those issues in some detail.

Mr. Ingram: I am grateful to the right hon. Gentleman because it is important for hon. Members to understand the way in which the DPPs will operate, which is in terms of the codes of practice that will be laid down by the Policing Board and conditioned by the Secretary of State's consideration of how they are actually operating. For instance, if a district is not delivering as it should, the Secretary of State will involve himself in that area.

Let me deal with the specific point raised by the right hon. Gentleman; the four sub-groups will report to the Belfast DPP and their work will be conditioned by the other clauses under which the DPPs come under the scrutiny of both the Policing Board and the Secretary of State. They will not be four entities in their own right, but four sub-groups that report to the central DPP.

Mr. Trimble: I apologise if I have not got the details right, but the new clause states:

> The function of each sub-group shall be to provide views to the district commander of the sub-group's police district.

When one compares that to clause 16, which covers the general functions of DPPs, it is in line with clause 16(1)(a). Is it intended that the sub-groups simply take over from the Belfast DPP in that function only, and consequently will have no function in regard to clause 16(1)(a)-(e)? If that is the case, it would be well for the House to know that. However, the language that the Minister used implied that the sub-groups will take over all the functions of the DPPs and simply report to the Belfast partnership.

Mr. Ingram: No. I can give the right hon. Gentleman the assurance that that would not be the case. They would be not separate entities in their own right, but four sub-groups reporting to the DPP, conditioned obviously by the way in which the board interfaces with that and the way in which the Secretary of State can, in consultation with the board and under his own powers, deal with it.

The sub-groups will be an integral part of the Belfast DPP and will report to that district partnership. It is important to understand that they will have purely consultative functions. All the functions of the Belfast DPP remain as for the other DPPs. There is no difference between Belfast DPP and the other equivalent DPPs that will be set up under the structures envisaged. The sub-groups have no role in the local policing plan for Belfast. That remains the responsibility of the Belfast DPP. In that sense, the groups are consultative.

The right hon. Gentleman has concerns about the way in which the groups could have developed. Clearly, there was an argument that there should have been four separate entities in that area. That is the way that some people interpreted Patten; that is not what Patten said, and we have been faithful to what he said. I hope that I have given the right hon. Gentleman assurances about the way in which the sub-groups of the DPP will function.

Government amendment No. 213 is a consequential amendment arising from one that was accepted in Committee on the membership of the direct rule Policing Board. Columns 38 to 45 of the *Official Report* of Standing Committee B contain references to that matter. The Committee accepted that, during direct rule, there should be between 14 and 19 members on the Policing Board. The amendment alters schedule 1(3)(2) to reflect the fact that, instead of one number, there is now a set of numbers. We want a sliding-scale approach. On that basis, I ask the House to accept the amendment.

Government amendments Nos. 215 and 216 honour a commitment that I made to the hon. Member for Montgomeryshire (Mr. Öpik) in Committee—I said in column 94 of the *Official Report* of Standing Committee B that I would table amendments on Report. These amendments affect paragraph (4)(5) of schedule 1, which sets out the provisions for removal from the board during direct rule. Amendment No. 215 provides that removal for a criminal conviction applies to convictions after the date of appointment.

Amendment No. 216 adds to that provision by enabling the Secretary of State to remove a person from the board for non-disclosure of a criminal conviction at the time of appointment. We will want to table similar amendments in the other place for a board set up under the devolved structure. Here, we are dealing only with that set up under the direct rule structure. Similar amendments were made and accepted by the Committee on exactly this issue in relation to the DPPs, as can be seen from column 212 of the *Official Report*. I ask the House to accept Government amendments Nos. 215 and 216. They honour commitments made in Committee.

On Government amendment No. 218, in Committee on Tuesday 27 June—*Official Report* columns 114 to 118—I said that the Government would produce amendments to clarify the position on quorums both for appointments of the second and subsequent chairperson and vice-chairperson posts, which are dealt with in schedule 1(17)(2), and the numbers required to determine an inquiry under paragraph (17)(4), which of course relates to a board set up under a devolved Government. Government amendment No. 218 meets that commitment and I ask the House to accept it.

Mr. Andrew MacKay (Bracknell): I shall speak to the amendments that stand in my name and those of my hon. Friends on the Opposition Front Bench—amendments Nos. 303 to 307. In the limited time available to the House due to the guillotine motion, I shall restrict my remarks to those amendments, which centre on who should sit on the Policing Board and on the district policing partnerships.

It should be common ground on both sides of the House and in all parts of the House that it cannot be right and proper for people who have committed violent criminal and terrorist offences, or who are associated with terrorist groups that have not entered a ceasefire, to sit on the board or the partnerships.

I hope that it is not necessary to dwell at any length on how security sensitive sitting on the board or the partnerships will be. Royal Ulster Constabulary officers,

[Mr. Andrew MacKay]

and for that matter other members of the security forces and Ministers, would be put in an impossible position if people were sitting on the partnerships and the board who were not committed to peaceful means of pursuing their political ends. If officers refused to give information to the board or partnership because they were scared of the security implications, the very working of the board and the workings of the partnerships would be put in doubt. The House should accept our amendments. It is inconceivable that such people should be involved in the board or the partnerships.

Let me expand a lit[illegible] first, we are insisting that political representatives—elected politicians—who are associated with paramilitaries can sit on the board or the partnerships only if the paramilitaries to whom they are inextricably linked have started properly and comprehensively to decommission their illegally held arms and explosives. The Minister will confirm that they are legally obliged to do so under the Belfast agreement, which they signed.

Whereas I would have no objection to the names of people who are to sit on the board and the partnerships being made public, I feel that they should not be able to take their seats until their paramilitary associates have moved considerably towards fulfilling their obligations under the agreement to decommission all their illegally held arms and explosives.

Secondly, anyone sitting on the board or on a partnership must, both in practice and in word, have renounced violence in all its forms for good. I note that that applies to members of the board and of the partnerships who are not elected representatives; obviously, it must also apply to those who are elected.

7 pm

Probably the most important aspect of our amendments is that which relates to people who—in simple layman's language—are committed terrorists. It seems wrong that anyone who has been found guilty of committing a terrorist offence should sit on the board or a partnership. When the Bill was published, it was made clear that, although elected representatives who had committed scheduled offences could sit on those bodies, lay members who had committed such offences could not do so. That was changed in Committee, as the Minister will confirm.

That is regrettable. It is wrong that someone who was a committed terrorist can sit on a police board or body. I hope that, when the Minister reflects on that point, he will agree and that our amendments will be accepted. I offer the Minister and the Secretary of State a gentle warning that, if the amendments are not passed, there will be no confidence in the new policing system—neither in the boards nor the partnerships. The partnerships will not work properly and security will be put at risk in the Province and on the mainland; the Minister is responsible for security in the Province and I know that is the last thing that he wants. I hope that he will realise that our amendments are moderate, sensible and realistic; they should be incorporated in the Bill.

Mr. John McDonnell (Hayes and Harlington): I shall be brief, so that we can move on to other matters.

My hon. Friend the Member for Glasgow, Maryhill (Mrs. Fyfe) said that many of the amendments are technical, and indeed they are. The amendments that I have tabled are straightforward. They would provide further reassurance to those people—in the House and elsewhere—who are concerned because the Bill does not fully reflect the recommendations of the Patten report, either in regard to openness and transparency or in ensuring the implementation of several issues relating to the establishment of district policing partnerships and the Policing Board.

The amendments would set a timetable for the DPPs—for the commencement of their powers, for their nominations and appointments and for the consultations held by the Secretary of State on those appointments. The second thrust of the amendments is to ensure that there is openness and transparency in the operation of the DPPs. They provide that the partnerships meet in public, that members of the public can put questions to the district police commander, and that there is full and open consultation on policies that have regard to the overall community.

The amendments would ensure that the composition of the DPPs is balanced and that the appointments of the chair and vice-chair of the board are made with the maximum involvement and consultation and have the support of all parties in the Assembly—and, especially, of the First Minister and the Deputy First Minister. The amendments would strengthen the powers of the board in the establishment of DPPs.

The amendments are technical and relatively uncontentious. I welcome this opportunity for the Government to consider those matters before the Bill makes its way to the other place. The amendments strengthen the commitment to openness and transparency, while securing a timetable for the implementation of the Bill's provisions on DPPs.

Mr. Ken Maginnis (Fermanagh and South Tyrone): I want to speak to amendments Nos. 56 and 59 to 63. They have been tabled to tidy up the fairly flawed provisions on district policing partnerships. It will come as no secret to Ministers that I oppose the whole concept of such partnerships as detailed in the Bill.

We all know that the lowest tier of government is the most difficult place in which to control political ambition. The DPPs will be devised so that they reflect the electoral strengths of district councils, but individuals from those areas will be added to them. Such is the spread—or lack of spread—of population across the political divide in some parts of Northern Ireland, that the lowest common denominator will rule the day if we run with these DPPs. Such is the progress of the Bill that that is inevitable.

We want to put some constraints and controls on the DPPs. Clause 15 provides that if the Secretary of State

> is satisfied that a district council has failed to comply with . . . section 14(1)

he can take certain steps to remedy the matter. That power is not broad enough, although I am not usually someone who argues for more powers for the Secretary of State. Although it appears that the provision places that condition only on district councils, I do not believe that is what would happen.

The political members of DPPs will come from the district councils; they will be nominated and selected under the d'Hondt system. If there is constant disruption and the DPPs do not fulfil a positive and constructive function, there should be some redress. It may not be possible to seek such redress from the DPPs, but it should be possible to ensure that district councils are subject to responsibilities and constraints for those whom they nominate to represent them on DPPs.

We suggest that the narrow provision that applies only to section 14(1) should be deleted and that the conditions that should apply should extend to the whole of part III. That would ensure that community activists such as those in the Omagh district—to whom I referred in Committee—who work voluntarily with the police, trying to represent society so that policing can function, are not bullied and browbeaten—if not physically beaten—by members of Sinn Fein, led by a Sinn Fein councillor. I gave full details of that incident in Committee, so I shall not repeat them.

Amendments Nos. 59, 60 and 61 are technical. I hope that the Government will accept them because they tidy up the Bill. Amendment No. 59 would amend clause 16, which says that the district policing partnerships

> shall have regard to a code of practice.

We want them to "comply with" a code of practice. I think that in fact they must be bound to comply with a code of practice—otherwise, why would we have a code of practice?

Amendments Nos. 60 and 61 would amend clause 19, which says:

> The Board may, with the consent of the Secretary of State, issue and from time to time revise a code of practice . . .

I do not believe that it was intended for the board to have an option whether or not to provide and issue a code of practice. I believe that the wording that was intended—our amendment would achieve this—was:

> "The Board shall, with the consent of the Secretary of State, issue and from time to time revise a code of practice"

and so on.

Most of our amendments are technical, and I hope that the Government will take them into consideration as a means of tightening up the legislation. I also hope that the Minister will consider the too, too narrow basis on which the Secretary of State is to make a judgment as to how district councils fulfil their function. It is not just that they have a responsibility to appoint political members to the DPPs, but that they have a responsibility to ensure that those members whom they do appoint fulfil the functions and the conditions that are contained in the rest of part III.

I shall turn briefly to the amendments that originated from the Conservative Front Bench, and simply and without further elaboration say that they appeal to us. We believe that they reflect some of those things that are necessary if DPPs are not to become the focus for dissension and disruption and, indeed, for the impeding of police in the execution of their duties to the whole of society in the areas concerned.

The Government will not be surprised, therefore, to hear me say that I am totally opposed to what is contained in new clause 3. I do not want to suggest that this is a sleight of hand, but if it is not, it is the next best thing to that. It is very clearly stated in clause 14:

> Each district council shall establish for its district a body to be known as the district policing partnership.

It makes no sense whatever that Belfast, any more than Craigavon, Derry City or any other larger urban area, should be subdivided in terms of its district policing partnership differently from what happens within the city council itself.

7.15 pm

The Government may argue that because Belfast has in excess of 500,000 people, and as four local areas of command meet within the city, there should be four sub-committees of the district policing partnership. I hope that the Government will explain why they think that it would be a good thing, in a city that is divided and ghettoised as a result of 30 years of violence, to have one area of the city with a sub-committee that will deal with an almost exclusively republican population and another area with a sub-committee that will deal with an almost exclusively Unionist population.

Is it not the desire of the Government that we move forward—that people stop thinking rigidly, antagonistically and confrontationally in terms of their own tradition? Is it not a fact that people should be reflecting on how the city council area of Belfast can be policed in a way that ensures uniformity, consistency and fair play for each and every citizen? If the Government—I doubt that they will dissent from what I have just suggested—believe that that is the case, why on earth would they want to subdivide a district policing partnership in which huge differences of opinion will have to be accommodated, and can be accommodated only if the individual members are willing to work constructively together?

If there are to be sub-committees, something needs to be said about whether they represent exclusively the tradition that dominates the area that a sub-committee represents, or whether the sub-committees would themselves have some sort of d'Hondt formulation, whereby each would reflect the main DPP overall—but the Bill quite simply does not do that. Instead, it panders, and panders dangerously, to sectarian and partisan points of view. That is a danger. We were given the impression on Second Reading and in Committee—indeed, until we saw new clause 3—that that would not happen. That is one reason why we should have more time to discuss the Bill, because this sort of surprise is more than a surprise—it is an inherent danger for the whole of society in Northern Ireland if, merely to satisfy a sectarian or political demand, we divide our population in this way.

If the Minister wants to find justification in Patten, I should draw attention to the fact that one thing that Patten made very clear was that the RUC was to be a unitary police service. It will not be a unitary police service if it is to be divided into 26—plus now another three in Belfast—virtually autonomous areas, none of which, under the proposals in the Bill, has any conjunction with surrounding local areas of command. If the divisional police stratum of command had remained, the local areas of command would have been conjoined to a degree. We have to remember that it was the present Chief Constable who proposed that divisional areas should be done away with. If we are to do away with divisional areas, the Chief Constable, to put it bluntly, has no right to do away with regional areas. A larger number of local areas of command could be coalesced under a regional command structure.

I hope that I have demonstrated not only the folly and the inept drafting but the inherent danger that derives from the new clause. I do not believe that an area of half a million people is too large to be dealt with under one body, just as every other council area is. If the Minister believes that there is some justification for what he

[Mr. Ken Maginnis]

proposes, he has to tell us how he will ensure that in an area such as republican west Belfast, predominantly Sinn Fein influence is not exerted on the police. Similarly for other parts of Belfast, where there is a different influence, the Minister has to explain to us what precautions he will put in place.

The new clause is dangerous, especially for an urban area such as Belfast where crime does not observe any boundary. The drug trafficking that the Minister will hear me speak about again and again and all the other social abuses, such as protection rackets and everything else, are not sicknesses that observe boundaries. The germ of criminality spreads far and wide across the boundaries.

I ask the Minister to consider not pressing this particular new clause to a vote this evening. It has been sprung on us, so we have not had time to consider it. It is full of danger, and the Minister would do well to look again at whether what is being created could be the catalyst for dissension within the city of Belfast.

Mr. Lembit Öpik (Montgomeryshire): I have been fairly sympathetic to the idea of DPPs, and I find new clause 3 logical, in the sense that it fulfils some of the promises made in Committee. However, the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) rightly highlights the danger of a compartmentalisation of police operations along the sectarian lines that he described. That would not be good for the effectiveness of the police. So I hope that the Minister can reassure us by explaining how the mechanisms in the Bill will ensure that compartmentalisation does not occur.

The other important point that the hon. Member for Fermanagh and South Tyrone made related to amendments Nos. 59, 60 and 61. We had an extensive debate in Committee on the subject of amendment No. 59, and we did not receive a satisfactory reply. Why do the DPPs need only to have regard to the code rather than to comply with it? As the hon. Gentleman said, either it is a code of practice or it is not. I do not see it as guidelines. The Minister would be well advised to consider accepting amendment No. 59 and recognising that the most effective code of practice is one that does not have to be bent to different circumstances: one that fits all circumstances. It may be more difficult to introduce such a code, but I assure the Minister that it will be an awful lot more messy if various DPPs justify exempting themselves from the details of the code on the grounds of the words "have regard to". They might simply say, "We were not forced to comply with the code; it was simply a guideline and we have handled it accordingly." The Minister should respond to that and to the sensible clarifications in amendments Nos. 60 and 61.

I have been slightly critical of the Government, but I thank the Minister for having listened and introduced amendments Nos. 215 and 216, as he promised he would in Committee. The amendments make it clear that some categories of individual do not have a place in the process of policing in Northern Ireland. Amendment No. 215 will exclude those who have failed to disclose a criminal offence, and amendment No. 216 will exclude those who commit an offence after being appointed. It is right that they should be excluded, and I am glad that the changes that we requested have been made.

The right hon. Member for Bracknell (Mr. MacKay) raised an issue in the group of amendments tabled by the official Opposition. If one area was not sufficiently philosophically clarified in Committee with regard to where the Government stand, it is this. Although I have a view different from that expressed by the right hon. Member for Bracknell, it would be helpful to hear clearly why the Government are comfortable with the opportunity that various people who have clearly been involved in illegal actions will have to serve on the new bodies. For me, it is about forgiveness, trust and acting in good faith. If those things are not present, the whole process will not work anyway, and I have no problem with expressing that again. The right hon. Member for Bracknell has been clear about his reservations, as has the hon. Member for Solihull (Mr. Taylor).

I am comfortable with moving forward on the basis that I have just described. It would help if the Minister stated unequivocally that the Government share my view, or that they have some other rationale. It would be helpful to have that on the record, not least because many people have exactly the same reservations as the right hon. Member for Bracknell expressed.

Mr. Trimble: I rise to support the views expressed by my hon. Friend the Member for Fermanagh and South Tyrone (Mr. Maginnis) on new clause 3. It really ought to be considered again. We have grave concerns about it. Earlier, I asked the Minister just what the relationship between the sub-groups and the partnership would be. I did not appear to get a clear answer from him, despite the notes that were passed to him. Perhaps, now that he has had time to collect his thoughts more fully on the issue, he will go into the relationship between one and the other in greater detail. That ought to be teased out at length rather than rushed into the Bill at this last minute.

The Minister must recognise that there is real concern on our Benches that the new clause is a means of returning to the original proposal, to which we took strong exception, that Belfast should be split into four DPPs. We thought that that was a very serious mistake that would have serious consequences for the effectiveness of policing in the area. It would sectarianise policing in Belfast, and that would be a retrograde step.

7.30 pm

New clause 3 brings the danger that the Government, having realised that the original proposal was mistaken and having moved to a more sensible position, are now heading back by a roundabout route to their original mistake. That is why we need to know much more. This bears particularly on two of the amendments that we have mentioned.

In reply to my intervention, the Minister referred to the code of practice. We would love to see the code of practice being an effective safeguard in this matter, but the Bill does not make it so. The code of practice is something that the board may make; it is under no duty, as the Bill is drafted, to do so. If the board does make a code of practice, the DPPs are simply to "have regard to" it. "Have regard to" is a fairly weak link on this matter.

Our amendments would put the board under a duty to make a code of practice and require the DPPs to comply with it. They would bring about precisely the situation that the Minister hinted at in reply to my intervention, by saying that the code of practice could make provisions which would regulate these matters. It cannot regulate them unless there is a duty to make the code of practice and a duty to comply with it. From the point of view of achieving what the Minister himself set out, he should accept our amendments.

I wish to make some general points, touching on the existence of DPPs and on district council areas as the relevant local area of command in policing terms. One wonders about the coherence of that idea. In Northern Ireland we have 26 district councils, some of them very small. At the other end of the spectrum, we have larger ones, such as Belfast. I hesitate, lest I incur the wrath of my hon. Friend the Member for Fermanagh and South Tyrone, to point out that Belfast has a population of 300,000, not 500,000, unless my hon. Friend knows something about changes to Belfast's boundaries that I do not know.

The borough that I represent, Craigavon, has a population of 100,000. Lisburn has a population of over 100,000. Derry city has a population of over 100,000. Is there so much difference between 100,000 and 300,000? Why, then, break up Belfast? The borough of Craigavon has two local areas of command, the sub-divisional area of Portadown and the sub-divisional area for Lurgan. From what the hon. Member for Foyle (Mr. Hume) said, I have the impression that there may be similar arrangements within Derry city council as well. There is a question here about consistency.

Then there is the question of what happens if, for example, there is a change in district council boundaries. This legislation relates to the number of district councils. Although no change in their number has been proposed, I have seen speculation in the press. For example, there was an interesting proposal in the editorial column of *The Irish News* several months ago suggesting that, instead of 26 councils, there should be only 14 or 15 in Northern Ireland. I do not know who inspired the editor of *The Irish News* to write that; it was certainly not me. Let us say for the sake of argument that that happened. The legislation would then automatically roll through and reduce Northern Ireland to 15 or 16 local areas of command and 15 or 16 DPPs.

I notice that heads are nodding on the Government Front Bench. I hesitate to say anything about how they are nodding! I take it that they are nodding in agreement and that the situation I have described is a consequence that the Government are entirely comfortable with.

That leads one to wonder why we have this arrangement. The Minister knows that one of our concerns about the district council areas being the local areas of command for policing is that there is then no tier within the police service between the local areas of command and headquarters in Belfast, or wherever it happens to be. We are concerned, as are others, about the effectiveness of policing; and this situation exposes a serious danger of a weakness in the command structure within the police service, a greater tendency for the local areas to act independently, and consequently a greater danger that the police officer in charge of each local area will be under undue pressure from a politically motivated DPP. That danger would be minimised if we had an effective structure within the police service.

I know that over the years there has been an argument about the divisional command. Stripping out the divisional command has been suggested; from time to time even her Majesty's inspectorate of constabulary has referred to that. Why not, then, provide a regional structure with, say, the equivalent of two or three assistant chief constables grouping the local areas of command so as to provide an effective structure? It is important that, as Patten recommended, we retain a unitary structure within the police service. That is endangered by the proposals before us. I should like to hear the Minister directly address that point.

Another matter of concern at the other end of the spectrum is local areas. We have an extensive structure of local police and community liaison groups. Obviously, with that structure, the community police liaison committees are somewhat uneven, but they bring local communities together, particularly communities that have significant problems. I do not wish to identify the area in question, but in my constituency I know of two housing estates with serious problems. They have formed their own CPLC, which brings together a number of community groups that interact with the local police officers very effectively.

Such CPLCs will disappear. Clause 16(1)(c) says that the DPPs

shall make arrangements for obtaining—

the views of the public about matters concerning the policing of the district.

It is possible within those terms to make arrangements to hear the views of people in particular localities. That should be encouraged. Perhaps it could be covered in a code of practice, but if the code of practice does not have to be made and is not binding, there is not much point in making that provision.

I worry about all the good people in a number of localities who are engaged in handling serious problems in their neighbourhoods. In dealing with criminality and anti-social activity, which are serious problems in some areas, they will now find that the structure they have depended on to try to improve policing in their area will disappear and be replaced by an excessively politicised structure at district council level that does not effectively reach down into local communities.

It is not good enough to say that community groups can go to see the DPP. That does not meet the need. I am reluctant to go into greater detail, because we are so short of time, but there is a serious gap in the legislation, unless it is properly covered by codes of practice. I have heard nothing about that, however, and my colleagues who were on the Committee recall no discussion there dealing specifically with the matter. As I said at the beginning, unless those codes of practice are binding on DPPs and it is mandatory for the board to make them, they will not be effective; they will not be a tool to ensure that this local layer is in place and that the Minister's assurances on the sub-groups in Belfast are implemented.

Mr. William Thompson (West Tyrone): I wish to speak to amendments Nos. 62 and 63, tabled by the Ulster Unionist party.

Amendment No. 62 deals with the great danger that we see in the district policing partnership, which we believe will put the district police commander under great pressure, take up a great deal of his time and, indeed,

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make policing more difficult than it is now. Hence amendment No. 62 would insert a new subsection, which states:

> Nothing in this section shall require a district commander or his nominee to answer any question or disclose any information which compromises effective policing.

Although community relations and seeking the views of the community are useful, they should not in any way compromise the effectiveness of the police in the area. That is why we tabled the amendment.

Amendment No. 63 is designed to ensure that the Policing Board would produce a yearly report on the effectiveness of policing. That report should also include comments on the effectiveness of the district police partnerships, how they operate, how they are received and how they affect good policing in a particular area. The amendment would make it part of the board's remit to report on

> the effectiveness of district policing partnerships,

and on

> the level of public satisfaction with the performance of individual district policing partnerships.

That is essential. There should be continual supervision of the district policing partnerships so that they do not compromise proper and effective policing.

Mr. John M. Taylor (Solihull): The reasoned amendment on Second Reading tabled by my right hon. Friend the Member for Bracknell (Mr. MacKay) expressed the Conservative party's deep anxieties about the prospect of the political representatives of paramilitary organisations sitting on the policing board and the district policing partnerships without the decommissioning of illegally held arms and explosives having started. We also expressed our anxieties about inadequate safeguards against people convicted of terrorist offences serving on the Policing Board or the DPPs. We did not vary our stance on Second Reading or in Committee and we have not done so on Report.

Earlier, my right hon. Friend made perfectly clear who should not serve on the bodies and why they should not serve on them. He spoke in support of amendments No. 303 to 307, and we were subsequently pleased to receive the support of the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) and the Ulster Unionist party for those five amendments. At no stage this evening—perhaps we will not hear it at any stage—have we heard any convincing rebuttal of the arguments behind the amendments.

I hope that it is not too much to ask the Minister to recognise the force of my right hon. Friend's arguments, which have been consistently maintained since Second Reading. I hope that the Minister will give us a pleasant surprise by accepting the amendments.

Mr. Ingram: We have a cluster of amendments before us, and it will be difficult to deal with all aspects of them. However, I shall try to work through them in a logical and structured fashion.

Before I come to the amendments, it is important to consider the debate that we have had on Government new clause 3. I gave an indication in Committee of how the Government were thinking, so the new clause should not have come as a surprise. The hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) suggested that it was a new concept, but I gave notice in Committee that we were thinking along those lines. We have reflected that thinking, and given the points that we made in Committee, reference should have been made to the Patten report.

I also tell the hon. Gentleman that we are not limiting the time for this debate; I am quite prepared to continue it. That may mean that we cannot debate other issues, but I am happy to debate this issue to a conclusion, because I recognise that it is important.

7.45 pm

Mr. Maginnis: I remind the Minister that my surprise was not of my own making. It derived from the fact that when the Secretary of State referred to Belfast in the debate on the Patten report, he said:

> I also intend to consider further the arrangements proposed for Belfast, where I am not satisfied that it would be right to have four separate partnerships.—[*Official Report*, 19 January 2000; Vol. 342, c. 847.]

What the Secretary of State has given us is an apology for four separate partnerships—and he knows it.

Mr. Ingram: I do not accept that assertion at all. I said that the matter was alluded to in Committee. Members of the Democratic Unionist party and the hon. and learned Member for North Down (Mr. McCartney) have made a great song and dance about the need to debate this measure, but they are not here. For whatever reason, they have absented themselves from the Chamber. However, as the hon. Gentleman knows, all parties—perhaps with the exception of those that are not here now—have made representations, and in the discussions, we have sought to find points of common ground. That fact was reflected in the changes made in Committee. All parties in Committee moved amendments, and we have amended the Bill based on reasoned consideration of the arguments put forward.

I cannot enter into a debate about the future of the district council structure, as mentioned by the right hon. Member for Upper Bann (Mr. Trimble). The councils are no longer a matter for the United Kingdom Government. It is for the Assembly on which he serves to determine what the structure should be. If the structure evolves and develops in a particular way, that is an issue for the Assembly.

As the Bill stands, there is provision for 26 councils. However, we anticipate that two or three small councils may wish to come together. That is allowed for if they wish it and if everyone is satisfied that that is the way forward. Rearrangement of the existing structure can take place if there is agreement.

I do not accept the point made by the right hon. Gentleman that new clause 3 was not explained, but I shall explain it further, to help him to appreciate what we are doing. The Belfast district policing partnership, out of which will come the four sub-groups, will continue to have the powers set out in clause 16. Those are the same as for all other DPPs; there is no difference between Belfast and anywhere else. Those powers will not be delegated to the four sub-groups; there is no delegation of powers on that basis. The sub-groups will remain subordinate to the main Belfast DPP and they will have the function of providing views and holding discussions with the local police commander. They will also offer to the main Belfast DPP views on policing in their areas.

As I said earlier, the sub-groups will have no role in the main planning process for Belfast except in offering views to the Belfast DPP, of which they are an integral part. The local police planning function is for the Belfast DPP as a whole. There is no question of transferring power down to the sub-groups in that way. They have certain limited functions.

Mr. Thompson: Am I right in thinking that a DPP can delegate its responsibilities to a committee and give it the powers of the partnership? Can that happen in this case? Furthermore, the Minister has referred to six nominees to a partnership, so why does he not insist that three are elected and three are independent members?

Mr. Ingram: The answer to the hon. Gentleman's first question is yes, that is how the Bill can apply. Of course, there must be sensible arrangements to ensure the best and maximum point of contact and the best communications at local level between the local community and the police and vice versa. That is the underlying principle of the Bill, and it seeks to achieve that. I do not believe that the hon. Gentleman would disagree with the principle that the local community should engage with the local police. The problem in too many areas of Northern Ireland is that the local community does not engage with the police—*[Interruption.]* Well, to find ways to encourage that to happen was obviously one of the underlying motives and drivers of the Patten report and of what we are seeking to deliver.

As for the four sub-divisions of Belfast, there are already four police districts in Belfast. Clause 20 makes provision for police districts and the way in which they will be established. Each district commander should deal with a specific sub-group of the Belfast district policing partnership. That goes back to the point that I was making to the hon. Gentleman about the need for a close relationship with the local district commander, which concerns effective community policing as well as effective accountability for policing. The further that is from the reality on the street, the less effective it is.

As set out in new clause 3, each sub-group will have six members, so individual members of the DPP will be represented on more than one sub-group. The partnership itself will appoint members of the sub-group. As the Government do not intend to intervene in any way whatever, that is in effect a devolution of responsibility. If the Government intervened and were heavy-handed, that would work against the very principle which, I would have thought, we all seek to achieve. I repeat that the provision is about consultation on policing, not sectarian head counts, as has been suggested, or the cantonisation of policing.

Mr. Trimble: May I return to the point made by my hon. Friend the Member for West Tyrone (Mr. Thompson), as there is an inconsistency in the Government's approach to the Policing Board for Northern Ireland and to individual district policing partnerships. The Bill contains elaborate provisions to ensure balance, and make sure that the board is representative of the Assembly, the partnerships of the district councils, and so on. The Government are not reluctant to impose on the Assembly and the local councils provisions that ensure balance. Why, then, is there no provision to ensure balance in the sub-groups? Why does the Minister forswear the desire to have balance there? It is important that that issue is addressed, as it would help to restore confidence if we were sure that the sub-groups were reflective of the partnership as a whole, and that the door was not being opened to the creation of sub-groups that were not representative of the partnership as a whole, which would lead to sectarianisation or cantonisation of the sub-groups.

Mr. Ingram: They will certainly not be cantonised in the terms suggested.

The provision is not about the cantonisation of the sub-groups, any more than it is about the cantonisation of policing. There are two ways of approaching the matter. One could take a heavy-handed, interfering approach—*[Interruption.]* I am trying to deal with this debate, but the right hon. Member for Upper Bann keeps shouting at me from a sedentary position. I cannot hear what he is saying, but it is a bit off-putting. I am trying to work through his last question, but he is not letting me get 10 words out before he starts disagreeing with my explanation.

We are seeking to establish, in the hands either of the board or of the Secretary of State, powers proportionate to the body to which those powers relate. Those bodies are low-level, and I have tried to set out the fact that they are concerned with local consultation. They do not have the powers of the DPPs. If the Government were to ride in and say that we wanted a certain type of representation, that would be very heavy-handed and would work against the principle of devolution itself. The right hon. Member for Upper Bann may believe that we should interfere, and wish that we would, in every aspect of Northern Ireland society. However, that is not my view, as it runs counter to the principle of devolution and to all the representations concerning the relative powers of the Police Authority for Northern Ireland, the Secretary of State and the Chief Constable that we received when the Police (Northern Ireland) Act 1998 was being considered.

The same tripartite structure applies here. Representations were made about the Secretary of State having too much power, and we are trying to ensure that the powers provided for are proportionate to the level of responsibility. I am now being asked to apply a heavy-handed approach, which is inconsistent.

Mr. Trimble: Will the Minister give way?

Mr. Ingram: I shall, but we have a lot of progress to make.

Mr. Trimble: I am sorry to intervene on the Minister again, but he has not answered the question. All I said was that he was being inconsistent. He stands at the Dispatch Box saying that he does not want to be heavy-handed, but he is being heavy-handed on the composition of the board, as he has been on the composition of the partnerships. Why does the principle of representative character not flow through to the sub-groups?

Mr. Ingram: We must look at the size of the sub-groups. The way in which these bodies are set up

[Mr. Ingram]

means that the DPP itself must take that sort of view into account. However, if we are over-prescriptive, that militates against the principle that the provision is about people's local communities.

DPPs and the sub-groups will not be successful if they become bodies set up on the basis of sectarian head-counts, as there will be no co-operation across the community divide. I do not believe that there is an inconsistency, as we must seek to ensure that the level of decision making is proportionate to the body being set up. In a sense, we are dealing with a low-level body which has certain points of interface with the police. The right hon. Member for Upper Bann is shaking his head. However, many people in Northern Ireland will not co-operate with the current policing structure. If we say that we have to be prescriptive and insist on a certain structure, the result will be abstentionism. If we decided not to have either the DPP or the sub-groups, what would be lost? We must ensure that the police have that point of contact in their community.

Not for the first time, the hon. Member for Fermanagh and South Tyrone raised the issue of regional commands. I have a lot of respect for the hon. Gentleman, but in one sense, I have more respect for the Chief Constable, for the way in which his views could impact on my thought process about the proper structures for policing in Northern Ireland. The Chief Constable is highly respected and extremely professional, and has accepted the concept of district commands and the eventual removal of the regional tier. The provision is therefore consistent with what he believes to be effective and efficient policing.

Mr. Maginnis: Does the Minister's justification for accepting the Chief Constable's advice over that of my hon. Friends and myself not conflict with his huge desire to take advice on policing from ex-terrorists who will be members of the district policing partnership? Does the Minister regard my hon. Friends and myself less highly because we do not have that qualification?

8 pm

Mr. Ingram: I am not conscious of having taken advice of that nature. The hon. Gentleman claims that I have taken such advice, but it may surprise those whom he calls ex-terrorists to hear that they have ready access to me and can influence my thought processes. I see no evidence of that. We have taken account of the views expressed by all the political parties that have sought to make representations on the matter.

I could spend longer on new clause 3 if required, but we have probably exhausted our examination of it. I have set out what I believe to be a reasoned response to the issues that have been raised. There will be one Belfast DPP and four sub-groups, which will respond to the main DPP. I hope that that will satisfy hon. Members.

Mr. Trimble: What about the community police liaison committees?

Mr. Ingram: For CPLCs, the DPPs will have a responsibility to seek to set up local arrangements and to look for ways in which they can penetrate the wider community and be truly representative, and we will encourage that. The DPPs will not be omnipotent bodies, and they should not sit in their ivory towers and claim that they are the only people who understand policing. Earlier, the right hon. Gentleman pointed out the need to ensure that the point of contact is as close as possible to the direct interface. We cannot be prescriptive about that and say that the focus should be on a cluster of, say, four streets.

To return to the right hon. Gentleman's argument, we cannot even say that the CPLCs should be representative. In Northern Ireland, the sub-divisions in a particular area such as a cluster of streets are such that it may be very hard to achieve cross-community representation. That in itself does not damage the point of contact between a particular community and the police; its success will depend on the way in which the community deals with its interface with the police, which will be conditioned by the thought processes of the DPPs as they take account of views that are expressed. Those views may be one-sided, but in their consideration of them the DPPs should ask themselves whether or not there is a balance.

Amendment No. 14, in the name of my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell), would place a time limit on district councils, giving them six months to establish a DPP. Amendments Nos. 19 and 20, also in my hon. Friend's name, would impose further time limits requiring the council to appoint political members within six months, and the board to appoint independents within one month of receipt of nominations. I am not convinced that those would be wise or necessary moves.

The Patten report made it clear that arrangements should be put in place to facilitate constant dialogue at local levels between the police and the community. We support that vision of the future of policing, and part III will enable it to happen. However, we do not think it necessary to establish time limits now, as we cannot be certain how long the arrangements will reasonably take. For example, the board needs to be appointed before it can consider and approve its code for DPPs. It is also to be consulted, among others, about the Secretary of State's code on appointments. There will then be an appointments process, which our experience of public appointments leads us to think may take from three to six months, depending on when it is run.

We are embarking on a new process, and wrinkles will need to be identified before they can be ironed out. Furthermore, the council will need time to make its decisions on nominations. That all points to a commitment that appointments, independent and political, will be made as soon as possible, but also to a recognition that that could take longer than the amendments anticipate, depending on the starting point. There is a safeguard in clause 15 that gives the Secretary of State the power to intervene; for example, if a district council fails to establish a DPP for its district, he can direct it to comply. If those arrangements are to work, all council areas must play their part and each council area must have a means of promoting and facilitating community-police consultation.

Although I would be sympathetic to the desire to introduce a time scale in other contexts, I do not believe, for the reasons that I have set out, that it would be practical in this case. I hope that amendments Nos. 14, 19 and 20 will not be pressed to a vote.

Amendment No. 56, to which the hon. Member for Fermanagh and South Tyrone spoke, would extend the power given to the Secretary of State in clause 15 which enables him to intervene where a district council fails to establish a DPP. The amendment would require him to take action where a council failed to comply with any of the part III arrangements.

In Committee there were many criticisms about the heavy-handed involvement of the Secretary of State in the Bill's provisions. The Government do not accept those criticisms, but we have taken account of the arguments about the relationships between the Secretary of State, the Policing Board and the Chief Constable. We have sought to take a balanced approach, and we have given the Secretary of State powers and provided safeguards where we believe that they are necessary and justified.

We felt that it was imperative to ensure that a default power was provided in case councils failed to establish DPPs. However, on the general functions of DPPs and their obligations to report to councils and the board, with which the amendment deals, we are not convinced that the Secretary of State needs, or should have, further powers to intervene. Again, we seek to create proportionate powers. We believe that those are more appropriately matters for the board and the council to tackle.

That is why we have provided for the board to set the functions and powers in a code, and why its powers dovetail with those of the DPPs. It is also why it can override DPPs under clause 15, and in setting up local consultative arrangements under clause 22. That relates to the argument about CPLCs advanced by the right hon. Member for Upper Bann. We are also considering suggestions made in Committee by the hon. Member for Fermanagh and South Tyrone to add more comment on and assessment of DPPs to the matters that the board is to cover in its annual report.

I remind hon. Members that the functions of DPPs are purely consultative. The powers affecting them should therefore be proportionate, and the amendment does not achieve that objective, so I hope that hon. Members will not press it to a vote.

I turn now to amendments Nos. 59 to 61, to which the hon. Member for Fermanagh and South Tyrone also spoke. I know from his comments in Committee that he has deep concerns about the operation of DPPs, and he has expressed those concerns again tonight. Through amendment No. 59 he seeks to require DPPs to comply with the code of practice on the exercise of their powers and functions rather than to have regard to it. Amendments Nos. 60 and 61 would require the board to issue that code of practice and permit it to be revised from time to time.

I shall deal with the latter issue first. The hon. Gentleman showed in Committee that he favours what I would define as prescriptive, rather than discretionary, powers and would therefore like to bind the DPPs, the board and the Secretary of State at every turn.

Mr. Maginnis *indicated assent.*

Mr. Ingram: The hon. Gentleman nods his agreement that he would like the process to develop in that way.

The important point is that the functions of the boards are clearly set out. The code will be a translation into guidance of those functions. Clause 16 clearly sets out the functions. We have also stated that the DPPs shall report to the district council and that they shall report to the board.

Notwithstanding that, I have no doubt that the board will issue a code of practice covering the exercise by DPPs of their powers and functions, and indeed we plan to give the board a draft code from which to work. We envisage that the DPPs will, in the early days of their operation, need that code and find it most useful. As they begin to develop their own knowledge and become more experienced, they will require less guidance from the Secretary of State. We genuinely believe that that is the way in which the Bill should be constructed. We are not convinced that a requirement for a code is justified. I ask the hon. Member for Fermanagh and South Tyrone not to press for a vote on amendments Nos. 59 to 61.

As I have mentioned, the functions are clear in clause 16. The code of practice gives guidance on the exercise of them. We need to understand that adherence to the guidance cannot be too prescriptive. Flexibility will be needed so that each council area is able to adapt the best practice set out in the code in a way which suits its own needs. Tight compliance is not, therefore, sensible. As we stated in Committee, what could be best practice in Moyle district, for example, may not necessarily be best practice in another district. Flexibility is a desirable approach. A too prescriptive approach would tie down the ways in which these bodies could operate.

The code cannot override the statutory functions in clause 16. It cannot take away that which is set out in the Bill. If it had to be complied with, the board could stray beyond the clause and the DPPs would be asked and expected to extend beyond their powers. There is nothing underhand about the way in which we are approaching these issues. It is about saying where respective powers should rest. That is a further argument against amendment No. 59, which I hope will convince the hon. Member for Fermanagh and South Tyrone not to press it to a Division.

My hon. Friend the Member for Hayes and Harlington spoke to amendments Nos. 16 and 17. Amendment No. 16 places a duty upon DPPs to hold all meetings in public. As we discussed in Committee, the amendment goes well beyond the Patten report, which recommended in paragraph 6.37 a meeting in public once a month. We have provided for the Patten recommendation to be implemented by the Policing Board issuing a code to the partnerships, on the exercise of their functions, under clause 19. The clause lists the areas to be covered by the code, including procedures for meetings and public meetings. While partnerships should operate in an open manner, the chairperson should have discretion to hold parts of the meeting in private or to remove the public.

I shall give the House an example. A district commander may be talking about the building of a new police station. That may have implications for land price. He may want to give some advice or knowledge to the DPP. If the meeting were held in public, that might lead to speculation. We do not believe that the standard approach should be meetings in camera, but there may be occasions when that happens. The requirement suggested by my hon. Friend the Member for Hayes and Harlington that all meetings should be in public would militate against that. I ask him not to press amendment No. 16 to a Division.

Amendment No. 17 seeks to provide that the code of practice will cover the arrangements for enabling DPP members and the public to ask the police questions about

[Mr. Ingram]

the discharge of their functions and police operations in the district. In paragraph 6.30 the Patten report recommended meetings between the DPP and the district commander at which the police would present reports and answer questions, and the partnership would reflect community concerns and priorities to the police. The report recommends also that questions by the public should go through the chair.

My hon. Friend the Member for Hayes and Harlington is seeking to insert in the Bill a considerable amount of detail which we believe is more appropriately dealt with in the code of practice. Clause 19(3) specifically provides for the issues mentioned in the amendment to be dealt with in the code. We believe that the code is a much more sensible approach to what was envisaged and set out in the Patten report. I ask my hon. Friend not to proceed to Divisions on his amendments.

A complicated range of issues are raised by the amendments and I apologise for the time that I have taken. However, important issues are contained within each of the elements that has been raised.

Amendment No. 62, which was moved by the hon. Member for Fermanagh and South Tyrone, seeks to ensure that nothing in the code of practice will require a district commander to disclose any information which would compromise effective policing. If I interpret the purpose behind the amendment correctly, the hon. Gentleman is seeking to preserve the operational independence of the police. I can assure him that that is already entirely the case.

8.15 pm

The Patten report specifically states in paragraph 6.21 that it is the Chief Constable's right and duty to take operational decisions and that no one should direct him how to conduct an operation. The paragraph also points out that police officers, while accountable, must

be free to exercise their responsibilities.

The Patten report adopted a sensible and powerful view.

I have explained that DPPs are consultative bodies. The police may operate as they wish but they are accountable to the community, in this instance through the DPPs. The police have said that they want to work in partnership with the DPPs, which will allow for greater consultation between local communities and the police in identifying concerns and priorities at local level. The code of practice on the functions of DPPs will detail what is expected of the police. However, it is clear that police commanders will not, and should not, be expected to disclose details of on-going operations or criminal investigations. To do so would be entirely wrong. I think that that is what amendment No. 62 is seeking to establish. If so, it is not necessary. We believe that the matter is already covered within the Bill.

Amendment No. 63 was tabled by the hon. Member for West Tyrone (Mr. Thompson), and I do not disagree with its general thrust. Indeed, I gave an assurance in Committee that I would consider an amendment that would require a public satisfaction assessment for DPPs. I regret that I have not yet been able to do so. I am taking a legal view on how we can best achieve such assessment. When that has been clarified and the parliamentary draftsmen have advised us on how the provision can be put in place in legal terms, we shall return to the matter in another place. In a sense, I am accepting the amendment in principle once the matter has been clarified.

Amendments Nos. 6 to 9, which stand in the name of my hon. Friend the Member for Hayes and Harlington, relate to part II of schedule 1, which relates to the constitution of the Policing Board during direct rule immediately after the devolved Government have been suspended. None of us wants to see that eventuality happening. Amendment No. 11 relates to part III, dealing with a board established immediately following devolution.

Amendment No. 6 seeks to remove the element of flexibility which has been given to the Secretary of State in terms of the representativeness of appointments to the board. Our intention in including such flexibility was not to permit the Secretary of State to appoint at random with no regard to representativeness. It was to acknowledge that there may be occasions when a representative selection of people does not come forward. I have said that there is a sizeable body of opinion in Northern Ireland which does not co-operate with the existing police authority. If there are abstentions and a boycott, how can we deliver on representativeness? Problems would be created. It is important that we have structures and that those who decide not to co-operate should not have the veto in those circumstances.

Amendments Nos. 7 and 8, when taken together, would require the Secretary of State to consult on first and subsequent appointments to the board, and seek to limit the time for that to three months. Given the way in which the matter has been addressed by my hon. Friend the Member for Hayes and Harlington, there may be some confusion. The first thing to understand is that the provisions that he is tackling will apply only in very specific circumstances, and that is where devolution is suspended. In this circumstance, sub-paragraph (6) of paragraph 3 applies to enable a board to be established quickly by the Secretary of State, as otherwise there will be a vacuum, with no board at all. We wish to avoid that.

There will have been consultation on the appointment of the nine independent members of the devolved board, and the likelihood is that others will be shortlisted at that time. The Secretary of State would undoubtedly seek to appoint the nine who are already serving and up to nine others. A direct rule board can have between 14 and 19 members. There could be up to nine others in those circumstances. That would be done as far as practicable to create a representative board.

Who knows who might wish to co-operate and participate as we moved from devolution to direct rule? There would undoubtedly be difficulties, but our assumption would be that the nine independents appointed under devolution would wish to serve on an on-going basis and would therefore automatically be appointed, bringing the strength of the board to between 14 and 19 members. It is important that we could move very quickly in a very unfortunate set of circumstances. It would be wrong to create a vacuum. That is why I hope that my hon. Friend will not press the amendments to a vote.

Amendment No. 11 places a nominal three-month limit on consultation on appointments of independents to a devolved board and, in effect, would tie the consultation process down. The Government will make appointments to the board as quickly as we can, and we have already established a timetable, with shadow appointments in January. The process will not be helped by absolute time limits that bear no relation to the practicalities of making such appointments. This is not an easy road to tread, as we have experienced when previously encouraging people to serve. To impose strict time limits could prove unhelpful.

Amendment No. 9, to which my hon. Friend the Member for Hayes and Harlington also spoke, is simply not in keeping with Patten. The amendment would replace appointment of the first chairperson and vice-chairperson of the direct rule board by the Secretary of State, under schedule 1(3)(9), with a provision placing responsibility in the hands of the board and allowing for rotation.

Patten said in paragraph 6.14:

> that the chairperson be appointed by the Secretary of State.

That is a very clear direction. Knowing that my hon. Friend supports the general thrust of the Patten commission's report, I suggest that his amendment does not comply with it and that therefore he should not press it to a vote.

Amendments Nos. 10, 12 and 13, to which my hon. Friend the Member for Hayes and Harlington also spoke, would enable persons who were not committed to non-violence and exclusively peaceful and democratic means to retain their seats on the board, whether during direct rule or devolved government. Absurdly, they would also enable a person who has been excluded from holding the office of Minister in the Assembly not to be disqualified from appointment to the board. That would not be a sensible provision. The Government are not prepared to remove what we believe to be important safeguards in the appointments process. Parliament has already seen fit to enact such safeguards under the Northern Ireland Act 1998. I do not for a moment believe that it would be the wish of the House to move back from that position. I would not seek support for the amendments.

I turn to amendments Nos. 303 to 307, to which the right hon. Member for Bracknell (Mr. MacKay) spoke. We dealt with the matter that they concern on Second Reading and in Committee, and I have asked the right hon. Gentleman to clear up some confusion, which is perhaps only in my mind. He is not prepared for particular people, who have been elected, to serve on the Policing Board, yet he is prepared to allow them to continue to serve as Ministers in a devolved Administration.

The right hon. Gentleman thinks that, under the new political settlement, responsible Members of the devolved Assembly should not be allowed to serve on the Policing Board. I take account of his comments on security matters, and so on, but I am sure that the Chief Constable and others will be wholly cognisant of what they should be reporting to the board. They will be reporting not on national security issues but on policing issues relating to the functions of the Policing Board.

Mr. MacKay: I am glad that, at last, it has dawned on the Minister that he might be the only person who is confused. For that I am grateful. Let me again from this Dispatch Box say clearly that we see a distinction between being a Minister in the Executive, responsible for, for instance, education or health, and serving on a police board or in a police partnership. We envisage severe security implications.

We need an answer to the following question: is he not concerned that it would be dangerous and wrong for ex-convicted terrorists to have security-sensitive information? I think that he probably is concerned, because he has just admitted that the Chief Constable would be aware that he could give only certain information to the board and partnerships. That seems a great pity; I thought that we wanted the fullest possible information to be given.

Mr. Ingram: I have not cleared up the confusion in my mind. In the memorable phrase of my hon. Friend the Member for South Down (Mr. McGrady) in Committee, the Conservative party seems to hide behind the bush and shake it at the same time. That became a touchstone for those of us who were trying to understand the intentions of the right hon. Gentleman's party.

The Conservatives are prepared to accept the political settlement and to have—the right hon. Gentleman should be direct about this—Sinn Fein Members in the Government of Northern Ireland, who could interface with me as the security Minister on matters relating to, let us say, drugs or juvenile justice. There is a substantial interface. Is he saying that I should not talk to such Members about those policing matters? The more that we can encourage representative parties that hitherto have not done so to talk about policing or to talk to representatives of those who express views on policing or police officers, the more that we demonstrate considerable progress.

Mr. MacKay: Does not the Minister realise that there is a difference between what he refers to as the interface between him and any Minister in the Executive on one hand, and people sitting on the board or police partnerships, who will be more than "interfacing"? They will have considerable responsibilities. A proper relationship between the police and the board, which the Minister and I want, and proper relationships between the police and the partnerships can be created only by trust. There is no way that the police can trust ex-terrorist criminals. The Minister must know that. I know it and it is why our amendments should be accepted.

Mr. Ingram: We are talking about an interface between the police and the Policing Board or, indeed, between the police and DPPs, just as we are talking about an interface between representatives of, perhaps, more than one party about which the right hon. Gentleman has concerns and myself, given my responsibility for policing in prisons and criminal justice matters.

I can limit my discussions and the basis on which I seek to communicate information on our objectives. The wide parameters within which the Policing Board and the DPPs will have responsibility will not include responsibility for national security issues. Such issues are, of course, completely precluded not just under the Northern Ireland Act but under other Acts on the devolved Administrations that this Government have set up. *[Interruption.]* I cannot deal with the right hon. Gentleman's point if he is speaking to me from a sedentary position. If he wants to make another point, I will give way to him. He does not.

The right hon. Gentleman's fear simply does not hold water because such circumstances will not arise. The amendments fail to acknowledge the already extensive disqualification and removal criteria for board members.

[Mr. Ingram]

The Government have provided safeguards that we believe are necessary, strictly proportionate and measured given the political settlement with which we are dealing.

Unlike the existing Police Authority for Northern Ireland, members of the board will be required to pass a test of upholding the principles of non-violence and of commitment to democratic and exclusively peaceful means. If they do not, the Secretary of State will be able to remove them. I explained in Committee that there are many other safeguards—we do not need to go into all the details—such as character checks, which are based on the very highest standards of probity and integrity. There is a fundamental difference between the right hon. Gentleman's argument and the Government's view. I am not so sure that we will be able to clear it up; we tried to do so in Committee and on Second Reading.

We, from the Government's point of view, are prepared to look at the new political settlement, to move it forward progressively and to implement mechanisms, but let us remember, they will not be delivered as of this evening but at some future point, when, hopefully, the settlement will be further embedded and there will be an even more peaceful environment in Northern Ireland.

8.30 pm

We must also put the matter in a particular time scale. The right hon. Gentleman's argument is inconsistent with what the Patten commission sought to achieve—inclusivity, without risking respect for non-violence and the principles of democracy. Those safeguards will be applied rigorously. I therefore do not believe that more safeguards are needed.

This evening and on previous occasions, the right hon. Gentleman raised the issue of the relationship with decommissioning. We share some objectives, but decommissioning is a separate test. The Government believe that substantial progress has been made. The right hon. Gentleman's party may not be wholly convinced of that, but we are satisfied that progress has been made, and we want to build on it.

Finally, I shall deal with the two amendments in the name of my hon. Friend the Member for Hayes and Harlington. Amendment No. 21 requires the council to satisfy itself on a number of fronts before putting nominations to the board. It requires the council to ensure that the district is aware that appointments are to be made, that applications have been invited from the district, that the applications have been carefully considered, and that the final nominations reflect that community.

Those are all objectives that the Government share and are exactly the type of issues that the code on appointments will cover. The code will provide guidance to councils on the advertising of independent posts and on interviewing and selection procedures. I said in Committee, and it is worth repeating, that there will be an independent element at both selection and appointment stages.

Mr. Jeremy Corbyn (Islington, North): I am grateful to my right hon. Friend for giving way, and I appreciate the way in which he is responding to the amendment tabled by my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell) and me. If those are the Government's objectives, as I am sure they are, what is wrong with writing them into the Bill?

Mr. Ingram: Those matters will be covered by the code on appointments. We do not want to clutter the Bill with the minutiae of the management of the system. We leave that for the code, which is flexible and amendable. That is the reason for our approach. I hope that my hon. Friends will accept my assurances that the code will cover the situation adequately and the amendment is not required.

Amendment No. 21 would require the Secretary of State to obtain the agreement of the board before providing that two or more councils may establish a single DPP for their district. I point out to my hon. Friend the Member for Hayes and Harlington that the remainder of clause 16, to which the amendment relates, provides that the councils must agree to such an amalgamation. It cannot be imposed. We do not envisage the Secretary of State riding in to bring the councils together. If they want to amalgamate for more convenient management of the area through their interface as a DPP, we have provided for that, and the amendment is not necessary.

As I said at the outset, this is a comprehensive group of amendments. I am aware of the time that I have taken, but there are important issues under consideration. I hope that I have answered all the points raised during the debate. I ask the House to support Government new clause 3, and Government amendments Nos. 213, 215, 216 and 218, and to resist all other amendments.

Question put, That the clause be read a Second time:—

The House divided: Ayes 338, Noes 7.

Division No. 255] **[8.34 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allan, Richard
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Blackman, Liz
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brand, Dr Peter
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies
(NE Fife)
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin

Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Ewing, Mrs Margaret
Fearn, Ronnie
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gidley, Sandra
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Grocott, Bruce
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hodge, Ms Margaret
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hume, John
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Mrs Fiona *(Newark)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
McFall, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mallon, Seamus
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Miller, Andrew
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Norma[illegible]n)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Rendel, David
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Todd, Mark
Tonge, Dr Jenny
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Whitehead, Dr Alan
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Winnick, David
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Don Touhig and
Mr. Graham Allen.

NOES

McCartney, Robert *(N Down)*
Maginnis, Ken
Paisley, Rev Ian
Robinson, Peter *(Belfast E)*
Ross, William *(E Lond'y)*
Thompson, William
Trimble, Rt Hon David

Tellers for the Noes:
Mr. Roy Beggs and
Mr. Jeffrey Donaldson.

Question accordingly agreed to.

Clause read a Second time, and added to the Bill.

New Clause 4

THE COMMISSIONER

'.—(1) The Secretary of State may appoint a Commissioner to discharge the general function mentioned in subsection (3).

(2) A person for the time being holding the office of Commissioner under subsection (1) is referred to in this Act as "the Commissioner".

(3) The Commissioner's general function is to oversee the implementation of changes in the policing of Northern Ireland described in his terms of reference.

(4) Schedule (*The Commissioner*), which makes further provision about the Commissioner, shall have effect.

(5) The office of Commissioner shall cease to exist on 31st May 2003, unless before that date an order is made under subsection (6).

(6) The Secretary of State may by order provide that the office of Commissioner (whether or not it then exists as a result of a previous order under this subsection) shall continue to exist for a period not exceeding three years from the date on which the order comes into operation.'.—*[Mr. George Howarth.]*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. George Howarth): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this it will be convenient to discuss the following: Amendment (a) to the proposed new clause, in subsection (3), leave out from second "the" to end and insert—

'process of police reform in Northern Ireland'.

Government new clause 5—*Reports by the Commissioner.*

Amendment No. 23, in clause 27, page 12, line 29, at end insert—

'(1A) Before making an order the Secretary of State must consult the Oversight Commissioner.'.

Government new schedule 1—'*The Commissioner*—

Appointment etc. of the Commissioner

1.—(1) Subject to the following provisions of this paragraph, a person shall hold and vacate office as the Commissioner in accordance with the terms of his appointment.

(2) An appointment as Commissioner may be full-time or part-time.

(3) The first appointment as Commissioner shall come to an end on 31 May 2003.

(4) Any other appointment as Commissioner shall be for a period not exceeding 3 years.

(5) A person may at any time resign his office as Commissioner by notice in writing to the Secretary of State.

(6) The Secretary of State may call upon the Commissioner to retire if satisfied that the Commissioner has—

(a) been convicted of a criminal offence; or

(b) become bankrupt or made a composition or arrangement with his creditors.

(7) Before calling upon the Commissioner to retire, the Secretary of State shall give the Commissioner an opportunity to make, either personally or otherwise, representations to him and shall consider any representations that he makes.

(8) A Commissioner who is called upon to retire under sub-paragraph (6) shall retire on such date as the Secretary of State may specify or on such earlier date as may be agreed between him and the Secretary of State.

Terms of reference

2.—(1) On appointing the Commissioner, the Secretary of State shall give him written terms of reference.

(2) The terms of reference shall, in particular, describe the changes in policing in Northern Ireland the implementation of which it is the general function of the Commissioner to oversee.

Remuneration, pensions, allowances, etc.

3.—(1) The Secretary of State may pay, or make such payments towards the provision of, such remuneration, pensions, allowances or gratuities to or in respect of a person appointed to the office of Commissioner as he may determine.

(2) Where a person ceases to hold office as Commissioner otherwise than on the expiry of his term of office, and it appears to the Secretary of State that there are special circumstances which make it right for that person to receive compensation, the Secretary of State may make to that person a payment of such amount as the Secretary of State may determine.

Staff

4.—(1) The Commissioner may, with the approval of the Secretary of State as to numbers and as to remuneration and other terms and conditions of service, employ such persons as he thinks fit to enable him to carry out his functions.

(2) The Commissioner may make arrangements for administrative, secretarial or other assistance to be provided for him by persons employed in the civil service.

(3) Employment by the Commissioner shall be included among the kinds of employment to which a scheme under section 1 of the Superannuation Act 1972 can apply and accordingly in Schedule 1 to that Act, at the appropriate place in the list of "Other Bodies" there shall be inserted—

"Employment by the Police Reform Commissioner for Northern Ireland.".

5. The Employers' Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972 does not require insurance to be effected by the Commissioner.

Exercise of functions

6.—(1) Any functions of the Commissioner under this Act may be performed by any officer of the Commissioner authorised for the purpose by the Commissioner.

(2) "Officer of the Commissioner" means—

(a) a person employed by the Commissioner under paragraph 4(1);

(b) a person providing assistance to the Commissioner in pursuance of arrangements made under paragraph 4(2).

Evidence

7. A document purporting to be duly signed by, or on behalf of, the Commissioner shall be received in evidence and, unless the contrary is proved, be taken to be so signed.

Finance

8. The Secretary of State shall pay to the Commissioner such sums as appear to the Secretary of State to be appropriate for defraying the expenses of the Commissioner under this Act.

9.—(1) The Commissioner shall—

(a) keep proper accounts and proper records in relation to the accounts;

(b) prepare in respect of each financial year a statement of accounts in such form as the Secretary of State may direct; and

(c) send copies of the statement to the Secretary of State and the Comptroller and Auditor General before the end of the month of August next following the financial year to which the statement relates.

(2) The Comptroller and Auditor General shall examine, certify and report on each statement received by him under this paragraph and shall lay copies of each statement and of his report before each House of Parliament.'.

Amendment (a) thereto: leave out paragraph 2.

Government amendments Nos. 264 to 266.

Mr. Howarth: New clauses 4 and 5 and new schedule 1, which were tabled by my right hon. Friend the Secretary of State, honour the commitment, which the Government gave to the Committee during its 11th sitting on 7 July, to put the office of oversight commissioner on a statutory footing. We have done so in a manner that is consistent with, and faithful to, the Patten report.

Patten recommended at chapter 19 of the report that there should be a commissioner to oversee change and to provide assurance to the community about progress. It is worth reminding the House exactly what Patten said. I know that, as ever, my hon. Friend the Member for South Down (Mr. McGrady) is mindful of the Patten recommendations and how the Bill conforms to them. Paragraphs 19.4 states:

an eminent person, from a country other than the United Kingdom or Ireland, should be appointed as soon as possible as an oversight commissioner with responsibility for supervising the implementation of our recommendations.

Paragraph 19.5 states that the Government, police service, Policing Board and direct policing partnerships should provide the oversight commissioner with objectives and timetables covering their responsibilities and should report on their progress in achieving them. It also states that the commissioner should report publicly after each review, giving his observations on the extent to which objectives have been met. Paragraph 19.6 states that the commissioner should be appointed for five years.

Government new clause 4, together with Government new schedule 1, will place the post on a proper statutory footing. As we said in Committee, we have introduced those provisions in part to show our commitment to the office and because they will add to the commissioner's status. The commissioner will oversee the implementation of changes to the policing of Northern Ireland as described in his terms of reference.

The terms of reference for the commissioner, who was obviously appointed before any statutory provision was introduced, have been published and are available in the Library. Subject to a renewable appointment for three years, rather than Patten's recommendation of five years, they show that we have been entirely faithful to Patten. Patten suggested that the commissioner should review progress three or four times a year. Government new clause 5 provides for the commissioner to make periodic reports at least three times a year.

Dr. Norman A. Godman (Greenock and Inverclyde): If the commissioner thinks that certain elements of the legislation do not work or impede progress towards the Government's laudable objectives, will he have the right to make that known in one of his periodic reports? For example, if he thought that the colour of the uniform should be changed to blue to make it more compatible with those of neighbouring police forces, could he make such a recommendation?

Mr. Howarth: We are anxious to remain as faithful as possible to Patten, who, as my hon. Friend knows, was clear on the colour of the uniform. Such matters would probably be outwith the commissioner's terms of reference. I do not want to be drawn on my hon. Friend's specific example because, although he might disagree with Patten, we are anxious to implement the broad thrust of his recommendations. In fact, we shall do so as closely as possible. I intend to deal with the general point that my hon. Friend makes later in my opening remarks.

The Government have made provision for the commissioner to report at least three times a year. As hon. Members will see from the terms of reference, the Government, the Chief Constable, the Policing Board and DPPs will provide objectives, with timetables, and report on progress, so he will regularly updated. The commissioner will then report publicly and would be expected to outline progress achieved, identify any obstacle to progress and seek explanations about delays. Again, we have fully met Patten's recommendations in that regard. I would ask the House to accept Government new clauses 4 and 5 and Government new schedule 1.

I want make something clear for the benefit of the House, my hon. Friend the Member for South Down and the hon. Member for Newry and Armagh (Mr. Mallon), who are anxious to receive an answer to a question that informs the amendments that they have tabled. They want to know whether the oversight commissioner can go public if he has any serious concerns about how implementation is proceeding and whether he will be at liberty to say whatever he thinks appropriate about any lack of progress. The answer is yes, and any such reports that he may think appropriate will be published. I believe that my hon. Friends' concerns will be addressed because those powers exist.

Government amendments Nos. 264 to 266 are standard provisions, by which the oversight commissioner will be added to the list of bodies under the House of Commons and Assembly Disqualification Acts. They are straightforward and should not cause the House any difficulty and I therefore ask hon. Members to accept them.

Mr. Eddie McGrady (South Down): I should like to place on record a sincere welcome for the Minister's announcement that the new clause will introduce into statute the office, terms of reference and conditions of the oversight commissioner. That was not the case in Committee, and it represents an important advance in implementing the Patten recommendations.

However, having looked a gift horse in the mouth, as it were, we have tabled amendment (a) to new clause 4 and amendment (a) to new schedule 1. They are designed to ensure that the oversight commissioner enjoys the full role that the Patten commission envisaged for that office. We feel that the implementation of all the Patten recommendations is one of the most important innovations to arise from the independent commission's report on policing in Northern Ireland. The oversight commissioner is the safety net—the catch-all.

Patten said that that office should not simply involve taking stock and that the

review process would provide an important impetus to the process of transformation

[Mr. Eddie McGrady]

and a new beginning. I welcome the Government amendments as it is vital that the oversight commissioner engages and ensures that all Patten is implemented. However, our problem, which is covered by our amendments, is that the commissioner's terms of reference are limited to overseeing only those changes in policing that the Government decide. That is a restriction. Although we do not want to give the commissioner carte blanche in everything, he should not be unable to comment on the adequacy of the Government's decisions and recommendations.

9 pm

Patten himself referred to those

> decisions that will be made by Government

but the oversight commissioner should not be the only person who cannot comment on Government policy or point out its obvious deficiencies. We have come some way from where we were in Committee, but I would like the Minister to underscore what I think that he said earlier. Can he state unambiguously that the oversight commissioner will be able to comment on Government decisions on police reform when he believes that to be appropriate? If the Minister can give such an undertaking on taking action in reasonable circumstances, I shall happily withdraw our amendments.

Mr. Kevin McNamara (Hull, North): I, too, am concerned about the implications of what the Government have done. Patten said that

> an eminent person, from a country other than the United Kingdom or Ireland, should be appointed as soon as possible as an oversight commissioner with responsibility for supervising the implementation of our recommendations.

However, the new clause says:

> The Commissioner's general function is to oversee the implementation of changes in the policing of Northern Ireland described in his terms of reference.

The terms of reference say that the oversight commissioner will be responsible for overseeing the

> implementation of the changes in policing arrangements and structures decided in the context of the Patten report

not those recommended in the Patten report. That important distinction will limit his role to considering only what the Government do rather than what happens in the context of the Patten report.

Therefore, it appears that the oversight commissioner will be a messenger for the Government and the Chief Constable, not a guarantor of Patten, which is how we see his role. The Minister must clear up the apparent discrepancy between Patten and both the new clause and the terms of reference. Under Patten, the oversight commissioner was to consider not only legislation, but all other issues in Patten—for example, the drafting of the code of ethics, the establishment of an independent recruitment agency and so on. Will he have a role in the independent study of an alternative to plastic baton rounds in public order situations?

I welcome the fact that plastic baton rounds have not been used in the recent disturbances. I hope that that practice will be maintained. My right hon. Friend the Minister, in a letter to my hon. Friend the Member for South Down (Mr. McGrady) and to other members of the steering group researching the use of plastic bullets, said that the object was

> To establish whether a less than lethal alternative to baton rounds is available: and to prepare a strategy for the tactical deployment of public order equipment by the police in Northern Ireland.

That is not what Patten said. He said:

> An immediate and substantial investment should be made in a research programme to find an acceptable, effective and less potentially lethal alternative to the Plastic Baton Round.

Patten said that we should get rid of the plastic baton round and find something else, whereas the steering group asked whether there was something else. There is an important distinction between those two, and I should like to know whether the oversight commissioner will be able to look into matters that are not part of the structures of the police or decided on in the context of the Patten report. Will those matters be covered under these new terms of reference? This is an important issue because, judging by what my hon. Friend the Under-Secretary said, the new clause seems to be a considerable departure from Patten. I hope that, when he replies, he will put my fears, especially about plastic bullets, to rest.

I raised the issue of an oversight commissioner on Second Reading and asked for such a position to be put in the statute. I received an undertaking that that would be done in Committee, and I express my thanks to my right hon. and hon. Friends for putting the proposal into the legislation. I hope that this very good measure will be made perfect by ending my worries on those two small points.

Mr. Maginnis: The amendments are probably unnecessary. The oversight commissioner has been appointed, and the new clause seems like supererogation. Can I persuade the Minister not to listen to the siren voices that say that what goes on in the House does not matter, and that on Northern Ireland issues we must abide by Patten in letter and in spirit to the nth degree? If that were the case, there would be no point coming to the House, because what was happening here would be a charade.

The reality is that the House is responsible for legislation, and the extent to which it takes the advice of Patten and his commission is a matter for the House. I suggest to the Minister that he should not contemplate extending the powers or authority of the oversight commissioner beyond what is contained in legislation—beyond what is lawful.

Mr. McDonnell: I shall try to be a siren voice.

Amendment No. 23 is so meek and mild that I cannot see how it could pose a threat to anyone. It relates to clause 27, under which

> The Board shall make arrangements as the Secretary of State may by order specify to secure continuous improvement in . . . efficiency and effectiveness.

I have suggested—very meekly—that

> Before making an order the Secretary of State must consult the Oversight Commissioner.

The amendment takes us back to Patten, and to the role of supervision rather than the mild form of oversight proposed by new clause 4. It would also enable us to build on the expertise that the commissioner could use in preparing for improvements in the police service overall.

Amendment No. 23 is in the spirit of Patten, and I hope that, if it is not accepted tonight, the Government will give it further consideration.

Mr. George Howarth: Let me say for the benefit of my friend the hon. Member for South Down (Mr. McGrady) that we are still considering the inclusion of a standard provision relating to the removal of the commissioner, like the provision applying to the Police Authority and, for that matter, the provision in the Bill applying to the district policing partnership board. As things stand, our plan is to table an amendment in another place.

The amendments to new clause 4 and new schedule 1 would give the oversight commissioner responsibility for the process of police reform in Northern Ireland. They would remove the Secretary of State's ability to set terms of reference for the commissioner. Putting aside for a moment any objection in principle, I am bound to point out that the commissioner is in post, and is operating under terms of reference already set by the Secretary of State. It might therefore be difficult to change retrospectively the basis on which he was appointed and, indeed, to change the terms of reference that went alongside that.

Mr. Trimble: I merely ask for information. The Minister said that the commissioner had been appointed according to a particular set of terms of reference. I hope that he will forgive me for asking whether those terms of reference are in the public domain. Do we know what they are?

Mr. Howarth: Yes, they are in the public domain. I think that my hon. Friend the Member for Hull, North (Mr. McNamara) quoted from them a few moments ago.

Mr. McNamara: My hon. Friend said that because the terms of reference had already been published, they were somehow set in stone. Can they not be altered?

Mr. Howarth: Any terms of reference can be altered, but we are in a particular situation at this particular time. There is a potential for developments in the future; I shall say more about that shortly. As always, however, we do not wish to create too many blind alleys. Indeed, we are anxious to do the opposite.

Let me now deal with the point of principle. I am afraid that I cannot accept the amendment, which seems to constitute an attempt to get the commissioner to implement changes that the Government have not approved. As the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) made clear in a brief speech, the Bill that emerges from the House of Commons will be the law. It will have been considered in another place and gone through a Committee. In that context, although we aim to stay as true to Patten as is practical and possible, it would be inappropriate to move away from the principle that what comes out of the House will be important in terms of what the oversight commissioner decides should be overseen in implementing the recommendations.

9.15 pm

I make it absolutely clear that the commissioner's role is to oversee the implementation of changes in policing arrangements and the structures decided on by the House and by the Government in the context of the Patten report. My hon. Friend the Member for Hull, North is right to say that the Government's position is not to accept every detail of the 175 recommendations in Patten. Patten himself acknowledged that that was not necessary. He said that much work had to be done on detail. I think that, as a distinguished former Member of the House, he would be the first to recognise that it would not be possible within terms of reference to produce a report that was a draft Bill, couched in the language and style of something that could be readily transformed into a Bill. To be fair, some sections of it were such that we could do that, but other sections were not so clearly translatable into legislation.

Mr. Trimble: I am sorry to come back to what is probably a technical point, for which there is a technical answer. The Minister refers to the oversight commissioner having been appointed, given terms of reference and all the rest of it. An appointment may have been made at a point when there was no legislative basis for doing so. We are now creating a legislative basis for the making of an appointment. I do not see in the new clauses or schedule any transitional provision to provide for the fact that the informal appointment that has already been made is to be the appointment for the purposes of the Act. Without such a transitional provision, there will be an obligation on the Secretary of State to make a formal appointment and to provide terms of reference in accordance with the Act.

Mr. Howarth: The right hon. Gentleman, eagle-eyed as ever, raises a useful point. I am sure that the answer that he gave to his own question is the answer that he is seeking. Therefore, I am happy to endorse what he said.

Mr. Trimble: In that case, there will be a fresh appointment and fresh terms of reference.

Mr. Howarth: "Fresh" implies a change of personnel and, as the right hon. Gentleman knows, I do not think that that is the intention.

The other point that we have made—it is a serious answer to the right hon. Gentleman—is that the powers involved will now be put on a statutory footing. That makes a difference. It certainly adds to the standing of the commissioner because he will be carrying out functions that are statutory.

The detail of the changes is contained in the Bill and in the comprehensive implementation plan, which will be updated once the Bill receives Royal Assent—so that which is overseen will be changed in accordance with the way in which the Bill finally emerges. What we are doing is entirely consistent with Patten. I hope—perhaps the phrase is more in hope than anticipation—that, on the basis of the assurances I have been able to give, my hon. Friend the Member for South Down and his colleagues will not feel it necessary to push the amendments to a vote.

Mr. McGrady: The purpose of our amendments is to clarify whether, if the Government do not materially implement a specific Patten recommendation, it would be within the oversight commissioner's power to say, "You have omitted to deal with this substantive matter and to

[Mr. McGrady]

make this substantive change." If the oversight commissioner will have that ability, either within or without his terms of reference, I would be quite happy, on behalf of my colleagues and myself, not to press the amendments.

Mr. Howarth: I am afraid that my hon. Friend and I will probably have to differ on this point. As we have already made clear, the commissioner is overseeing implementation of the changes arising from Patten and agreed by the Government and the House. The Government have included those changes in the Bill, and the House has approved the principle of the Bill's contents.

I should like now to deal with the remarks made by my hon. Friend the Member for Hull, North on plastic baton charges. I should say first that the working party which Patten recommended to examine the matter has met recently, and that the research that my hon. Friend mentioned and that Patten recommended is already under way. Although my hon. Friend used that matter as an example, we have taken on board the issue that he has raised. The issue is being addressed along the lines that Patten suggested.

My hon. Friend the Member for Hull, North will know that in chapter 9 of the report, in a box on page 52, Patten dealt with some of the weapons used against the police. He specifically mentioned the use—which, sadly, we have seen in the past few days—of

> stones, bricks . . . bottles . . . knives, spears and hatchets . . . firearms of all kinds, including automatic assault rifles and hand grenades.

Patten went on to outline some of the most lethal weapons being used, including:

> Blast or pipe bombs . . . Coffee jar bombs . . . Petrol bombs . . . Chinese mortars . . . Explosive darts . . . Catapults used to fire steel ball bearings.

Patten interviewed police personnel in the United States and in Holland—which is known for having one of the most liberal policing and criminal justice systems—and concluded that the police cannot be left improperly protected until the research to which my hon. Friend the Member for Hull, North referred has been concluded and a satisfactory alternative to plastic baton charges has been found.

As I said a week or so ago in Committee, the implicit deal between society and the police is that the police act for us in many situations in which we are not capable or legally empowered to act for ourselves. Consequently—as we see far too often in Northern Ireland—the police are often placed in dangerous situations. I therefore think that Patten reached the right conclusion on the matter.

Additionally, we should appreciate the fact that, in different parts of the world, in comparable public order situations, police use not plastic baton charges, but live ammunition. Therefore, in that sense, the restraint that has been shown by the RUC—and that, in the short term, until research provides a viable alternative we expect to continue to be shown by the new police service—is the best option available.

Mr. McNamara: I do not find that recommendation in the summary. Recommendation 69 is that we should find

> an acceptable, effective and less potentially lethal alternative to the Plastic Baton Round (PBR).

Patten is therefore saying that we have to find an effective alternative. The terms of reference start by asking whether there is an alternative. That distinction is important because it begins by begging the question that Patten has raised. Patten also stated, in recommendation 70, that

> The police should be equipped with a broader range of public order equipment.

The report continues:

> The use of PBRs should be subject to the same procedures for deployment, use and reporting as apply in the rest of the United Kingdom.

It also recommends that their use should be treated in the same way as the use of firearms and that training should be confined to a small group. Have those recommendations been carried out?

Mr. Howarth: My hon. Friend quotes at length from Patten, but I can tell him that we are trying to move forward as quickly as possible on all those areas. I do not seek to have an argument with my hon. Friend—

Mr. McNamara: No, I am seeking information.

Mr. Howarth: I am seeking to explain to my hon. Friend that, until such a time as a viable and effective alternative arises from research, that is what will happen. Of course, firearms training of any kind and training in all the equipment is a standard part of the way in which any police force, including the police force in Northern Ireland, operates. I know that the Chief Constable is mindful of those concerns and I also know that police officers in Northern Ireland have had much training in such areas in previous months.

Dr. Godman: My hon. Friend the Minister may recall that I was present in Committee when we had an almost identical debate, and I have much sympathy for what he says about baton rounds. Police officers must have comprehensive protection. On the issue of research, which institute is carrying it out? Given the comprehensive nature of the research, I presume that the programme of research is extensive.

Mr. Howarth: Yes, it is extensive. If my hon. Friend will forgive me, I am anxious to make some progress—*[Interruption.]*

Mr. Deputy Speaker: Order. The hon. Member for Hull, North (Mr. McNamara) should not keep interrupting the proceedings.

Mr. Howarth: As for the detail that my hon. Friend the Member for Greenock and Inverclyde (Dr. Godman) seeks, I will get in touch with him on that point.

Amendment No. 23 was tabled by my hon. Friend the Member for Hayes and Harlington (Mr. McDonnell). Before addressing the amendment, and in response to arguments in Committee, I want to record that the Government have accepted that there will be a shift in emphasis in the best value area of the Bill. That will be addressed in the other place and will give the board the lead role in best value, with the Secretary of State simply having a default power.

The provisions in clause 27 are about securing continuous improvement in the way in which the board exercises its functions. It is not Patten. It is an issue to be addressed by the Secretary of State, the board and the Chief Constable. The commissioner's role is clear under his terms of reference and we do not believe it necessary or appropriate to include the functions provided for in that clause. I commend Government new clause 4 to the Committee.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 5

REPORTS BY THE COMMISSIONER

'.—(1) The Commissioner shall make periodic reports to the Secretary of State on the implementation of the changes described in his terms of reference.

(2) There shall be at least three periodic reports in each year.

(3) The Commissioner may at any time make a report to the Secretary of State on matters arising in the course of his performance of his general function.

(4) The Secretary of State—

(a) shall lay each report made to him under this section before each House of Parliament; and

(b) arrange for the report to be published in such manner as appears to him to be appropriate.'.—*[Mr. Ingram.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 1

TARGETS FOR RECRUITMENT

'.—(1) The Board shall establish targets for applications and recruitment to the police of Roman Catholics, women and ethnic minorities and other persons from underrepresented sections of society.

(2) The Board shall monitor applications and recruitment to the police to ensure equality of access.'.—*[Mr. Öpik.]*

Brought up, and read the First time.

9.30 pm

Mr. Öpik: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: New clause 2—*Affirmative action*—

'.—The Chief Constable or any person appointed under the terms of section 42(1) shall pursue an active programme of affirmative action to increase applications from, and recruitment of, persons from underrepresented sections of society to the police.'.

Government amendments Nos. 127 and 130.

Amendment No. 301, in clause 43, page 21, leave out lines 1 to 14.

Amendment No. 52, in page 21, line 1, leave out subsection (3).

Government amendment No. 133.

Amendment No. 323, in page 21, line 11, leave out "10" and insert "2".

Amendment No. 53, in page 21, line 18, leave out clause 44.

Amendment No. 324, in clause 44, page 21, line 39, after "(4)", insert—

'Save where subsection (4D) applies,'.

Government amendment No. 135.

Amendment No. 325, in page 21, line 45, at end insert—

'(4C) Where subsection (4D) applies, the Chief Constable shall make appointments in accordance with subsection (4) as far as it is practicable to do so.

(4D) This subsection applies where the number of vacant posts in the police support staff which are at the same level and to be filled at or about the same time is not less than two and not more than five.

(4E) The Chief Constable shall each year publish information concerning appointments made by the Chief Constable where subsection (4D) applies.

(4F) Information published under subsection (4E) shall be in such form as the Equality Commission for Northern Ireland may require.'.

Amendment No. 54, in page 22, line 37, leave out clause 45.

Mr. Öpik: The Government took the benefit of our advice on a number of previous amendments, so we are rewarding them with more such advice.

The recruitment process proposed in the Bill involves quotas. I feel duty bound to raise this issue again because the Bill as it stands will not resolve the problem of differential recruitment of Catholics as opposed to non-Catholics. Moreover, it might introduce an additional injustice which is entirely out of keeping with what we are trying to do in the Bill.

First, I stress that the Liberal Democrats adamantly support the intent of ensuring that ethnically fair proportions are recruited to the police service—proportions that genuinely reflect those to be found in the Northern Ireland community. Incidently, that means that we also want a higher proportion of women in the police force, as well as of ethnic minorities such as the Chinese.

The solution of mandatory quotas that is laid down in the Bill would not, however, achieve what the Government want, for several reasons. First, quotas at the stage envisaged in the Bill tackle the symptoms rather than the cause of the problem. Traditionally, there has not been discrimination in the police at the point of selection. In fact, the internal recruitment process seems to have been fair to Catholics who have applied for a job. There has been so little Catholic representation in the police force because Catholics have not had the confidence in the police to apply, or they have been put off by local pressures and, occasionally, even by paramilitary pressure.

That being the case, we need to solve the problem of an under-representative police force in the application phase. Tackling the percentage recruited does nothing to tackle the percentage applying. In fact, it could lead to a serious distortion of the recruitment process.

What happens, for example, if 100 vacancies have to be filled and 200 non-Catholics and 50 Catholics apply? The rules state that recruitment should be 50:50. In this example, that would mean that one in four of the non-Catholics would be recruited, but every Catholic applicant would have to be offered a job. Basic recruiting

[Mr. Öpik]

practice will confirm to anyone that, in such a large group, it is unlikely that 100 per cent. of the people who apply for the job will fill the criteria. That has nothing to do with Catholics; it is to do with real-life, large-scale recruiting.

If one does not get 100 per cent. success from 50 applicants, there will be a shortfall, leaving open various options. Option A would be to drop the standard: give all 50 the job, whether or not they meet the normal qualifications that one expects from applicants. The Minister has made it clear that the Government will not pursue that path. They will not drop the standard that they expect from anyone, be they Catholics, Protestants or whatever. Option A is therefore not a runner.

Option B is to screen out from the 50 Catholic applicants those who make the grade, and give them the job. In my example, there would, by necessity, be a shortfall and one would not be able to fill the quota. What can one do? The Bill provides for dropping the quota. The system is inconsistent. It means that one is fitting the quota around what one can get. Surely the quota is not simply there to reflect reality; it is there to try to influence reality and to re-balance the police force. Obviously, therefore, one must increase the number of applicants to make up the shortfall. What is the point of having quotas for recruitment if, at the end of the day, the Government or the police force have to tackle applicant numbers?

If my logic is correct, the only way to maintain the standard is to ensure that Catholics have the confidence to apply in the first place. That is the crux of the new clauses and amendments that we have tabled. Recruitment quotas will not make people apply to the police force if they do not see police work as a legitimate and worthwhile career. The details must be right so that the reforms create a police service to which Catholics and others who do not have a tradition of joining the police have the confidence to apply.

If the measure is successful, leading figures and members of under-represented communities will endorse the police as a good career. That will encourage younger members of such communities to apply. It will be possible for the cross-community membership of the Policing Board to scrutinise the proposed targets and modify them if they are not working. More important, the barriers that stop people applying to the police can be tackled directly.

The demographics of Northern Ireland will help us to deal with applications. Among 18 to 30-year-olds—the most likely source of new recruits—there is already a balance: 45 per cent. are Catholic and 44 per cent. are Protestant. Others account for 11 per cent. If reform works, the natural rate of recruitment would act as a balance, so quotas would not be needed at that point. If I have lost a few percentage points in my calculations, I put it down to rounding errors.

It is more sensible to use targets than rigid quotas. They would allow the employer—the police service—to have flexibility so that we do not get hung up about injustice by trying to fill targets. Under the Bill, the quota is inflexible: it demands the recruitment from the community of 50 per cent. Catholics and 50 per cent. non-Catholics. That does not even represent the current cross-section of the Northern Ireland community: as I have pointed out, a certain proportion of people do not class themselves as belonging to either religion. The Bill acknowledges that weakness, because it allows the Secretary of State to vary the percentage; the patch-up job has begun before we have even implemented the measure.

Quotas could inadvertently cause more division in the police service. We do not want officers to be seen as members of one or other sectarian grouping rather than as individuals. Like people in any job, the police have to be judged as individuals. Under the current provisions for the implementation of quotas, there is a danger that that will not occur. We certainly should not introduce measures that create more division in the service.

The operation of the distinction between Catholics and non-Catholics may not help to achieve a balance with other members of the community who have always been under-represented. In Committee, when I pressed the Minister on the fact that everyone would be shoe-horned into those two categories, he replied:

> I use the phrase "both traditions". I hope that he appreciates that that shorthand description is most accurate. It represents the vast bulk of prevailing attitudes. People settle into one tradition or the other, although they may not be vehement about their views.—[*Official Report, Standing Committee B*, 4 July 2000; c.391.]

That is a dangerous path to take; it would cause other under-represented groups to be ignored. However, that would be the result of the measure.

The legality of quotas is questionable. The Bill proposes amending fair employment legislation to make room for quotas. That would set a dangerous precedent. It underlines the fact that, in any other circumstances, the measure would not be regarded as fair legislation. I suspect that the Government would have something to say if such practice were extensive on the mainland.

That the proposals constitute positive discrimination is not in dispute. On 15 June, in *The Irish News*, the Secretary of State was quoted as saying that he was implementing Patten's 50:50 recruitment scheme, despite the fact that it would mean changing the law and persuading our European partners that it was a special case for reverse discrimination. Other hon. Members may offer further examples of that point. Apart from not delivering what we want, the quota could be illegal. Furthermore, it is not morally right to remove a present injustice by introducing a future one.

We must create a police service that will attract people from all sections of the community. New clauses 1 and 2 would allow the Policing Board to establish advisory targets for the application and recruitment of Catholics, women and others from under-represented sections of the community. They would impose a duty on the Chief Constable to pursue an active programme of affirmative action to encourage such groups to apply. I emphasise "affirmative action" because that is a world away from positive discrimination. Affirmative action means tackling the underlying reasons why people from certain communities and certain ethnic groups are not applying to the police. That is vastly different from simply setting a quota and expecting it to be filled; in our judgment, although it is harder, it will also tackle the problem at its root.

I wish to cite one last quotation on the matter. It dates from 12 November 1997, when Ronnie Flanagan gave evidence to the Northern Ireland Affairs Committee. A member of that committee told him:

> I think you are absolutely right that positive discrimination is totally counterproductive, based on my experience in other areas. People have to be advanced on merit.

The person who said that was the hon. Member for Brent, East (Mr. Livingstone), speaking about the Greater London council in the early 1980s. I am sure that, whatever the views of those in this place about that gentleman, he could hardly be regarded as a bastion of old ways or as someone who has opposed positive action to try to rebalance discrimination where he has found it. Taking that into account with the other concerns that I have voiced, my judgment is that—*[Interruption.]* I suspect that there is a subtext going on here, Mr. Deputy Speaker; I will not be drawn.

Combining all that with the sage advice—at which I see the Minister nodding—from the hon. Member for Brent, East, my judgment is that we are proceeding down the wrong path to achieve what I am sure we all agree is a laudable aim. However, if we do see this through—if we recognise that there is an issue here—the Government can still reconsider. They can still take on board the amendments and new clauses that we have tabled, and recognise that we are trying to do the same thing in a fairer way.

We tackle all the issues as we proceed through these debates, but this issue has real consequences for real people. It could actually cause new grievances instead of addressing the old ones. Positive discrimination also makes everyone either a Catholic or a non-Catholic when, from my own personal history, I can testify that there are individuals who do not categorise themselves in either of those groups.

I am asking the Minister to take these concerns very seriously. I am not alone on this issue, but even if I were, this is a matter of practice and a matter of principle—a principle that the Government should take very seriously, because at the moment they are trying to cure the symptoms rather than the cause, and so often when they do that, they cure nothing at all.

Mr. McGrady: On behalf of my colleagues and myself, I should like to propose for the approval of the House amendments Nos. 323, 324 and 325, which, under the heading of recruitment to the police, deal with the support staff for the new police service.

The present quota for civilian staff applies when 10 vacancies arise at roughly the same level at the same time. I am pleased to note that the Government, in Committee, reduced the number to 10. We believe that it should be two, and in that we are encouraged by the similar attitude of the Equality Commission for Northern Ireland.

The reason for amendment No. 323, as for many of our amendments, is simply to achieve a full and faithful implementation of the Patten report. Patten said in this respect that the quota system

should apply both to officer and civilian recruitment.

However, at the moment clause 43(5) imposes that artificial limit for the quota for police support staff. It applies only when there are 10 vacancies at any time at the same level.

We believe that it is unlikely that 10 such vacancies will ever arise at the same time and at exactly the same level. The Government are proposing to reduce the number to six. We apply the same argument—that it is unlikely that six such vacancies will frequently arise in the same place, at the same time, at the same level. Amendment No. 323 provides instead that the quota shall apply where two similar vacancies arise at the same time—in line with the views of the Equality Commission. However, the Government have argued tnat such a provision would be too inflexible. We have tried to take that on board, and we believe that we have found a way forward that meets the Government's problem, our requirements and those of Patten and the Equality Commission.

9.45 pm

We believe that the Chief Constable should be under a duty as far as practicable to recruit according to the 50:50 principle for between two and five appointments, but if that is not practical in the narrow sense, it should not apply, and the Chief Constable should have the discretion to balance the need to apply the quota against competing needs. However, he would have to account for that course of action, presumably in his annual report. We believe that that is a sensible and practical resolution of the difference between us and the Government, it is a better and fuller implementation of Patten, and it adheres to the views of the Equality Commission. I should like to think that the Government consider the amendment appropriate.

Mr. Trimble: I wish to speak to amendments Nos. 301, 53 and 54. Taken together, the amendments would delete from the Bill subsections (3) to (6) of clause 43 and all of clauses 44 and 45. They would in effect remove the provisions to which objection has been taken by my party and by virtually all the parties in the House. The Government should realise that on this issue they stand alone. I am pleased to see that the Liberal Democrats have signed our amendments Nos. 53 and 54. I assume that they have not signed amendment No. 301 owing purely to an oversight.

Mr. Öpik: Administrative error.

Mr. Trimble: We of course have been happy to support the Liberal Democrats' new clauses 1 and 2.

We share with everyone in the House the objective of a police service that is broadly representative of the community. That should not be controversial. It was a stated objective when the RUC was created. About 900 officers of the Royal Irish Constabulary transferred to the RUC, my grandfather among them, and that group was representative of society in Northern Ireland. It was also the policy of the first Unionist Administration in Northern Ireland to achieve a police force that was representative. At one stage, they endeavoured to reserve one third of places for Roman Catholics. Unfortunately, recruitment never matched that target. We do not have the time this evening to go into the reasons why it did not, but the target was there. In that sense, we have no difficulty with the suggestion made by the Liberal Democrats of targets for recruitment and action to persuade people to come forward and join the police service. That is admirable, and I hope that, whatever arrangements are included in the legislation, they will be in those terms.

The Government are however profoundly mistaken in deciding to discriminate in the legislation. Let us not have any nonsense about it. It is not affirmative action, and "positive discrimination" is a mealy-mouthed phrase meaning: "We are going to discriminate and treat one section of the community unfairly." That unfairness is demonstrated in the figures that the hon. Member for

[Mr. Trimble]

Montgomeryshire (Mr. Öpik) has mentioned. In the target age group—18 to 25—the numbers of Protestants and Catholics are roughly even. The figures that he gave were 44 and 45 per cent. However, 11 per cent. do not state their religion and the legislation will add that 11 per cent. to the Protestant side. So 50 per cent. of recruits will be taken from 45 per cent. of the population and the other 50 per cent. will be taken from 55 per cent. That is clearly discrimination.

Mr. Corbyn: I thank the right hon. Gentleman for giving way on this important point. I have listened carefully to what he has said. He has admitted openly that objectives and targets in the past 80 years have not achieved parity within the RUC. Is there any reason to suppose that setting targets again without the force of law will achieve anything other than the continuation of the obvious imbalance in the RUC membership?

Mr. Trimble: The hon. Gentleman wishes to take me down a road that we do not have time to travel. It is a question of exploring why this has not succeeded and whether there is now a new situation. I hope that there is, and in that new situation there is every reason to expect that there will be a different pattern of recruitment. That will probably happen irrespective of what is enacted here, but what is enacted here is in danger of doing a serious injustice. I ask the hon. Gentleman to bear that in mind.

My view is that this arrangement will probably collapse, for a number of reasons, if the Government proceed in the way they propose. For example, in a situation in which the communities are roughly equally balanced, if there is an equal response from both communities of people wishing to join the police service, there will be roughly 50:50 recruitment. If there is not an even response, an unbalanced group of people will move into the pool, and then if we are drawing down on a 50:50 basis from a pool that is not 50:50, a significant number of people who will have been selected as suitable and qualified to join will go into the pool and remain there, month in, month out, for who knows how long.

That will give rise to a justifiable sense of grievance and injustice that no one will be able to defend. Any Administration with any element of conscience will have to address that situation. For that practical reason, I do not think the arrangement will survive.

There is another reason. As the Government know, it involves the consideration of other provisions. The Patten report says that human rights are at the heart of its proposals. Here, they are not. This is a shameful aspect of the Patten report, of the Government's proposals and of the parties that are supporting them. Human rights are at the heart of the proposals? On the one concrete issue where it counts, is anybody paying any attention to human rights? No. The position of hon. Members opposite who are lending the proposal their support is utterly shameful. They should address the matter.

Furthermore, European law will compel a new approach. Article 13 of the Amsterdam treaty, signed in 1997, provides for the introduction of provisions to combat discrimination. The equal treatment directive, coming into operation in December 2002, will have an impact.

In 1998 the hon. Member for Glasgow, Maryhill (Mrs. Fyfe) proposed amendments to legislation going through the House that would have tried to provide a degree of what she might have called positive discrimination for women. From a report by the constitution unit of University College London, entitled *"Women's representation in UK Politics: what can be done within the Law?"*, I wish to quote two paragraphs, because they are quite important. They show why the provisions proposed by other parties are wrong; and they know they are wrong, because they rejected these proposals in 1998. The report says:

> On 3 March 1998 . . . a memo was leaked to The Guardian newspaper of a high-level Government meeting where this was discussed.

That is a reference to the hon. Lady's proposals for positive discrimination and other similar proposals.

> Allegedly the Secretary of State for Scotland favoured using the Scotland Bill to introduce an amendment to the Sex Discrimination Act. However, at this meeting the Lord Chancellor . . . advised other Cabinet colleagues that it would be unwise to accept such amendments. This was based on advice given to Government law officers by Patrick Elias QC. According to the leak, Lord Irvine reported that if the Sex Discrimination Act were amended, "the probability was that a legal challenge under the European Equal Treatment Directive would succeed . . . the law officers said that at each stage in the process—adoption of legislation, selection of candidates, and the election itself—the Government could and probably would be a respondent. Any Minister bringing forward or accepting an amendment would not be able to assure the House that it was ECJ-proof—

that is, European Court of Justice-proof.

> This would put him in an impossible position and create handling difficulties." Lord Irvine concluded that the Government line should be that "amendment of the SDA would be pointless because of the substantial risk of successful challenge under the ETD."

Mrs. Maria Fyfe (Glasgow, Maryhill): I am surprised that that particular event in 1998 should be remembered tonight. At that time, I was talking about having equal numbers of men and women elected to the Scottish Parliament. We received strong advice that the equal treatment directive had nothing to do with elected Members of Parliament, but that it had everything to do with people being appointed to jobs, which is what we are debating tonight. Since that time, however, a few studies have been carried out that show that my noble Friend the Lord Chancellor was wrong and that we would have been within our rights to amend the Sex Discrimination Act 1975.

I certainly agree with one point that the right hon. Gentleman has made—

Mr. Deputy Speaker: Order. The hon. Lady has made her point that the right hon. Gentleman might be wrong.

Mr. Trimble: I thank the hon. Lady for her intervention, which I pretty well invited by referring to her. Her proposal was about equal numbers of men and women and we are debating an analogous proposal relating to an equal number of Catholics and non-Catholics. She conceded that this issue deals with employment and that the provisions for elected Members do not apply in this case.

I would be interested to see the other reports that suggest that the Lord Chancellor got it wrong. The report that I quoted is dated June 2000, so it has been published within the last month. I am entitled to regard it as up to date and it does not refer to the other reports. The quotes from the Lord Chancellor are clear and authoritative and comply with the independent advice that we have received about the European directive.

The likelihood is that, within a short time, the Government will find that their proposal is struck down by the European courts. The question we must ask the Government is why they are proceeding with a proposal that they know will probably be struck down. They cannot assure the House that it is, in the words of Lord Irvine, "ECJ proof". In any event, the Government must know, without reference to the equal treatment directive, that it is wrong to discriminate in the way that they propose.

By all means, let us do what we can to encourage people to come forward and to ensure that we have a balanced and representative police force. The most significant action that can be taken to achieve that aim requires not legislation, but positive action by some hon. Members sitting on the opposite side of the House. I am thinking of those Members who represent the Social Democratic and Labour party who by their actions—what they say and what they do—in the days and weeks to come can do more to encourage and produce a representative police service than all the legislation put together. Rather than pursue something that is morally wrong and illegal under European law, let them use their voices and get out into the community to persuade people to come forward and join the police service as provided for by this Bill.

Rev. Ian Paisley: When the Democratic Unionist party had a meeting with the Minister of State the legality of the provision for having a police force made up of 50 per cent. Protestants or non-Catholics and 50 per cent. Roman Catholics was one of the issues that we raised. I pointed out, from some little knowledge of Europe, that there was a problem with that provision.

Will the Secretary of State come to the Dispatch Box and tell the House that the provision is legal under European law? Can he say unequivocally that what he is asking for is in complete agreement with European law—or is it not? If he were to refer to a derogation, that would be a different matter. That would mean that he accepted that the provision is not legal under European law and that he must go for a derogation.

10 pm

The debate on this issue cannot proceed until the Secretary of State tells the House exactly what the position in European law is, and it is incumbent on him to know what that legal standing is. I hope that when he, or another Minister, responds to the debate, he will be able to state that clearly. He should not put us off by saying that the Government are looking into it or negotiating it. I will be interested to hear that reply because as the right hon. Member for Upper Bann (Mr. Trimble) said, this is an important matter, and the House needs to know how European law affects what it is deciding tonight.

Under the terms of the legislation that we are being asked to support, it will be difficult to achieve the target of 50 per cent. of recruits being Roman Catholics and to ensure that the section of the community that is bracketed as non-Catholic gets the justice that it, too, deserves. How are we to do that? The Government must not duck these issues; they must tell us exactly what they intend to do.

Who will tell the House authoritatively that non-Catholics will join the police force envisaged in the Bill? I have not heard from SDLP Members that they will call on the people who support them to join as the Bill becomes law. Will it reach the standards that they have set? If the Bill is passed tonight, will they tell us that they will be able to stand up to their constituency and say, "Yes, you should join this police force"?

We know exactly where Sinn Fein-IRA stands: it says that it will not make any call to its constituency until everything else is completed. When will the process be completed? How far away is that date? It seems a very long way away, because when something is done, something else is asked for, and when that is done, something else is asked for. When will we have recruitment to the new force? If the Roman Catholic people are not urged by their leaders to join, they will not do so. The right hon. Member for Upper Bann is right to say that there must be a call from the leaders of that community, because people will decide to join the police not after reading the Bill, but when their leadership says that they may join.

The House could have a long debate about why Roman Catholic people have not joined the police force. I have constituents who are members of the RUC; they cannot go to their own homes, and their parents have to visit them in England. People who face such intimidation will not join the police force, no matter what it is called. The House needs to address those issues.

Mrs. Fyfe: When I said that the Lord Chancellor was wrong, I was referring to the question of selecting and electing Members of Parliament, not to taking on employees. The equal treatment directive is pretty straightforward and simply says that an employer is entitled to take positive action to bring into employment people who have been under-represented. I would be surprised if my colleagues on the Front Bench had not checked that out before presenting their Bill.

Mr. Dominic Grieve (Beaconsfield): The official Opposition share all the anxieties expressed by the hon. Member for Montgomeryshire (Mr. Öpik) about the way the Bill stands. The amendments tabled by the hon. Member for South Down (Mr. McGrady) add to the categories that we believe fall foul of European law and of the European convention on human rights as incorporated into our law.

We considered this issue in great detail in Committee. When we considered whether these measures were compliant, it was noteworthy that the Minister was remarkably opaque on the subject. He said:

> The hon. Gentleman cannot have listened to previous explanations.—[*Official Report, Standing Committee B*, 27 June 2000; c. 307.]

On checking the entirety of *Hansard* for that occasion, I found no explanations as to how this part of the Bill satisfies the Amsterdam treaty and the directives that are likely to arise. There is no evidence that it does. The maximum that the right hon. Gentleman was able to say was that "our European partners"—I think that that was the expression—would be sympathetic and would

[Mr. Dominic Grieve]

therefore find a way out for the Government from their dilemma. It was odd that the European Court of Human Rights and how it might interpret such a flagrant breach of directives, and the Amsterdam treaty, were never really mentioned.

My anxiety has always centred on the European convention on human rights. Article 9 is clear. It states:

> Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.

How do the Government's current proposals match up to that?

The Government are proposing to create a pool. Into it will go those who are qualified to join the police service. However, they will not be allowed to join having passed on qualification. They will be obliged to wait until the Government consider that they are in the right place on the religious quota to be admitted. In this world there is discrimination both direct and indirect. There is no point in saying, "We are not interfering with the way that you exercise your religious belief", if by virtue of the way in which people exercise their beliefs they will be discriminated against in the workplace when applying to join the police service.

All the entrants who come forward to join the Royal Ulster Constabulary—or the police service, or whatever it may be called—will each receive an assessment. It beggars belief that a lawyer will not trawl through the assessments to point out the inconsistencies of one person being favoured as against another on the ground of his religion. As I said to the Minister in Committee, I hope not entirely flippantly, what happens if somebody having been admitted to the pool decides to change his religious faith? The Minister suggested that he thought the person might drown, out of uncertainty. However, that is a question that he will have to answer, because at some stage precisely that problem is likely to arise. When it does, how will that person be treated thereafter?

There are many other inconsistencies in the way in which the Bill is drafted. The most obvious and notable is that it divides the community into two equal camps of 50 per cent., which neither reflects society at large nor makes any allowance for any other minority group, or anyone not defined as Protestant or Catholic. It is difficult to imagine a criterion which would act as more of a red rag to a bull in a polarised community. It takes no account of other religious or ethnic minorities.

The Minister has the Opposition's support in the desire to see the number of Catholics in the RUC greatly increased. He knows that if there were to come a day when Catholics accounted for more than 50 per cent. of its numbers, that would not bother us one iota. We would not be concerned if they took advantage of the job opportunities and performed the service to the community that those allowed. However, the Government have chosen to introduce a measure that is discriminatory. The Minister admitted in Committee that it means positive discrimination, and rather gloried in it. As a principle on which this House should conduct its business and pass legislation, I find that extraordinary.

Mr. McNamara: Does the hon. Gentleman accept that, under the Fair Employment Act, it was his Government who introduced the concepts of perceived Protestant and perceived Roman Catholic?

Mr. Grieve: Neither this Government, the previous Government nor—I believe—any Government have passed a measure involving positive discrimination. The measures proposed by the hon. Member for Montgomeryshire, which are certainly affirmative in their help to the Catholic community, command support and are a tried and tested method that goes to the very limit of what in our view is possible and allowable under both international law and our European convention obligations. No previous Government have departed from that; I am happy to give way to the hon. Gentleman again if he thinks that some previous Government have done so. I do not believe that to be so.

Mr. McNamara: Will the hon. Gentleman answer my question? Did not his Government, under the Fair Employment (Northern Ireland) Act, introduce the concept of individuals as perceived Protestants and perceived Roman Catholics?

Mr. Trimble: That was in 1976.

Mr. Grieve: I do not know who introduced that legislation; the right hon. Gentleman says that it was in 1976. None the less, no measure involving positive discrimination has been passed by the House.

In the light of the Patten report, it is a little surprising that the Government should have so glibly passed over the seriousness of the issue, simply saying, "Oh, we think that it's perfectly all right." We do not believe that it is. The Minister wants to provide great reassurance and would like to give chapter and verse on the matter, which I must say he did not in Committee. I will listen with interest, but in our view, the principle is completely flawed and wrong.

Mr. Corbyn: Given that the hon. Gentleman accepts that there is a huge imbalance between Protestants and Roman Catholics in the current police service of Northern Ireland, will he please explain what he would do to ensure some fairness in future? There has been systematic discrimination throughout many decades against Roman Catholic recruits. This legislation is designed to try to correct that imbalance. Does he have any solution to the problem?

Mr. Grieve: I do indeed. To begin with, I recollect that on Second Reading, as has been pointed out, hon. Members representing the SDLP stood up one by one to say that if the Bill were passed and acceptable to them, they would go to the marketplace, even in west Belfast, and encourage—and succeed in encouraging—Catholics to join the police service. That is very close to the words of the hon. Member for Newry and Armagh (Mr. Mallon); I remember them well because they were eloquent. Such action in itself would make a major contribution to breaking the ice, and the logjam. There is also affirmative action that could be carried out that would be proper, and would not offend against human rights legislation.

Mr. Seamus Mallon (Newry and Armagh): Will the hon. Gentleman inform us who he thinks might speak best and most accurately for Catholics—a political party known as the SDLP or the Catholic Church?

Mr. Grieve: That is a question that I do not propose to answer. I raised the hon. Gentleman's position because I regard him as a man of complete integrity, and I listened very carefully to what he said on Second Reading. I took it that if he was satisfied with the Bill and said on behalf of the Catholic community that Catholics should join the police service, many who had previously been deterred would do so. Whether it is he who takes such action, or whether it is priests of the Roman Catholic Church or other members of the community at large, seems to matter very little.

Mr. Mallon: I thank the hon. Gentleman again for giving way. I note the points that he has made, and if I am lucky enough to catch your eye later, Mr. Deputy Speaker, I will deal with that matter. In the interests of whatever harmony is left, may I refer the hon. Gentleman, without being specific, to an article written on behalf of the Catholic hierarchy some weeks ago in the name of Father Tim Bartlett? I ask him to study it carefully. I will answer, as will my colleagues, for our political party and our political stance. I suggest that the hon. Gentleman read the article before he goes much further.

10.15 pm

Mr. Grieve: I will read the article. If it suggests that positive discrimination is the solution, I do not mind who it comes from—I will reject it.

We can leave aside the European Court of Justice and the European convention on human rights. It has not been a principle or practice in this country to engage in positive discrimination. That will bring in its wake every kind of resentment, which is the very thing that we want to break down. I cannot think of a worse way of starting a new police service on its course with the good wishes of the House, than to saddle it with such an incubus at the outset.

Mr. Ingram: In Committee, I paid many tributes to the hon. Member for Beaconsfield (Mr. Grieve). Not tonight. Many assertions have been made and points of view strongly expressed by the hon. Gentleman which seem to ignore the fact that, through the Bill, we seek to establish the principles that Patten identified and which the hon. Member for Newry and Armagh (Mr. Mallon) tried to make the hon. Gentleman understand.

I could ask a simple question of those who oppose what we seek to do. Which EU directive do they have in mind? None. There is no EU directive that prohibits what we seek to do through the Bill—not one.

Mr. Grieve: The Minister is correct that, as matters stand at present, there is no EU directive, and I did not suggest that there was. The Amsterdam treaty sets the framework, and there is a directive in contemplation from which the Government will have to seek a derogation or some form of accommodation, as I understand it, in order to allow the matter to proceed. As I pointed out to the Minister, the European convention on human rights and the Human Rights Act—

Mr. Ingram: I know that the hon. Gentleman is used to being paid by the minute, but he answered the question in the first few words of his response. There is no EU directive that the Bill contravenes. He is right to say that the matter is being examined. We said in Committee, and I repeat, that with our European partners, we will look at the ways in which we can deal with the issue.

That seems to be a sensible way forward. The EU has been a tremendous supporter of the peace process in Northern Ireland. In our dealings with our European partners, we have found time and again that they are prepared to accept the ways in which the issue must be addressed to move the peace process forward. They live in world of reality, not bombast and rhetoric such as we have heard in the debate.

Let us deal with reality. I have heard it said that the Bill is not ECHR-compliant. It is ECHR-compliant, otherwise that statement would not appear in the Bill. I have said before from the Dispatch Box that no Minister can knowingly act illegally. That is the case. If there were any doubt, we would not make that attestation, nor would we stand here and defend that position. In dealing with the subject of our discussion, we have heard much rhetoric and many strong views, but let us tackle reality.

The purpose of amendments Nos. 301, 52, 53 and 54 is to remove from the Bill the provisions that allow for the so-called 50:50 recruitment arrangements. The hon. Member for Montgomeryshire (Mr. Öpik) has tabled alternative new clauses 1 and 2, which would provide for a programme of affirmative action to encourage a higher rate of Catholic application.

We debated the issue at considerable length in Committee. Perhaps the hon. Member for Beaconsfield was not happy with the result, but he cannot deny that we had a heavyweight debate in Committee. We trawled over the same ground that we are now discussing. Let me reiterate the Government's position. The parties to the Belfast agreement considered it imperative that the police service, if it is to be fully effective, should be representative of the community it polices. As matters stand, only 8 per cent. of the RUC is from the Catholic community.

The Government recognise that victimisation and intimidation have unquestionably played a significant role in depressing the rate of Catholic application to the RUC. As Patten said, we must address that. In paragraph 15.2, the Patten report stated:

> The key to making that police service representative of those communities—indeed the key to the successful implementation of nearly everything in this report—is that the leaders of those communities now actively encourage their young people to join the police service.

That acknowledges that not only the Governments, but all parties and all parts of the community in Northern Ireland must address the problem.

Neither Patten nor the Government intend 50:50 recruitment to represent an alternative to affirmative action. Paragraph 15.8 states clearly that the recruitment agency, for which clause 42 provides, should

> advertise imaginatively and persistently, particularly in places likely to reach groups who are under-represented in the police. As at present the advertisements should make it clear that the police

[Mr. Ingram]

> service wants to attract more Catholics and women. But every effort should be made to get this message across, through local newspapers, magazines, club and community centre notice boards and any other way that can be found to reach the target groups directly.

Paragraph 15.6 of the report recommends cadet schemes; paragraph 15.11 recommends flexible working and child care schemes.

The Police Federation, in its response to the Patten report, said that it would take 30 years to achieve a balance through affirmative action alone. I am therefore surprised, especially as the matter was debated in Committee, that the hon. Member for Montgomeryshire has tabled the amendment. I recounted the Government's firm determination to take forward affirmative action programmes. We also needed to move the whole process forward and introduce the 50:50 recruitment policy.

The policy is exceptional and deals with an unusual set of circumstances. We are not discussing Dudley, Bracknell or Montgomeryshire, but Northern Ireland, where there are tremendously deep divisions. Patten realised that that needed to be addressed. The signatories to the Belfast agreement gave that an impetus. The Government are delivering the policy. I therefore hope that the hon. Member for Montgomeryshire and the right hon. Member for Upper Bann (Mr. Trimble) will not press their amendments.

Mr. Thompson: Is not it hypocritical for the Government to speak in those terms when on 23 and 24 March, in a joint statement at the Lisbon European Council meeting, the United Kingdom and Irish Governments urged member states to

> make early progress on the Commission's Article 13 anti-discrimination proposals?

Is not it hypocritical to say that a change must be made?

Mr. Deputy Speaker: Order. I hope that the hon. Gentleman's words represent no slur on the Minister. The Minister is not a hypocrite—no hon. Member is.

Mr. Ingram: Thank you very much for that defence, Mr. Deputy Speaker. I was about to respond robustly, but I simply say that of course the party that I represent has a proud tradition of fighting discrimination, in and out of government. I am not so sure that many of those who have raised these issues tonight would have stood in line against many of the types of discrimination that we have had to fight against. As we are dealing with exceptional circumstances, we will deal with friendly partners who understand the exceptional need. We cannot predict the outcome, but we will be progressive and constructive—not to undermine the principles of any future directive, but to place what we seek to do in Northern Ireland in context.

Government amendments Nos. 133 and 135 would require 50:50 recruitment to be applied in the recruitment of police support staff when six or more vacancies at a similar level had to be filled. The threshold figure was previously stipulated as 10. As the figure is to be reduced, it is reasonable to enable the Secretary of State to set aside 50:50 recruitment—after consulting the board and the Chief Constable—when it simply is not possible. We believe that to be a sensible precaution.

The hon. Members for South Down (Mr. McGrady), for Foyle (Mr. Hume) and for Newry and Armagh tabled amendments Nos. 323 to 325, which would reduce the threshold to two with a proviso that the quota mechanism be applied where it is practicable to do so when the number of vacancies is five or fewer. The Chief Constable would also be required to publish information on such appointments annually.

The issue was debated in Committee when I said that the Government were prepared to be flexible. We have looked at it again and I am persuaded that the figure can reasonably be reduced to six. However, although we have moved from a threshold of 10, I am not persuaded to reduce the figure to two. To reduce it further would virtually set aside the merit principle. Furthermore, at such a low level, the quota mechanism would produce a minimal impact on overall composition and in practical terms could prove impossible to apply when such small numbers are involved, particularly if an odd number of posts—three, for example—had to be filled. I hope that the amended threshold figure of six will be seen as a workable solution and I ask the House to accept our amendment on that basis.

As to the publication of religious monitoring and composition information, the police service will continue to adhere to the terms of the Fair Employment and Treatment (Northern Ireland) Order 1998 and guidance, as appropriate, from the Equality Commission. I do not believe that there is any need to put any of those issues into the legislation.

Government amendments Nos. 130 and 127 rectify technical defects. Amendment No. 130 would require the Secretary of State to consult the Policing Board, the Chief Constable, the Equality Commission and the police associations in making regulations for the recruitment function. The Bill already requires the Secretary of State to consult those bodies when making regulations in respect of the recruitment agent. It appears entirely sensible that they should also have the opportunity to comment on the detail of the recruitment function itself—for example, advertising of vacancies, testing of applicants and so on.

Amendment No. 127 would enable the recruitment agency, under clause 42, to recruit all officers and support staff appointed by the Chief Constable rather than only trainee officers at constable level. Senior officers and civilians are not covered because, of course, they are appointed by the board.

I ask the House to accept Government amendments Nos. 127, 130, 133 and 135 and to reject all other amendments. Given the time scale, we probably will not debate new clause 6 and I give the House notice that the Government do not intend to move amendment No. 197.

10.30 pm

Mr. Öpik: Taken together, new clauses 1 and 2 and amendments Nos. 53, 54 and 301 achieve the Government's objective, but they do so fairly. They give everyone in Northern Ireland a fair deal by attacking the problem of applications rather than dealing with recruitment at the end of the process, which is the wrong target. The Minister said that there are deep divisions in Northern Ireland. Our concern is that the Government proposals will make some of those divisions worse.

Look how far we have come, and how close we are to a new police service for Northern Ireland. The proposals are radical and ground-breaking, with some genuine human rights breakthroughs. We have had agreements, progress has been made and consensus has been reached between groupings that it was previously unthinkable could work together. We are offering a solution that achieves the strategy that the Government are trying to implement without introducing new discriminations in the process.

Are the Government so determined to do it their way, even if that goes against a sense of natural justice, contravenes European legislation—as it will do from 2002—and includes an element of positive discrimination, as the Secretary of State for Northern Ireland has said? That is not the sort of fairness we are seeking.

The Minister says that affirmative action would take 30 years, as if it is outside our control. It should be within our control, and we should take our responsibility seriously rather than making a prediction and introducing an unjust system instead.

I have tried to be nice to the Government, and I have tried to help. I even supported the guillotine motion, because it seemed like a good idea at the time, but perhaps not any longer. This is a matter of practice and a matter of principle. The Minister has created an alliance between the hon. Member for North Antrim (Rev. Ian Paisley), the right hon. Member for Upper Bann (Mr. Trimble), the hon. Member for Beaconsfield (Mr. Grieve) and me. It should seriously concern the Government that they have managed to bring the Democratic Unionists, the Ulster Unionists, the official Opposition and the Liberal Democrats together.

The Minister said that there has been much bombast and rhetoric in the debate. He is mistaken, because what bothers many hon. Members is a matter of principle.

Mr. Ingram: I asked hon. Members in presenting their amendments and justifying their arguments to tell me on which EU directive they based their case, and the hon. Gentleman has not done so.

Mr. Öpik: It is on a piece of paper that will come to hand in a moment. There is no doubt that this matter is being discussed by the European Parliament. The proposals relate to a Council directive establishing a general framework for equal treatment in employment and occupation and the proposal for a Council directive implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. I shall write to the Minister to give him a fuller reply.

The Government have done so well with the Bill, and they have listened, but this is the tough test. This is how the Government can prove that they are serious about working consensually towards a better Northern Ireland police service. The package on offer in the amendments and new clauses is proactive, sound and logical and takes into account discrimination not just against Catholics but against all the other minorities who are not properly represented in the Northern Ireland police force. It is not about cooking the quotas; it is about opening the doors to all those unrepresented groups in Northern Irish police life.

My challenge to the Minister is to open the doors rather than slam them in other people's faces while trying to cure an injustice. My challenge to the House is for once genuinely to understand that this principle is all-pervading.

Question put, That the clause be read a Second time:—

The House divided: Ayes 182, Noes 307.

Division No. 256] **[10.35 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Breed, Colin
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies
(NE Fife)
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth
(Rushcliffe)
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Ewing, Mrs Margaret
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Nigel *(Cheltenham)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkbride, Miss Julie
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
McCartney, Robert *(N Down)*
MacGregor, Rt Hon John
McIntosh, Miss Anne
MacKay, Rt Hon Andrew
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Maginnis, Ken
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Morgan, Alasdair *(Galloway)*
Moss, Malcolm
Norman, Archie
O'Brien, Stephen *(Eddisbury)*

Öpik, Lembit
Ottaway, Richard
Paice, James
Paisley, Rev Ian
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swinney, John
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Thompson, William
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Trimble, Rt Hon David
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Welsh, Andrew
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Sir Robert Smith and
Mr. Peter Atkinson.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Butler, Mrs Christine
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Fisher, Mark
Fitzsimons, Mrs Lorna
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Humble, Mrs Joan
Hume, John
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mallon, Seamus
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*

Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Reed, Andrew *(Loughborough)*
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sarwar, Mohammad
Sawford, Phil
Shaw, Jonathan
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Winnick, David
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. Kevin Hughes and
Mr. Robert Ainsworth.

Question accordingly negatived.

It being more than six hours after the commencement of proceedings on the allocation of time motion, MR. DEPUTY SPEAKER, *pursuant to Order [this day], then proceeded to put forthwith the Question necessary for the disposal of the business to be concluded at that hour.*

Mr. Deputy Speaker (Mr. Michael Lord): With the leave of the House, I will put together amendment No. 44, the remaining Government amendments with the exception of Nos. 197, 212 and 299, and Government new schedule 1.

Question put, That the amendments be made:—

The House divided: Ayes 331, Noes 8.

Division No. 257] **[10.51 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Campbell, Mrs Anne *(C'bridge)*
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Ewing, Mrs Margaret
Fearn, Ronnie
Fisher, Mark
Fitzsimons, Mrs Lorna
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gidley, Sandra
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jones, Nigel *(Cheltenham)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob

Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Rendel, David
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Sawford, Phil
Shaw, Jonathan
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tyler, Paul
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Winnick, David
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Mike Hall and
Mr. David Jamieson.

NOES

Beggs, Roy
McCartney, Robert *(N Down)*
Maginnis, Ken
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Thompson, William
Trimble, Rt Hon David
Winterton, Nicholas *(Macclesfield)*

Tellers for the Noes:
Rev. Ian Paisley and
Mr. Jeffrey Donaldson.

Question accordingly agreed to.

Order for Third Reading read.

11.2 pm

The Secretary of State for Northern Ireland (Mr. Peter Mandelson): I beg to move, That the Bill be now read the Third time.

The Patten report speaks to a very different Northern Ireland from that which we have known in the past. The Good Friday agreement provided the basis for ending 30 years of conflict in Northern Ireland and the days when the pillars of the state in Northern Ireland failed to represent the society that those pillars served. Chief among them, in nationalist eyes, was the Royal Ulster Constabulary—the police service in Northern Ireland.

Like the Good Friday agreement that spawned it, the report of the Patten commission promised nothing less than a new beginning. It promised a modern, civic police service rooted in all parts of the community, drawing strength and legitimacy from all parts of the community. With this Bill, our task is to bring the vision of the Patten report to life—to reality—and to draw a line under recent history, but not to forget, and certainly not to disown, that history.

Three hundred and two officers of the RUC have lost their lives. Thousands more have been injured. Families and friends suffered bereavement. I know from my meetings, contacts and encounters with those friends and families how the terrible pain of that bereavement continues in the lives of those people—mothers, wives, offspring.

The courage of the RUC in the face of such sacrifice was immense; I think that the whole House will want to salute it. The professionalism of RUC officers was extraordinary, and we respect it. It is for that reason that, in the Bill, we will create the Royal Ulster Constabulary George Cross Foundation. That will mean that the name of the RUC, its proud history and record will live on in perpetuity and will be for ever honoured.

Over the last few weeks, and particularly over the last five days or so, in Drumcree and across Northern Ireland, in the face of bottles, bomb blasts, blast bombs, and acid squirted in the faces of RUC officers, we have seen that professionalism again and again and again, night in and night out, as hoodlums—thugs—have hijacked what I regard as legitimate protest. I believe that we will all want to pay tribute to the RUC for bearing the enormous brunt of that violence over the last week.

The RUC has paid a price in more than one way. Its members have certainly paid a price with their lives but, over the past 30 years, the fact that the RUC has been the bulwark against a brutal terrorist campaign has led to its being identified more with one side of the community than with the other. That identification may not be deserved—it has certainly not been sought—but that is the perception of a substantial section of the community, and it is a perception that, in the Bill, we are addressing and seeking to correct.

The Patten commission's starting point was that the police service must respect the values and reflect the pluralism of Northern Ireland's society as a whole, not just a majority of that society but the whole of it. The police service must enjoy widespread support from, and must be seen as an integral part of, the community as a whole. It must do that if it is to be an effective police service. That is very hard when there is a 9:1 religious imbalance in the composition of the police.

The hard reality of policing in Northern Ireland, and the reason why policing was remitted to the Patten commission in the first place, is that, while 80 per cent. of Protestants are content with policing, less than 50 per cent. of Catholics are satisfied. That is shown in a number of opinion surveys. Eighty-eight per cent. of the police are from one section of the community, in spite of the efforts of the Chief Constable and the Police Authority to achieve a more balanced service. Those efforts have been great and they have been sustained, but they have not been successful.

Of course, intimidation by the IRA has been a factor in preventing Catholics, and discouraging nationalists, from joining the RUC; but it is only one factor. Lack of community support and of identity with the Royal Ulster Constabulary, fear that they would lose contact with family and with friends, fear that they would have to submerge their Catholic identity or nationalist politics if they were to join the RUC, and fear of harassment in their community or within the RUC—all these have played a part.

I did not simply take the Patten report at face value. I looked behind it. I looked into it. I talked to people right across the community, and made my own judgments about what was right and what needed to be done. I was persuaded that radical changes were needed to redress that extreme religious imbalance that has resulted in the RUC's being unrepresentative of the community as a whole, and therefore all the less effective as a police service as a consequence.

The radical changes that needed to be made included changing the name. That is a difficult decision, and it is a painful decision for people right across the RUC family. Indeed, it was a painful decision for me, and one that I would not have taken if I did not believe that it was essential to the new beginning that Patten envisages. If I had felt that we could have gone ahead and created a new start, and created a new beginning for policing without changing the name, I most certainly would have done that.

I am also persuaded that widespread support means not alienating the Protestant and Unionist traditions in the community. Yes, they must accept change and, in this case, radical change, but we must be sensitive to the fears and concerns of all in the community of both traditions. Change must be built on consensus wherever we can achieve it. That is an important principle to apply to the implementation of Patten. Wherever it is possible to secure agreement and consensus, draw the traditions together and put them behind the changes that we want to see, we should strenuously seek to do so and we should not give up easily when at first we do not succeed.

Patten was clear that the RUC was not being disbanded. That argument was made strenuously by some in Northern Ireland, and it was rejected. Patten was also clear that the link between the RUC and the new police service must be recognised. It is in his report. For that reason, because I want to ease the transition in the best way that I can, because I want to build as wide a consensus for change as possible and because I want to address the fears and concerns of both traditions and people across the community, we have accepted a description moved in Committee by the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis) which incorporates the Royal Ulster Constabulary, in effect, in the title deeds of the new service.

The Royal Ulster Constabulary, as Patten himself recommended—he wanted that link established between the RUC and the new police service—is being carried forward. The body of constables known as the RUC will form part of the Police Service of Northern Ireland and it will be incorporated in the new police service. At the same time, we have introduced a new name—the Police Service of Northern Ireland. We did that, having accepted the amendment tabled by the hon. Gentleman. The name "Police Service of Northern Ireland" will be used for all operational and working purposes, wherever and in whatever circumstances when the police interface with the public.

It is critical that we strike the right balance throughout in the way in which we carry forward the changes. People across the community must know and respect the officers in the new service. Both sides must feel that the service genuinely reflects their values, needs and traditions. They must emphatically not feel that, by joining the service, let alone supporting it, they are in some way betraying members of their tradition and their side of the community in Northern Ireland.

Ultimately, what the police do—how representative they are; how they are trained and equipped—matters more than what they are called. The Government are determined to ensure that the police have the necessary resources and capabilities to protect the community and uphold law and order.

Hon. Members have referred to what they sometimes call the mafia society in Northern Ireland. It is certainly a society that carries the legacy of 30 years of conflict and the operation, persistence, and contamination of paramilitary organisations. Under the new political dispensation, we have the opportunity for society as a whole and its policing service to unite in standing up to, and facing down, each and every one of those paramilitary organisations. If we do not, we will never succeed in creating the decent, civic society in Northern Ireland to which we all aspire.

The Government are determined, therefore, that the policing service that is being created is not simply rebadged or renamed, but is a truly effective, capable policing service. It is true that, in a sense, the Patten report was an important part of conflict resolution in Northern Ireland—quite rightly. That is why it was spawned by the Good Friday agreement.

[Mr. Peter Mandelson]

Equally, what the Patten report and its implementation must be about is, above all, efficient and effective policing, to cope with the threat and the dangers that persist in Northern Ireland. In some cases, some interpretation of the Patten report has been needed. Patten did not give a detailed blueprint for everything. In some cases, also, we have been able to move forward and implement Patten without legislation; not every change, alteration, modification, needs to be provided for in law.

Indeed, Patten himself did not contend that his report spelled out every particular, and in parts he deliberately avoided being too prescriptive on the detail, so as to allow other voices to be heard. Those other voices have been heard since the report was published, and they will continue to be heard as we proceed along the path of its implementation.

So when we introduced the Bill on 16 May, we acknowledged that it would need some changes and adjustments. I never said at the time that the Bill was the last word. It was the first stab—I happen to think that it was a good, honourable and faithful stab—at implementing the Patten report. It does not deserve some of the descriptions made of it, in many cases—not all—for straightforward ulterior political purposes by some individuals in Northern Ireland who never had, and never will have, any intention of supporting the police, reformed, renamed, rebadged or otherwise.

I have listened to constructive comments on the Bill and have made, and shall continue to make, where the argument is persuasive, necessary changes to meet legitimate concerns. Indeed, on a number of points, as will be known to hon. Members who followed the Bill's progress through its Committee stage, we have acted: in relation to the Policing Board, its objectives, its planning, the code of ethics and other codes of behaviour and operation, and on reports and inquiries by the board. I have shifted the balance since the Bill was published to reflect concerns that there were too many safeguards. I think that I struck the balance in the wrong place. There were too many limitations. I have listened and I have moved.

The wording of the oath is now more in line with Patten, and all serving officers are required to understand the new oath and the need to carry out their duties in accordance with it. Those who made that case were right, and we have moved to accommodate their view. We have also removed the 10-year cut-off for 50:50 recruitment. I, my right hon. Friend the Minister of State and my hon. Friend the Under-Secretary have been, and remain, open to argument, to further debate and change, which no doubt will take place as the Bill leaves this House and moves on to the other place. That is because I recognise the historic importance of this opportunity and of this legislation that we have been considering in Committee and again today.

This is perhaps the best chance that we shall have to create an outstanding modern police service, one that will be a model of its kind for the rest of the world to emulate, and to allow the police to change and develop in a way that they have wanted for years. The RUC did not want to be trapped in the identity, the character, of a security force. The RUC members and officers themselves, led by an able and outstanding Chief Constable, wanted to evolve into a community-based partnership policing service as circumstances and conditions allowed, to make the transition from an anti-terrorist security force to a community-focused and community-based police service; in other words, a new police service for a new political dispensation, a new society, that is emerging, with difficulty, in Northern Ireland. That is Patten's vision and I believe that the Bill is entirely faithful to it. It is a full, honourable and faithful implementation of every part of Patten's recommendations. That is why I commend it to the House.

11.20 pm

Mr. MacKay: When I opposed the guillotine motion a few hours ago, I described this as a sad day for Parliament and a sad day for Northern Ireland. I deeply regret that everything that I said has been borne out in the course of the debate.

We have managed to debate only three groups of amendments, and seven groups were not debated at all. On the first significant group of amendments that was debated—it was on the Policing Board and district policing partnerships—no votes were taken on important amendments moved by myself, my colleagues and the Ulster Unionists because we did not reach them on the amendment paper. That is not a proper way to scrutinise a Bill.

The guillotine motion was debated briskly by everyone who took part in the debate on it.

Shona McIsaac (Cleethorpes): It took two hours.

Mr. MacKay: The hon. Lady, who was not present for one moment of the debate—[HON. MEMBERS: "Apologise."] She was not present, and I have no intention of apologising. She says that the debate on the guillotine motion took two hours. It took marginally less than that, but the truth is that many Members wished legitimately to express their concern that a Bill that had moved briskly through Committee in 11 sittings was being guillotined. They legitimately said that there was not sufficient opportunity in the guillotine motion to debate the legitimate amendments that were on the amendment paper in the names of right hon. and hon. Members from a variety of parties on both sides of the House. We have been proved right, because only three of the seven groups of amendments were discussed.

Mr. Jim Dowd (Lord Commissioner to the Treasury): I wonder why.

Mr. MacKay: The Northern Ireland Whip says that he wonders why. I shall do my best to answer him by returning to the point that I was making when I was interrupted by a sedentary intervention from the hon. Member for Cleethorpes (Shona McIsaac).

Debate on the guillotine motion proceeded briskly with each Member speaking briefly. We then moved on to the first group of the amendments on what you, Mr. Deputy Speaker, and the rest of the House will agree are serious issues, such as who should sit on the Policing Board and on the partnerships. Rightly, the Minister of State nods his agreement. In that debate, everyone spoke briefly with one exception—the Minister took 51 minutes to reply. *[Interruption.]* I do not object to the fact that he took 51 minutes to reply, but there were relatively few interventions.

The Minister took 51 minutes to respond—I respect him for doing so—because many amendments had been debated. He had to respond to the hon. Member for Hayes and Harlington (Mr. McDonnell) who, with the hon. Member for Islington, North (Mr. Corbyn), had tabled a significant number of amendments about which they feel strongly. The Minister had to respond to the amendments that I spoke to on behalf of the official Opposition and to those that were spoken to by the hon. Member for Fermanagh and South Tyrone (Mr. Maginnis). The Minister also responded to significant interventions from other Members representing constituencies in Northern Ireland.—*[Interruption.]* There is no point in the Secretary of State tapping his watch: this is not our timetable, it is his. The Minister of State took 51 minutes to respond because significant issues had been raised and he was doing his best to reply properly. That illustrates why more time was necessary for debate on Report.

Mr. McDonnell: The right hon. Gentleman has missed the historic moment of today's events in that this is the first time that I have moved an amendment that has been accepted by the Government.

Mr. MacKay: It would be remiss of me not to congratulate the hon. Gentleman on that because I know that his colleagues on the Treasury Bench do not often accept his amendments. Indeed, I suspect that this might be a unique occasion.

We had a response to only three groups of amendments, and the deeply significant amendments in the fourth group concerned the name of the RUC. I noted that the Secretary of State, in what were, by and large, sensitive and thoughtful remarks on Third Reading, spent most of his time discussing the name, and I suspect that that was the speech that he would have liked to have made in speaking to his amendments, which he was not able to do because of the guillotine motion moved by his Minister of State.

The trouble is that the Secretary of State said many things about the name—many of which I agree with and some of which he knows, from the amendments in my name, I do not agree with—but no Member is now able to discuss the name or the amendments relating to it. The guillotine chopped off all the remaining amendments, and there has been no discussion of them whatsoever.

When the other place receives the Bill, it will wish to scrutinise it in great detail, not least because this House has been unable to do so. That is a great pity, because if we had been given two days for Report and Third Reading, which legislation of this significance deserves, the Bill would have gone to the other place having been fully debated. I do not particularly blame the Secretary of State because he is not one of the business managers. I blame the business managers because they have completely lost control of Parliament. They are trying to thrust far too many Bills through the House in this Session and there cannot, therefore, be proper consideration of serious Bills such as this.

This has been a very sad day for Parliament and a very sad day for Northern Ireland. I hope that the other place will be able properly to debate amendments that we were unable to debate. *[Interruption.]* I think that the Parliamentary Private Secretary, the hon. Member for Sheffield, Hillsborough (Helen Jackson), is saying that I do not mean that.

Helen Jackson (Sheffield, Hillsborough) *indicated dissent.*

Mr. MacKay: I could not quite hear what the hon. Lady said, relatively loudly, from a sedentary position, but I will be happy to let her intervene. She does not want to intervene. Clearly the remark was not worth your attention, Mr. Deputy Speaker.

This has been a sad day and it is important that the other place properly debates the Bill and votes on it. Many Labour Members, particularly from the new intake, have not been present during most of the proceedings. The hon. Member for Luton, South (Ms Moran), who takes an interest in Northern Ireland matters from time to time, did not turn up once during the earlier debates, but has been chattering away from a sedentary position. She seems to think that debate is wrong and rubber-stamping is right. One day she might learn otherwise, although I suspect that she will not because I doubt that she will be a Member of the next Parliament.

It is important that the other place takes careful note of what has happened tonight and of the lack of debate and votes. I look forward to returning to these deliberations when we eventually consider Lords amendments well into the autumn.

11.29 pm

Mr. Mallon: I have sat in this House for about 16 years—right through Thatcherism, Majorism and that type of approach that ignored the political position of a very substantial section of the community in the north of Ireland. Tonight, I have heard that approach repeated. Tonight, I have heard the type of Majorism, Thatcherism and the ignoring of a position of people in the north of Ireland in a way that I never believed I would hear from these Benches. So be it.

Hearing such a speech is a matter of regret to me and to my party, because I and my colleagues know what its effect will be. I do not have to tell the House what the effect will be—the House knows—but it will come about because the Secretary of State will not persuade people to join the police service. He is not able to. I can tell him that, after tonight, he stands very little chance. The right hon. Member for Bracknell (Mr. MacKay) will not be able to persuade people to join the new police service—not through any defect in himself, but because of the points that were made previously this evening.

Let us put the issue into context, in the sense that the Secretary of State focused on the change of name. Perhaps right hon. and hon. Members are not aware that the clause before us on the name of the new police service is draft No. 3. Draft No. 1 was ditched after Hillsborough. The Government's first draft was in accord absolutely and

[Mr. Mallon]

totally with the new clause that I and my colleagues tabled in Committee. The Government voted against a new clause on the new name that they had themselves written. That is on record for anyone to read.

Draft No. 2 represented the Government's adoption of a Unionist motion, which I gravely suspect the Government also wrote a considerable time ago when the Hillsborough virus first set in. At least they tried to amend it with amendment No. 197, which they withdrew with inordinate haste tonight. The clause before us is mark 3 of the Government's statement on the name of the new police service. That would be a serious business in any piece of legislation, but it is much more serious in this one.

I shall briefly—I know that I have to be brief—refer to some of the allegations and accusations that have been made across the Floor tonight. I simply remind the House who Chris Patten was. He was not a Catholic nationalist from Northern Ireland; he was chairman of the Conservative party, a Cabinet Minister, a Minister in the Northern Ireland Office, a European Union Commissioner and the Governor of Hong Kong. What did he say about the very essence of the matter—the joining of the police service? He said:

> if you are going to get a police service which young Catholics as well as young Protestants . . . are going to join, then it can't be identified with the central political argument in Northern Ireland and it is as simple as that.

Those are not my words, but Chris Patten's. Yet the very basis upon which the Government propose to implement the Bill is a Unionist amendment.

I have my own views about the use of the terms "Catholics" and "Protestants" in relation to the Bill and the issue. I happen to believe that people are people, not religious tags. I referred to Chris Patten and who he is because I want to avoid that.

I believe that what has happened in the House tonight has done irreparable damage to the prospect of a new policing dispensation.

Mr. Tony McWalter (Hemel Hempstead): Will the hon. Gentleman give way?

Mr. Mallon: I do not have time to give way. In fairness, I have been sitting in the Chamber since 4.30 pm, waiting to make a contribution.

In an earlier intervention, I asked the hon. Member for Beaconsfield (Mr. Grieve) who he would regard as the primary authority on what Catholics might do—a small political party such as the SDLP or the Catholic Church, through a spokesman and its hierarchy. I admire the hon. Member for Beaconsfield. At least sometimes, most times, almost always, he is honest, if honestly wrong on many issues. I believe that with regard to the terms in which Patten's comments are couched and also the objective of the Bill, we should consider what the Catholic Church has said through a spokesman, Father Tim Bartlett. It is on record, and I know that it represents the view of the Catholic hierarchy—*[Interruption.]* I will face any challenge on that.

I will amend the quote slightly, because I do not like being hurtful. Father Tim Bartlett stated:

> The failure—

I put in the words "of this Government"—

> to remain faithful to key elements of the Patten Report in the current Policing Bill and the willingness to subject a fundamental issue of civic justice—the right to representative policing—to the "spin and win" of politics, has provided one of the greatest obstacles to encouragement for young Catholics to have emerged in recent years.

Not my words, not a politically biased position, but the words of those who, with the SDLP, will have to try and ensure the involvement and the inclusion of the community that we represent in a new policing dispensation.

Why ignore those words? Why treat them as though they were never said? Why treat the issue as something that is clever in Westminster terms, but irrelevant in terms of persuading a divided community to be part of a policing dispensation?

I referred to the Hillsborough virus. It is a matter of record that the first clause of the Bill was exactly what we presented as a new clause in Committee. All of a sudden, when it looked as though decommissioning had at least begun to be resolved, what appeared on the table? Patten. No sooner was it on the table—within 10 minutes of acquiescence in the position on decommissioning—there was an immediate movement by the Government. What they had written was no longer relevant. What they had written was torn up. The Secretary of State shakes his head.

Mr. Mandelson: I am sad.

Mr. Mallon: So am I. As I said at the beginning, I have seen much political chicanery on the issue. This is the third time that the Secretary of State has made deals, and on the name of the new police service—

It being seven hours after the commencement of proceedings on the allocation of time motion, MR. DEPUTY SPEAKER, *pursuant to Order [this day], put forthwith the Question already proposed from the Chair.*

Question put, That the Bill be read the Third time:—

The House proceeded to a Division.

Mr. Tom King (Bridgwater): On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Is the right hon. Gentleman's point of order to do with the Division?

Mr. King: Yes. Three hon. Members spoke on Third Reading on a hugely sensitive and important issue. The Secretary of State is in his place. He acknowledged in his speech the sensitivity of the issue. He also recognised, as did other hon. Members, that it has been impossible to comment on several important issues. We are currently holding a vote, but something will have to be done, or the people of Northern Ireland will not feel that the serious subject of our discussion has received the attention from this Parliament that it deserves.

Mr. Deputy Speaker: I hear that point of order, but the right hon. Gentleman must appreciate that our arrangements this evening were made under an Order that was agreed by the whole House.

The House having divided: Ayes 307, Noes 16.

Division No. 258] **[11.40 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burnett, John
Butler, Mrs Christine
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Corbett, Robin
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Fearn, Ronnie
Fisher, Mark
Fitzsimons, Mrs Lorna
Flynn, Paul
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Raynsford, Nick
Rendel, David
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*

Timms, Stephen
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Williams, Rt Hon Alan
(Swansea W)
Williams, Alan W *(E Carmarthen)*
Winnick, David
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Gerry Sutcliffe and
Mr. Kevin Hughes.

NOES

Body, Sir Richard
Cash, William
Donaldson, Jeffrey
Gill, Christopher
Gray, James
Hogg, Rt Hon Douglas
Howarth, Gerald *(Aldershot)*
Maginnis, Ken
Paisley, Rev Ian
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Ross, William *(E Lond'y)*
Swayne, Desmond
Townend, John
Trimble, Rt Hon David
Winterton, Nicholas *(Macclesfield)*

Tellers for the Noes:
Mr. Roy Beggs and
Mr. William Thompson.

Question accordingly agreed to.

Bill read the Third time, and passed.

DELEGATED LEGISLATION

Mr. Deputy Speaker (Mr. Michael Lord): With permission, I shall put together the motions relating to delegated legislation.

Hon. Members: Object.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

CONSTITUTIONAL LAW

That the draft National Assembly for Wales (Transfer of Functions) (Variation) Order 2000, which was laid before this House on 29th June, be approved.—*[Mr. Pope.]*

The House divided: Ayes 290, Noes 112.

Division No. 259] **[11.52 pm**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burnett, John
Butler, Mrs Christine
Campbell, Rt Hon Menzies
(NE Fife)
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Rt Hon Terry
(B'ham Hodge H)
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Fisher, Mark
Fitzsimons, Mrs Lorna
Flynn, Paul
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Ingram, Rt Hon Adam
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jone[illegible] Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Les[illegible] Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian

Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle
(B'ham Yardley)
Mountford, Kali
Mudie, George
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Rendel, David
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine
(Morecambe & Lunesdale)
Smith, John *(Glamorgan)*

Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Swinney, John
Taylor, Rt Hon Mrs Ann
(Dewsbury)
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Williams, Rt Hon Alan
(Swansea W)
Williams, Alan W *(E Carmarthen)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Gerry Sutcliffe and
Mr. Kevin Hughes.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Bruce, Ian *(S Dorset)*
Burns, Simon

Butterfill, John
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Clappison, James
Clarke, Rt Hon Kenneth
(Rushcliffe)
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan Smith, Iain

Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hawkins, Nick
Hayes, John
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Moss, Malcolm
Nicholls, Patrick
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard

Paice, James
Paisley, Rev Ian
Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ruffley, David
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Atkinson and
Mr. Stephen Day.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

CONSTITUTIONAL LAW

That the draft National Assembly for Wales (Transfer of Functions) (No. 2) Order 2000, which was laid before this House on 29th June, be approved.—*[Mr. McNulty.]*

The House divided: Ayes 293, Noes 109.

Division No. 260] **[12.5 am**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Bennett, Andrew F

Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burnett, John

Butler, Mrs Christine
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Fisher, Mark
Fitzsimons, Mrs Lorna
Flynn, Paul
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kennedy, Jane *(Wavertree)*
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mudie, George
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Rendel, David
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. Robert Ainsworth and
Mr. David Jamieson.

NOES

Arness, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Baldry, Tony
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard

Forth, Rt Hon Eric
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hawkins, Nick
Hayes, John
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Moss, Malcolm
Nicholls, Patrick
O'Brien, Stephen *(Eddisbury)*
Paice, James
Paisley, Rev Ian

Prior, David
Randall, John
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid-Norfolk)*
Soames, Nicholas
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Atkinson and
Mr. Stephen Day.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

ENVIRONMENTAL PROTECTION

That the draft Pollution Prevention and Control (England and Wales) Regulations 2000, which were laid before this House on 15th June, be approved.—*[Mr. McNulty.]*

The House divided: Ayes 279, Noes 109.

Division No. 261] **[12.18 am**

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel

Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burnett, John
Butler, Mrs Christine
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Chapman, Ben *(Wirral S)*
Chaytor, David

Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbyn, Jeremy
Corston, Jean
Cotter, Brian
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Fisher, Mark
Fitzsimons, Mrs Lorna
Flynn, Paul
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
George, Andrew *(St Ives)*
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen

Heppell, John
Hesford, Stephen
Hill, Keith
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kirkwood, Archy
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Livsey, Richard
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali

Mudie, George
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pendry, Tom
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Rendel, David
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. David Jamieson and
Mr. Robert Ainsworth.

NOES

Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brazier, Julian
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cran, James
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hawkins, Nick
Hayes, John
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Moss, Malcolm
Nicholls, Patrick
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paice, James
Paisley, Rev Ian
Prior, David
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Keith Simpson and
Mr. Peter Luff.

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

LOCAL GOVERNMENT FINANCE (ENGLAND)

That the Local Government Finance (England) Special Grant Report (No.63) on the Invest to Save Grant (HC 538), which was laid before this House on 28th June, be approved.—[*Mr. McNulty.*]

The House divided: Ayes 249, Noes 128.

Division No. 262] [12.31 am

AYES

Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Cov'try NE)*
Anderson, Janet *(Rossendale)*
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Butler, Mrs Christine
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbyn, Jeremy
Corston, Jean
Cousins, Jim

Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Fisher, Mark
Flynn, Paul
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hill, Keith
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Hutton, John
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mudie, George
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Sarwar, Mohammad
Sawford, Phil
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Welsh, Andrew
White, Brian
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. David Jamieson and
Mr. Mike Hall.

NOES

Arness, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Butterfill, John
Campbell, Rt Hon Menzies *(NE Fife)*
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Hawkins, Nick
Hayes, John
Heath, David *(Somerton & Frome)*
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Moss, Malcolm
Nicholls, Patrick
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paice, James
Paisley, Rev Ian

Prior, David
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. Peter Luff and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

Motion made and Question put forthwith, pursuant to Standing Order 118(6)(Standing Committees on Delegated Legislation)

EDUCATION

That the draft Education (School Government) (Terms of Reference) (England) Regulations 2000, which were laid before this House on 22nd June, be approved.—[*Mr. McNulty.*]

The House divided: Ayes 237, Noes 129.

Division No. 263] **[12.45 am**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainsworth, Robert *(Cov'try NE)*
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Barron, Kevin
Battle, John
Bayley, Hugh
Begg, Miss Anne
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Butler, Mrs Christine
Campbell–Savours, Dale
Cann, Jamie
Casale, Roger
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clelland, David
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbyn, Jeremy
Corston, Jean
Cousins, Jim
Cox, Tom
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Etherington, Bill
Fisher, Mark
Flynn, Paul
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
George, Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr Ian
Gilroy, Mrs Linda
Godman, Dr Norman A
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Heal, Mrs Sylvia
Healey, John
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Heppell, John
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan
Iddon, Dr Brian
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kidney, David
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Mountford, Kali
Mudie, George
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Purchase, Ken
Quinn, Lawrie
Rapson, Syd
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Sarwar, Mohammad
Sawford, Phil
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stringer, Graham
Sutcliffe, Gerry
Swinney, John
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, David *(NW Leics)*
Temple–Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul

Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Walley, Ms Joan
Ward, Ms Claire
Wareing, Robert N
Watts, David
Welsh, Andrew
White, Brian
Williams, Rt Hon Alan
(Swansea W)
Williams, Alan W *(E Carmarthen)*
Wood, Mike
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. David Jamieson and
Mr. Mike Hall.

NOES

Amess, David
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Beggs, Roy
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brazier, Julian
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Butterfill, John
Campbell, Rt Hon Menzies
(NE Fife)
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chope, Christopher
Clappison, James
Clarke, Rt Hon Kenneth
(Rushcliffe)
Collins, Tim
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Donaldson, Jeffrey
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gill, Christopher
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hammond, Philip
Hancock, Mike
Hawkins, Nick
Hayes, John
Heath, David *(Somerton & Frome)*
Hogg, Rt Hon Douglas
Horam, John
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Kirkwood, Archy
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Loughton, Tim
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Moss, Malcolm
Nicholls, Patrick
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paice, James
Paisley, Rev Ian
Prior, David
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion *(Broxbourne)*
Ross, William *(E Lond'y)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Sanders, Adrian
Shephard, Rt Hon Mrs Gillian
Simpson, Keith *(Mid–Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Young, Rt Hon Sir George

Tellers for the Noes:
Mrs. Eleanor Laing and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

DATA PROTECTION

Motion made,

That the Motion in the name of Mr. Secretary Straw relating to the salary of the Data Protection Registrar shall be treated as if it related to an instrument subject to the provisions of Standing Order No. 118 (Standing Committees on Delegated Legislation) in respect of which notice has been given that the instrument be approved.—*[Mr. McNulty.]*

Hon. Members: Object.

PETITION

United Christian Broadcasters

12.56 am

Mr. Jeffrey Donaldson (Lagan Valley): I am delighted to be able to present a petition on behalf of 1,167 residents of the Lagan valley and surrounding areas. The collection of signatures has been co-ordinated by Ruby Hutchinson on behalf of United Christian Broadcasters.

The petition states:

The Humble Petition of the Residents of Lagan Valley and surrounding areas sheweth

That United Christian Broadcasters and groups like it are banned by law from applying for many types of broadcasting licence. This applies to both television and radio, and relegates religious broadcasting to the very limited opportunities provided by local radio, satellite and cable broadcasting. The legislation entrenches a suspicion of religious groups that is unjustified and unfair, and it impugns the religious basis on which they are founded.

The Petition also addresses the broadcasting codes for television and radio, which again single out religious groups for special restrictions. It is not right that secular groups should have freedom of expression, which is denied to faith-based groups.

Wherefore your Petitioners pray that your honourable House will urge the Department for Culture, Media and Sport to bring forward proposals to amend the legislation to remove discrimination against the ownership of broadcasting licences by religious bodies, and to require the Independent Television Commission and the Radio Authority to amend their rules and codes of guidance to remove provisions that discriminate in wording or in practice against religious bodies.

And your Petitioners, as in duty bound, will ever pray.

To lie upon the Table.

Defence Evaluation and Research Agency

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. McNulty.]*

12.58 am

Sir Michael Spicer (West Worcestershire): Nowadays I always make it a practice to declare an interest as president of the Association of Electricity Producers, in case there is a read-across from defence to electricity. I also declare that the Defence Evaluation and Research Agency, Malvern is in my constituency. Although I do not intend to refer specifically to that establishment, it is fair to say that the Government's proposals have alarmed my constituents and made them unsure of their future. I do not want to make that case tonight, but I cannot resist reminding the Minister that only this Monday an exhibition opened in Malvern to celebrate its heritage as the home of radar, which was arguably the most important technical development of the second world war.

I am delighted that my hon. Friend the Member for Sevenoaks (Mr. Fallon), who represents DERA Fort Halstead, and my hon. Friend the Member for Aldershot (Mr. Howarth), who represents DERA headquarters at Farnborough, are present. I am also pleased to see such a heavy contingent of shadow Cabinet Ministers and deputy Ministers on our Front Bench.

An independent state has two primary functions: to protect its citizens from the threat of internal anarchy, through the rule of law, and to provide them with adequate defence from any threat of foreign or terrorist aggression. In circumstances in which adequate defence is as dependent as it is today on technological developments, it follows that the state must retain its capability to plan, evaluate and monitor the applications of defence technology and to satisfy the needs of its intelligence services. In other words, the state must have its own capability to know what is going on and what is coming up in defence technology. That is what DERA does.

For Britain, there is a particular dimension to the issue. British defence technology is entwined with and highly dependent on technical developments in the United States, even if the successful bilateral co-operation at governmental level with several other countries, notably France, is taken into account. The bond that has been built up between our defence scientists and those of the United States is at the core of Britain's high technology defence system. Britain is undoubtedly the net gainer in that relationship; that is the context in which the Government's proposals for the future of DERA, which were outlined in the consultation document published in April, should be viewed.

The essence of those proposals is that DERA should be split into two parts. The first, comprising some 3,000 people, would be known as retained DERA—or RDERA, to use one of the abbreviations that the military prefer—and kept in the public sector. The second, comprising some 9,000 staff, would be semi-privatised and known as new DERA, or NDERA.

The first problem arises because of the lack of clarity over how the split is to be made. Paragraph 13 of the consultation document, or CD, states:

> Work to define precisely the separation of the two organisations will not be complete until the autumn . . .

My information is that Ministry of Defence officials are finding it more difficult today to decide the criteria for separation than when the consultation paper was published, and it is easy to see why that should be so.

Leaving aside the possibility that elements of pure research or down-the-line development might be hived off to an independent establishment, the main functions of providing advice to the Government and, above all, collaborating with other countries at intergovernmental level, cannot be easily split. Indeed, one questions whether they can be split at all. For that reason, the suspicion grows that the Government, under the guise of phoney privatisation, really propose a cut of some 75 per cent. in the nation's defence evaluation and development capability. Apparently, the job that was done by 12,000 people can now be done just as easily by 3,000.

The consultation paper of course puts that very differently. It talks of new DERA, in new Labour speak, becoming

> a globally-branded technology-based knowledge provider in the new economy of the 21st century . . . a large player among the private or semi-private independent research and technology organisations around the world . . .

However, if it is to be a truly competitive "knowledge provider", why the need to retain a special share, why the continued MOD control, and why semi-privatise in a half-baked way that will merely distort the existing market for other independent so-called knowledge providers? Therein lies the second cause for confusion.

The Government have apparently given their American counterparts the assurance that new DERA will be a private sector organisation

> completely separate from retained DERA and without any favoured status . . .

By contrast, and totally at variance with that, Sir John Chisholm, DERA's chief executive, has assured members of his staff that the two organisations will be extremely close and will continue to share accommodation and possibly support facilities.

The question of how close the two new organisations will be to each other goes to the heart of the matter, not merely because of the economic impact that the semi-privatisation of DERA will have, but because of the enormous implications for how the proposal will be viewed in the United States. In answer to a question that I put to him on 3 July, the Secretary of State for Defence said:

> The hon. Gentleman refers to Anglo-American concerns; I assume that what he really means is anxieties in the United States. If he checks the situation carefully, he will find that the United States is content with the latest proposals, so that criticism does not arise.—[*Official Report*, 3 July 2000; Vol. 353, c. 6-7.]

The Secretary of State was either grossly misinformed on this matter or was being disingenuous. The fact is that there is widespread concern in the United States about the Government's muddled proposals for the future of DERA.

I first became aware of the seriousness of those concerns when I paid a visit to the Pentagon in Washington towards the end of last year. If the Chisholm version of what will happen comes about and the two

DERAs remain very close to each other, it is possible that the Americans will put a complete embargo on relations between British and US defence scientists. That will happen if the word spreads in United States defence circles that if people speak to scientists retained on the Ministry of Defence payroll they would, in the process, pass information to scientists competing for work in the private sector. Even if officials and politicians were prepared to swallow that, it is unimaginable that scientists working for US defence contractors would do so.

A scientist in a US naval laboratory has recently been quoted as saying:

> Unless technical co-operation programmes rules are changed drastically this split in DERA will certainly decrease the level of collaboration with the UK. Personally I think it will decrease it greatly. . . . I think there will have to be a general decrease in openness until it is seen that new DERA and retained DERA are indeed separate bodies. Until that happens there will be the fear that government to government information will go to the new DERA improperly. I think we will see a big loss in exchange of information between the US and the UK. And I think it is a shame because the work we have done together has been of great value to us.

The future of Britain's defence technical evaluation and collaborative capability is at stake. This is a serious matter, given the growing importance of high-technology defence. Under the cloak of spin, weasel words and pretended privatisation, the Government have, in effect, proposed a 9,000 personnel cut in the defence budget. They have completely failed to explain the benefits of these proposals to the defence of this country. I hope that they will do so tonight; it is certainly what the Select Committee on Defence has called for.

1.9 am

The Parliamentary Under-Secretary of State for Defence (Dr. Lewis Moonie): I congratulate the hon. Member for West Worcestershire (Sir M. Spicer) on his success in securing the debate, if not on his luck, given the late hour at which it is taking place.

I am probably uniquely well placed to reply to the debate, having represented my party on the Opposition Front Bench on the two most similar privatisations conducted by the last Conservative Government—the privatisation of the British Technology Group, and that of AEA Technology.

On 17 April, my right hon. Friend the Secretary of State for Defence announced the start of consultation on our revised proposals for the future of DERA. The formal consultation finished on 9 June, and we are currently examining the many useful and constructive responses received during the process. I emphasise that it was a genuine consultation. We are committed to listening to the views of our stakeholders, not least those of the hon. Gentleman's constituents who work at DERA. I am sure he will recognise the importance of carrying out the process properly, and will agree that we should take time to consider carefully the issues that have been raised.

However, we recognise that uncertainty over the future is potentially unsettling for DERA's staff. We intend to move as quickly as we can. We expect to complete our analysis of the responses to consultation within the next week or so, and we hope to be in a position to make an announcement soon after that.

Our intention to seek a public-private partnership as the way forward for DERA was first announced in the strategic defence review. We believe that the opportunities presented by that approach will offer a significant boost both to defence research and to science and technology organisations across the United Kingdom. No one in the Ministry of Defence underestimates the range and complexity of the issues that must be addressed if we are to achieve our objectives of unlocking the expertise that exists within DERA, and of maximising commercial exploitation of Government-funded research.

DERA provides a key capability in the United Kingdom, and we are determined to ensure a successful future for the organisation. That is why we have spent the last two and a half years examining the range of options that are available. As I have said, one of the reasons why it has taken so long is the complexity of the subject. There is a wide range of stakeholders, all with specific and often differing views and interests. In the face of such complexity, it is important that we fully explore the key issues. We must get them right if we are to ensure a successful future for the organisation.

Let me turn now to why we have chosen the public-private partnership as the way forward for DERA. The pace at which new innovations in technology are identified and applied is increasing rapidly, both in government and in industry. The civil sector is investing increasingly in areas of research that are also relevant to defence, and we need to find new ways to take advantage of that. Scientific expertise in areas that used to be largely the preserve of the public sector has now spread across government, industry and academia. We need to be more agile and innovative in creating partnerships that allow access to the best technology, wherever it may be.

DERA itself was created as a result of significant changes, which included the need to respond to new demands from its customers following the end of the cold war. Its management and staff can be justly proud of their achievements since the agency was formed. However, if DERA is to continue to thrive, it must be capable of responding to the environment in which it will have to operate over the coming decades. That includes the need to face challenges resulting from wider changes in the procurement of military equipment, including those resulting from the Government's strategic defence review.

DERA's direct funding from the Ministry of Defence—about half being from research—has declined significantly over the last 10 years. That is not because we do not rate highly the value of the science and technology that DERA produces. It largely reflects the transfer of risk in procurement from Government to prime contractors.

Even if unlimited money were available, the way in which to address the impact of the decline in DERA funding would not be simply to call for extra spending. That would ignore the other external challenges facing DERA. The answer is to find a way of allowing DERA to exploit its treasure trove of knowledge and ideas to the benefit of a wider market than its traditional defence customers. That idea is not only good for DERA; it is good for the MOD. It ensures that DERA becomes fully involved in the wider defence science and technology base, and so brings a broader expertise to its core customers' problems. It is also good for the United Kingdom as a whole, because it means that DERA will be able to make a growing contribution to the country's economic activity.

[Dr. Lewis Moonie]

Initially, we believed that it would be possible to place the bulk of DERA in the private sector operating as a plc, but constrained to ensure that the UK's and our international partners' security interests were properly protected. Following extensive and, as I hope the hon. Gentleman will accept, genuine consultation on the proposal last summer, it became apparent that there was strong disquiet among a number of stakeholders, not least our international allies.

We looked at two possible ways around that problem. The first involved setting up virtually the whole of DERA as an independent publicly owned corporation—IPOC for short; in the MOD, we are very fond of abbreviations—with Government remaining as the majority owner. The second approach would see about three quarters of DERA's staff extracted to form a company that would transfer to the private sector with a core group of staff retained within the MOD for strategic reasons.

We conclude that the first option would simply not work. Although DERA would remain in the public sector, its staff would no longer be civil servants and would be working in a company with obligations to external shareholders. That would give insufficient protection to the MOD in terms of sensitive programmes, collaboration with foreign laboratories, and in those areas requiring the highest level of impartiality.

Other stakeholder concerns about the need for a clear relationship between DERA and the MOD were less well met by that option, and stakeholders felt that a much cleaner separation between the two organisations was required. In particular, international partners, from whom the MOD derives considerable benefit, expressed concerns about their ability to continue the full range of collaborations if that approach were adopted.

We examined an alternative approach, which would have created an IPOC in which employees were the main shareholders. However, that offered little benefit over the current trading fund. We have, therefore, concentrated on finding a workable solution that will allow us to retain in the MOD the most sensitive areas of activity from DERA. That will allow those elements of work that do not need to be within government to be transformed into a company in the private sector in a way that ensures their continuation as a prosperous, growing force for national economic good.

Based on that analysis, we have identified a preferred approach known as "core competence". That would lead to a clear separation of the two parts of DERA. The element to be retained in the MOD would include the chemical and biological defence sector at Porton Down and the majority of the Centre For Defence Analysis, as well as a number of teams and individuals involved in either sensitive projects or top-level systems research. Final decisions have not yet been made, but we expect the number of staff within the retained elements to be fewer than 3,000.

The elements retained in the MOD would provide a high-level overview across the whole spectrum of science and technology currently addressed by DERA. That would ensure that the MOD had an impartial source of advice and system research capability to provide high-level assessment, integration and management of its research programme and international research collaboration. That capability would be focused on those activities that must be carried out within government.

The remainder of DERA, about 9,000 staff, would continue to be a major supplier of science and technology to the MOD, but have the necessary commercial freedoms to develop its business for a wider range of customers, in the defence and civil areas. Indeed, we would expect that organisation, which has been referred to as new DERA in the consultation document, to become a globally branded, technology-based knowledge provider in the new economy of the 21st century. That vision is based on the synergy that would exist between its core research and technology work for the MOD and the exploitation of that technology into broader markets.

The nature of the relationship between new DERA and the rest of the MOD, including the retained element of the current DERA, has been the subject of much ill informed and potentially damaging speculation. Our proposals in the consultation document explicitly state that new DERA would be a private sector organisation with a clear separation from the MOD.

Although the MOD might initially retain a financial stake in new DERA, the sole purpose of that would be to ensure that the taxpayer obtained a share of any immediate benefit resulting from new DERA's additional freedoms in the private sector. Our aim would be to sell the MOD's stake as soon as it is financially sensible to do so.

We fully recognise that new DERA will be a critical supplier to the MOD. It will contain many capabilities and facilities of great importance to its defence customers, and it is likely to continue to be our largest source of scientific and technical advice into the foreseeable future. However, that does not imply that the relationship between MOD and new DERA will, in principle, need to be different from that which exists with other private sector organisations.

Stakeholders, particularly industry and our collaborative partners, have indicated strongly that they want to be clear whether the people with whom they deal are in the private sector or the public sector. It is also clear that there would be a fundamental contradiction between allowing new DERA the commercial freedoms necessary to operate successfully in the private sector and, at the same time, allowing it to have a privileged relationship with the MOD.

The realisation of that vision for new DERA is dependent to some extent on how it is placed in the private sector. The most sensitive activities are to be retained by the MOD, which will allow us to minimise the constraints under which new DERA can operate. That will, in turn, create an environment that permits the fullest exploitation of its potential.

New DERA will still have broadly the same range of capabilities and skills as at present. Consequently, we are able first of all to contemplate its incorporation as a plc. That could be followed fairly swiftly by a flotation, as soon as DERA had reached a suitable stage of development, possibly in 2001.

Sir Michael Spicer: The Minister mentioned the special share, which he said would be only a temporary measure to ensure that finances were properly sorted out and that any benefits went to the taxpayer. However, the special share is given much greater emphasis in the consultation document than the Minister implied. The document states:

> MOD would, through its special share, retain the right to approve Directors on security grounds . . . .
>
> Through the special share, Mod would retain the right to revert certain, named strategic assets to public ownership under exceptional circumstance.

The document details a whole list of considerations that have nothing to do with the innocent explanations given today by the Minister, but everything to do with keeping DERA in the semi-public sector—which will create not only distortions, but great concerns for our United States allies. I hope that he will deal with that matter, which was a very important aspect of my speech.

Dr. Moonie: The hon. Gentleman makes a perfectly fair point. As the previous Government—and I, as an Opposition Front Bencher—learned very well in the other privatisations, special shares are difficult to operate in practice. Particularly in the case of AEA Technology, however, special shares operated perfectly adequately. Special shares are intended to be a means of facilitating the transition from the public sector to the private sector, to give the organisation time to bed in and to ensure that the Government's interests are properly protected. I am quite happy to examine the issue that he has raised and to write to him more fully—whereupon I hope that I shall be able fully to alleviate his concerns.

Special shares have to be constructed quite carefully, but I see no difficulty in doing that. That has been done very frequently in the past, although, I accept, with varying success. In the best circumstances, and certainly in the short term, special shares have worked very well in protecting the Government's interests.

There has also certainly been debate in Europe on the validity of special shares. I can tell the hon. Gentleman that discussions have already been held with the European Commission on the special share, and that there has been no indication that they are regarded as unacceptable. Although we would obviously explore the issues in more detail following any decision by Ministers, the provision of such shares has been effectively enforced in the past. Quite honestly, I think that they could be enforced perfectly adequately for new DERA.

I accept that the hon. Gentleman is concerned about the matter, but I think that his concerns are unfounded, and that there has been adequate experience in the operation of special shares to allow us to do it adequately in this case.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): What would happen once the assets were transferred to new DERA? Recently, at the DERA establishment at West Freugh, in Wigtownshire, live cluster bombs were dropped in Luce bay. I believe that the West Freugh establishment is destined to be transferred to new DERA. Once DERA is transferred to the private sector, who would undertake the continuing responsibility for looking after ordnance that has been dropped and will be cemented in Luce bay?

Dr. Moonie: That is a good point. The matter is part of my responsibilities but, frankly, I cannot give the hon. Gentleman an adequate answer at present. I will be happy to write to him to explain the position more fully. It would be improper of me to give him an off-the-cuff answer that might well be, at best, a half truth. I will certainly look into the matter and write to him about it.

In conclusion, as the time is marching on, the proposals put forward in April represent an imaginative way ahead.

Sir Michael Spicer: I am sorry, but I must press the Minister on relations with America. Do these proposals meet with the approval of the Americans? That is central to the issue that I was trying to raise.

Dr. Moonie: The hon. Gentleman is right. As far as the Ministry of Defence is aware, our proposals meet the concerns of our partners. They have been discussed with them—that includes the United States.

The MOD will be able to form effective partnerships in the future, to draw on the best scientific capability from the public sector, the private sector, academic interests and our international allies. New DERA, along with the rest of industry, will be a key part of those partnerships, but it will also provide wider benefits to the United Kingdom by spinning out new technology to be exploited commercially and to contribute to wealth creation in the UK. Those partnerships offer the best way forward for the organisation, they give us the best of both worlds and I certainly think that they will be a success.

Sir Michael Spicer: The Minister must give some evidence about the American relationship. All the evidence that I have produced and that has come through from America—both anecdotally and from people coming back from DERA—shows that at desk level there is serious concern about the massively important issue of co-operation on technology and about scientists getting together. The Government cannot blandly state that the Americans are happy. The Minister must give some further indication—some evidence.

Dr. Moonie: It is not normal for a Minister to have to give an assurance that the information that he is giving is truthful. On this occasion, that is exactly what I am saying. If the hon. Gentleman wishes me to reply more fully, I will do so, but I do not have time tonight.

Question put and agreed to.

Adjourned accordingly at twenty-seven minutes past One o'clock.

House of Commons

Wednesday 12 July 2000

The House met at half-past Two o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

CITY OF LONDON (WARD ELECTIONS) BILL *(BY ORDER)*
Order for further consideration, as amended, read.
To be further considered on Wednesday 19 July.

Oral Answers to Questions

CABINET OFFICE

The Minister was asked—

Social Exclusion

1. **Mr. Vernon Coaker** (Gedling): What assessment she has made of the impact of the Government's measures to tackle social exclusion. [128644]

The Minister for the Cabinet Office (Marjorie Mowlam): I have held meetings with my ministerial colleagues over the past two months to ensure that the social exclusion unit's past reports are being implemented, and that progress towards the agreed targets is being made. The reports are on truancy and school exclusion, rough sleepers, teenage pregnancy and bridging the gap.

Mr. Coaker: I consider the unit's work phenomenally important. As my right hon. Friend says, the reports are mostly about young people. When considering young people at the bottom end of society who have severe problems, will she ensure that the Government listen to what they themselves have to say about solutions to their problems? Will she also do all that she can to establish bodies such as youth forums, so we can listen to young people, learn from their experience and thereby make better policy?

Marjorie Mowlam: I assure my hon. Friend that we do an awful lot of that already. The social exclusion unit's reports are compiled by a committee consisting not just of civil servants but of representatives of the voluntary sector, business and trade unions. Those people have a wide range of experience. There are also a number of forums enabling us to listen to old as well as young people. When we were compiling the recent report on "Bridging the Gap", one suggestion made by young people was the provision of a mentor with whom they could work. The report was a direct result of our having listened to young people—but I assure my hon. Friend that we shall continue to do so.

Sir Sydney Chapman (Chipping Barnet): Does the right hon. Lady agree that a significant factor in the tackling of social exclusion must be regeneration of our inner cities? It is more than a year since Lord Rogers's urban taskforce presented its recommendations, and it could reasonably be assumed that the Government would produce a White Paper within a few months of that. As the right hon. Lady is presumably the Minister responsible for joined-up government, can she tell us when the urban White Paper will see the light of day?

Marjorie Mowlam: I am sorry to disappoint the hon. Gentleman. I do not have a date, but I know that the White Paper will be published soon. I expect it to appear within the next couple of months. I am afraid that I cannot be more specific.

The national neighbourhood renewal strategy, however, has now been produced. The strategy, which was created across departments, deals with the regeneration of neighbourhoods—not just in terms of housing, but in terms of employment, health and education. If those factors are not taken into account, neighbourhoods slip again. Ours is an integrated strategy which I am sure will cover some of the aspects of the urban White Paper.

Countryside

2. **Helen Jackson** (Sheffield, Hillsborough): What progress has been made in developing a cross-departmental policy for the countryside. [128645]

The Minister for the Cabinet Office (Marjorie Mowlam): The Prime Minister set up a new Cabinet Committee in November 1999 to co-ordinate our policies affecting rural areas, and to help to achieve a fully cross-departmental policy for the countryside. The forthcoming rural White Paper will set out how we are developing a more integrated and effective approach to the countryside.

Helen Jackson: For people in the rural areas of my constituency, life under the last Administration was one long battle, whether they were defending small schools, defending post offices or defending the smaller hill farmers. I congratulate my right hon. Friend on the fact that we now have a Government who are providing support for small schools, an answer to the problems of rural post offices, and a proper countryside management structure. *[Interruption.]* Does my right hon. Friend agree that, whereas the present Government take the countryside seriously, the last Government simply took it for granted? *[Interruption.]*

Marjorie Mowlam: I thank my hon. Friend. Let me in turn congratulate the teachers, parents and children who are making the school in her constituency such a success.

Conservative Members were barracking while my hon. Friend asked her question. They should not forget that under the last Government 30 rural schools were closed each year. We are doing all we can, with a £40 million package, to keep rural schools open, because they are an essential part of the community in rural villages. Only one in four parishes had rural transport when the Conservatives were in government. We have turned that around: we have provided 1,800 new routes, and are working hard to provide more.

Mr. Paul Tyler (North Cornwall): Having heard all that, I wonder whether the Minister can now explain why there has been such a delay in the publication of the rural White Paper, which we expected to appear this month? Does she recall that, although the last Government produced a large number of warm words and a lot of pretty pictures in their rural White Paper, its publication coincided with a disastrous deterioration in the rural economy and in rural facilities, including the schools to which she has referred? Can she guarantee that her White Paper will not only represent joined-up government, but genuinely face the problems involved in regenerating the rural economy?

Marjorie Mowlam: One of the reasons why the White Paper has taken time is that we have genuinely worked on it across Departments, and I hope that it will result in what the hon. Gentleman and I desire: a real difference in rural communities. We are looking not just at transport, education and health, but at jobs. We want to work with the private sector on regeneration. We have already put a lot of money into that to help it to work. With the European Union, we have put more than £3.5 billion into support for farmers. We put in another 1.6 billion to get rural development plans up and running. The White Paper is delayed not through lack of trying, but because we want to ensure that it has a real impact.

Ms Helen Southworth (Warrington, South): Does my right hon. Friend agree that rural post offices are the hub of the local community; and will she ensure that Government Departments work together to support rural post offices, giving them a vibrant economic future?

Marjorie Mowlam: The work that has been done on protecting the future of rural post offices will be seen to do exactly what my hon. Friend wants. The performance and innovation unit report, which we are implementing and which the relevant Minister at the Department of Trade and Industry has agreed to, will make, I hope, a big difference.

Again, let us be clear. We are working to protect and to keep the post offices open. Claimants can continue to receive benefit across the counter. We are working with the Post Office to ensure that post offices are not closed. With the universal banking system, I hope that we will see a real change in the future of post offices. Ours will be a very different record from the Tories' one: when they were in office, 3,000 rural and edge-of-urban-area post offices closed.

Mr. Peter Lilley (Hitchin and Harpenden): Can the Minister confirm that the reason why the post office network is under threat is that the Department of Social Security proposes to remove a third of the income that post offices receive by cancelling the contract with the Post Office? Can she confirm that the Department of Trade and Industry has failed to put forward any measures that will replace those hundreds of millions of pounds; that the Post Office has revealed that the Horizon project will not produce extra revenues—it has written off the whole cost of that project on the ground that it will not cover even its own costs; and that the so-called universal bank will simply duplicate the Girobank, which already operates in the post offices, and will therefore not produce extra revenues?

Marjorie Mowlam: At least we are not going to privatise the post offices. The benefits are not being taken away completely. Some are being taken away because that will lead to greater efficiency and a more effective service for the people whom we are all here trying to serve, but people who want to continue to collect their benefits from the post office can continue to do so.

It is not true that the DTI has no strategy. It is working with the recommendations arising from work that it has done, and with the performance and innovation unit to get results.

Mr. Bob Blizzard (Waveney): Does my right hon. Friend agree that, if we want a prosperous countryside, there will need to be more opportunities for people, particularly young people, to work in the countryside, rather than their having to go to the towns? With that in mind, is it not important that we have more small enterprises in the countryside? Does she agree that we need to change some of the planning guidance—I am talking about PPG7 and PPG13—so that those small businesses can grow and hard-pressed farmers can diversify?

Marjorie Mowlam: We are working to help farmers to diversify. Part of the job of the regional development agencies will be to do what they can. Some of the work is already taking place. For example, the £70 million extra that was given to organic farming will make a difference to farmers who want to make the change. PPG7 and PPG13 are being reviewed by another committee, which is looking at planning across the board—not just for people in rural areas, but for small and big businesses. As we try to decrease unnecessary regulation but protect people's health and safety, the aim is to make things simpler.

Drugs Counsellors

3. **Mrs. Ann Winterton** (Congleton): What progress has been made in recruiting counsellors for drug prevention and treatment specifically in rural areas. [128646]

The Minister for the Cabinet Office (Marjorie Mowlam): In order to expand treatment capacity, the Government recently ran a major national advertising campaign to recruit drug workers and counsellors. The response was exceptional, with more than 20,000 expressions of interest received. Drug action teams are now working on matching applications to vacancies. The Government's 10-year strategy to tackle drugs is designed to combat drug misuse in all parts of the United Kingdom.

Mrs. Winterton: Drug dealers are increasingly targeting young people in rural areas. Not only do young people in those areas have less infrastructure to support them but, at the same time, drug action teams and police have fewer resources available in those same areas. Will the forthcoming rural White Paper contain a specific commitment to support drug action teams in rural areas?

Marjorie Mowlam: I cannot tell the hon. Lady what the rural White Paper will contain, because I do not know. Although I am working on the White Paper, I do not know what it will finally contain. However, I reassure her that Macclesfield, which is the area covering her constituency of Congleton, will have some of the £70 million that we have just provided to central treatment agencies to increase treatment, where necessary, and to achieve even higher goals.

Education and preventing children from getting into drugs initially are crucial. I am pleased to say that 100 per cent. of Congleton primary schools provide such education. I am sure that both the hon. Lady and I welcome that record.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): My right hon. Friend will be aware that the pressure on schools is very great. It is clear that smaller children are now being deliberately targeted not only in rural areas, but in rural towns. Will she pay tribute to the work of the voluntary organisations that, in areas such as Cheshire, are doing tremendous work to help educate primary and pre-primary children on the effects of drugs?

Marjorie Mowlam: I am most willing to congratulate the voluntary sector on the work that it does in educating particularly very young people on the dangers of drugs. I hope that we can do further work in partnership with the voluntary sector on what we call positive futures. We are working with the voluntary sector and particularly with various sports groups, whether football clubs or basketball groups. We are trying to get young people, through peer group pressure, to think of things other than drugs as they grow up. That is working in many towns and cities, and I look forward to the development of other projects.

Mr. David Heath (Somerton and Frome): Given the evidence that, in the prevalence of drug taking and the availability of drugs, there is very little difference between rural areas and urban areas, is there anything that the right hon. Lady can do to reduce the disparity in the provision of youth services between rural areas and urban areas? Youth services could provide very useful counselling and advice services on drugs.

Marjorie Mowlam: I cannot give the hon. Gentleman a direct answer now, but if he would like to tell me the specific areas that he is referring to, I shall talk to the Department with responsibility for youth services and see what it can do.

Mr. Lindsay Hoyle (Chorley): Although rehabilitation units have been established in rural areas, they unfortunately really do lack funding. What help and financial support could be given to the groups that have already been established?

Marjorie Mowlam: That is exactly what we are in the process of doing. We have just advertised for drug counsellors, and we are beginning training, so that staff are available to work in the centres. We are also putting £70 million extra into drug treatment. As we realise that it is no good starting the centres if we do not have the workers, we are working through the matter logically, ensuring that we have both workers and centres. We hope that we will soon see the results of that work. I accept my hon. Friend's point that there are waiting lists in some areas, but not in others.

Better Regulation Taskforce

4. **Mrs. Jacqui Lait** (Beckenham): If she will make a statement on the work of the better regulation taskforce. [128647]

The Parliamentary Secretary, Cabinet Office (Mr. Graham Stringer): The independent better regulation taskforce was established in 1997. Since then, it has reported 18 times. Some of those have been annual reports, and others have been intermediate reports. Later this year, the taskforce plans to report on alternatives to state regulation and on regulation as it affects vulnerable people. The future work programme has yet to be finalised—although, as part of the Government's action plan for farming, which was announced in March, the taskforce has started a review of environmental regulations, with particular reference to farmers.

Mrs. Lait: When I was an active member of the Select Committee on Deregulation, I was very impressed by Lord Haskins's commitment to better regulation. In the light of his taskforce's recent stinging criticism of the increasing regulatory burden imposed by this Government, can the Minister tell us whether he even listened to the poor man—or are the Government all mouth and no delivery?

Mr. Stringer: I agree that Lord Haskins is doing an extremely good job, but otherwise the hon. Lady completely misrepresents the position. If she looks back over reports in which recommendations were made, she will see that the Government have responded to them within the 60 days stated and have agreed to implement the vast majority of those recommendations. If she looks in detail at the report she has cited about the impact of regulation on the hotel and restaurant industry, where one in seven new jobs is created, she will find that Lord Haskins, while recommending changes in some areas of regulation, says that that sector experiences no competitive disadvantages compared with other countries. That contradicts the previous research done by McKinsey.

Tony Wright (Cannock Chase): Does my hon. Friend accept that although we have a system to assess the effect of regulation and compliance costs on the private sector, we have no equivalent system for the public sector? However, much of what we do bears heavily on the public sector and carries substantial compliance costs. Could we have a system equivalent to that for the private sector which will assess the compliance costs for the public sector of legislation that we introduce?

Mr. Stringer: My hon. Friend makes a good point, as ever, and he is 95 per cent. right. The 5 per cent., on which there has been some progress, is within the regulatory impact unit. A public sector team has been set up to consider the impact of regulations on the delivery of public services. Its first report was published in March and it concentrated on the bureaucracy and red tape surrounding the police. Its recommendations led to a reduction of 1.2 million in the number of police forms used across the United Kingdom.

Mr. Andrew Lansley (South Cambridgeshire): It is good to see the Minister for the Cabinet Office in her place. We missed her during the debate last week. Does the Parliamentary Secretary recognise that the better regulation taskforce said in April that policy makers are ignoring the needs of small businesses when drafting regulations? Does he understand that it is not only the character of regulation but also the quantity that matters to small businesses?

Let us look at the substance, not the spin. In the three months after the right hon. Lady took office as Minister, how much legislation was introduced that required a regulatory impact assessment and how many deregulation orders were published?

Mr. Stringer: There is no doubt that regulation impacts disproportionately on small businesses. That has been recognised by the Government and by Lord Haskins in his report, and the Government are considering his recommendations. Over the past three months, no deregulation orders have been passed and that is one of the reasons why we are considering a regulatory reform Bill. I remind the hon. Gentleman that when Neil Hamilton and the right hon. Member for Henley (Mr. Heseltine) were considering regulation, they promised to burn piles of red tape, but in the three years after the passing of the Deregulation and Contracting Out Act 1994 they passed only 30-odd deregulation orders. That implies that the process dealt with some regulations that could be improved, but not with the vast majority, which is why we need a regulatory reform Bill.

Mr. Lansley: We got half an answer—that there were no deregulation orders in the three months in question—but we did not get the other half, which is that there were 59 items of legislation introducing additional costs on business—or one per working day—in that period. Does the Minister understand that 3,000 additional regulations under this Government, costing business £10 billion, are an enormous quantity? The better regulation taskforce has said that it is the "cumulative effect" of all regulations that should be the subject of Government strategy. There is no such strategy, so will the Minister endorse our proposal to cut the burden of regulations as a whole?

Mr. Stringer: If the hon. Gentleman were to examine the previous Government's record, he would find that, year by year, the previous Government passed 3,000 statutory instruments, which is almost exactly the same number as the present Government have passed. In fact, it is almost invariant. The Government will not apologise for introducing the minimum wage and protection for workers and others who need environmental protection. We need to achieve a balance between the cost of regulations and protecting people.

Life Education Centres

5. **Mr. David Taylor** (North-West Leicestershire): What assessment she has made of the work of life education centres in relation to the drug prevention programmes in primary schools; what funding proposals she has in relation to expanding their work; and if she will make a statement. [128649]

The Parliamentary Secretary, Cabinet Office (Mr. Graham Stringer): My right hon. Friend the Secretary of State for Education and Employment is very familiar with the work of life education centres, and officials in his Department remain in close contact with the organisation. The approach to drug education that life education centres offer is one of a number that schools may choose to adopt, but the decision must be made at a local level, in order to address the specific needs and circumstances of the pupils.

In support of the Government's 10-year anti-drug strategy, the Department for Education and Employment has, through the standards fund, made some £7.5 million available to local education authorities to support drug education in schools. Local education authorities may choose to use some of that money to provide life education centres in mobile classrooms.

Mr. Taylor: In underfunded education authorities such as Leicestershire, much drug prevention work in the primary sector depends on generous contributions from Rotary clubs and from parents and schools. Is my hon. Friend convinced that £7.5 million for 7.5 million children of school age is adequate support for this crucial work and for organisations such as life education centres? Will he ask my right hon. Friend the Chancellor of the Exchequer to boost the core funding of this work so that we can ensure that children make healthy choices and continue to wage an unremitting war against drugs in our country?

Mr. Stringer: I agree with my hon. Friend's sentiments. That is why, at the last comprehensive spending review, the Government put more than £200 million extra into the fight against drugs. I am sure that my right hon. Friend the Chancellor of the Exchequer has listened to my hon. Friend's case, and my hon. Friend should listen to what my right hon. Friend has to say next week in his spending review statement.

Mr. Nigel Evans (Ribble Valley): Seven and a half million pounds is chicken feed compared with the £2 billion a year that the Government are spending on more government. In Lancashire we do rather well for life education centres, but they are supported by groups such as Rotary. I fear that other local authority areas may have no cover from organisations such as life education centres. What encouragement can the Minister give to other charitable groups to buy in life education centres for their areas, or to businesses to sponsor life education centres for primary schools?

Mr. Stringer: Some areas are not covered by life education centres because it is a matter for the school and the local education authority. Quite simply, the £7.5 million that is going into educating children and getting them to make the critical decision not to accept drugs is £7.5 million more than the previous Government were willing to give.

Mr. Hilton Dawson (Lancaster and Wyre): Will my hon. Friend visit some of the life education centres and see their work? Had he been with me at Bowerham county primary school in Lancaster, he would have witnessed an excellent programme which fully involves very young children and complements the work of that first-class school.

Mr. Stringer: My right hon. Friend the Minister for the Cabinet Office has already visited a number of the centres. I am sure that she and my right hon. Friend the Minister of State will be delighted to visit a number of others to further the fight against drugs.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [128672] **Mr. Ben Bradshaw** (Exeter): If he will list his official engagements for Wednesday 12 July.

The Prime Minister (Mr. Tony Blair): This morning, I had meetings with ministerial colleagues and others. In addition to my duties in the House, I shall be having further meetings later today.

The House will no doubt be aware of the sad news of the death of the former Archbishop of Canterbury, Lord Runcie. Lord Runcie was a man of great faith and moral courage, who carried the Church of England united through momentous and historic times. He was also a spiritual man of humility and modesty, who will be missed by millions of ordinary people who saw him as their friend, both inside and outside the Anglican Church.

Mr. Bradshaw: Does my right hon. Friend agree that voters at the next election will make a judgment based on facts in the real world, rather than on the froth that sometimes swirls around this place? In Exeter, those facts include record employment, more doctors and nurses, a refurbished accident and emergency department, a new renal unit, two new health walk-in centres, more teachers and classroom assistants, more school buildings, more bus services, and much more. How much of that will Exeter lose under £16 billion of Conservative spending cuts?

The Prime Minister: That is right, of course, because a very significant thing happened yesterday. Nine months ago, the Conservatives said:

> Our guarantee on tax is clear. For the very first time, there will be no escape clauses, no fudging. No hiding behind the fine print.

They also said that they were

> prepared to stake our fate on meeting

the guarantee.

The stake was driven through the policy yesterday. Not only did the shadow Chancellor disintegrate the credibility of the right hon. Member for Richmond, Yorks (Mr. Hague) on tax, he impaled him—as my hon. Friend said—on a £17 billion cuts guarantee. That is the new guarantee. Every Conservative Member had better realise that it adds up to £24 million of cuts—in schools, hospitals, transport and police—in every constituency on the country. Yes, there is a dividing line now.

Mr. William Hague (Richmond, Yorks): May I begin by associating the Opposition with the Prime Minister's remarks about Archbishop Runcie? We will remember him for his integrity and moral leadership, and we entirely join in the Prime Minister's tribute to him.

On domestic political matters, does the Prime Minister agree with everything that the Foreign Secretary has said about the euro over the past week?

The Prime Minister: Given the publication of the Conservative party's tax and spending policy, I thought that I might have been asked about that.

I entirely agree. In principle, we are in favour of membership of the single currency; in practice, the economic tests must be met.

Mr. Hague: Do we not have an extraordinary situation in a Cabinet, where the Prime Minister cannot give a straight yes as to whether he agrees with his own Foreign Secretary? Are not the Government utterly divided and shambolic? The Prime Minister cannot agree with the Foreign Secretary on a central issue of policy. He wants the right hon. Member for Livingston (Mr. Cook) to be Foreign Secretary—no one else does.

The Foreign Secretary said on Thursday that it was "inevitable" that Britain would join the euro. Does the Prime Minister agree with that statement, yes or no?

The Prime Minister: We have made it absolutely clear that, in principle, we are in favour of joining the euro and that, in practice, the economic tests have got to be met. The difference between the Labour party and the Conservative party is clear. The right hon. Gentleman has another guarantee—his sterling guarantee that he is going to keep the pound. Will he keep the pound for just one Parliament, or more?

Mr. Hague: The Foreign Secretary is now pursuing his own private policy on the euro—*[Interruption.]*

Madam Speaker: Order. The House must come to order—I cannot hear.

Mr. Hague: The Foreign Secretary, who has mysteriously disappeared this afternoon, is pursuing his own private policy on the euro. The Prime Minister is too weak to get a grip on the Cabinet. He said last week—*[Interruption.]* I know that Labour Members do not like to hear the truth about the Government. He said last week that he would sack anyone briefing against Ministers, since when a friend of the Chancellor—that narrows down the lists of suspects dramatically—has said, "Tony and Gordon have both agreed to rubbish Cook."

The Prime Minister goes on about his five economic tests on the euro, but the test that really matters is of leadership on the euro, and he has failed it. Is it not time that he changed the policy or changed the Foreign Secretary, or that we change to a Prime Minister who will keep the pound?

The Prime Minister: Oh, so the right hon. Gentleman is going to keep the pound now. Tell me—is that a guarantee or just something that he intends doing? Have we got another guarantee there?

I think that it is the right hon. Gentleman who wishes that he had disappeared this afternoon. The fact is that we have the right policy—in principle in favour and in practice the economic tests must be met. At the next election, on many other areas of policy as well as the euro, there are clear dividing lines. We do not rule it out—we will give the people a choice in a referendum. On public spending, we want to invest in the country's future, and on the national health service, we want to rebuild it, not privatise it. That is the real test—the policies for the future of this country, or a Leader of the Opposition who jumps up at one party conference and says that he has five guarantees, and nine months later not a single one of them stands.

Mr. Hague: Today the Prime Minister has attempted the third relaunch of his Government in a single month under the inspiring slogan of "We're getting there"—a slogan last used by British Rail when it was not getting anywhere. Is not what is really behind that the desperation of Ministers to conceal next week's crime figures and their utter failure on crime? The Government obviously have the figures, so will the Prime Minister now come clean and tell the House the figures for the rise in crime?

The Prime Minister: I think that the right hon. Gentleman is the one in need of a relaunch. Let me just tell him about the policy. What is important with rising crime is that we are now able to make the investment in extra numbers of police officers. Let us have a little discussion about this. It is correct that for the past six years—three years under the previous Government, three years under ours—police numbers have fallen. Now, as a result of the additional money, they will rise. We know, however, from the spending policy adopted yesterday, that the right hon. Gentleman is due to cut the numbers. Every person concerned about crime and every police officer in the country knows that if the right hon. Gentleman comes to power, he will cut police numbers further.

Mr. Hague: So the relaunch did not extend to giving a straight answer to a question. If the right hon. Gentleman will not tell the House the figures, I will, because although the Prime Minister will not give a straight answer, the police force does. Taking 33 out of 43 police forces, there were 183,000 more crimes committed in the past year than in the year before. Under this Government, is it not the burglars who have had a relaunch, the muggers who are fighting back, and the violent criminals who have a new deal? Will the right hon. Gentleman now confirm the figures of the police that show that at least 183,000 more crimes were committed in the past year?

The Prime Minister: Of course it is true that in the past year there has been a 3 to 4 per cent. rise in crime, as we know. Over the period of this Government, there has been a fall in crime. What we also remember, however, is that when the right hon. Gentleman was in office crime doubled. The question is: what do we do? We now have proposals on youth justice; with three strikes and you are out for burglary—that is why burglary figures are falling; on drugs and crime through the new criminal justice measures; and there is investment in the police and in their equipment.

Let us get to the difference between the two of us. I believe that the priority is to make that investment in schools, hospitals, transport and the police. Does the right hon. Gentleman stand by the cuts guarantee on spending made yesterday by himself and the shadow Chancellor, or does he not? If he does, anything he says on police numbers has no credibility whatever.

Mr. Hague: This morning, the right hon. Gentleman stood up in Downing street and said "We're getting there"; but millions of people throughout Britain know that this Government are getting nowhere. What does it say to people who are more likely to be victims of violent crime when the Prime Minister says "We're getting there."? What does it say to people waiting longer to see a hospital consultant when he says, "We're getting there."? What does it say to people whose teenage children are in larger classes? What does it say to people persecuted by the Chancellor every time they drive their car when he says, "We're getting there."? It says to those people that this Government are complacent and incompetent and that they have lost touch with the people they were elected to serve.

The Prime Minister: On the subject of incompetence, let us look at the right hon. Gentleman's national health service guarantee. Nine months ago, he said that every patient would have a guaranteed waiting time in the NHS under the Conservatives. It took two questions on BBC's "Question Time" for him to say, "Of course, we couldn't say that everyone was going to get a guaranteed waiting time." That is my definition of incompetence.

It is true that we have raised public spending; it is correct that class sizes are down for five, six and seven-year-olds; and there is extra money for school buildings, but it is true that we still have a long way to go on schools. Yes, the in-patient lists are coming down, but we still have far more to do in the health service. It is also true that we need to make additional investments in our police and transport. However, we now know that all those investments would be cut by the right hon. Gentleman. Whatever he says about public services, the one thing that everyone in the country now knows is that if they vote Tory at the next election, there will be fewer nurses, fewer teachers, fewer police officers and fewer hospitals.

Mr. Paul Truswell (Pudsey): Is my right hon. Friend aware of the growing concern of the people of Yorkshire at the plans of Kelda plc to offload Yorkshire Water on to its customers now that it has exploited the easy pickings of water privatisation? Does he agree that that cannot be allowed to proceed without fuller and further consultation with Yorkshire people, including a ballot of every Yorkshire Water customer?

The Prime Minister: I agree with my hon. Friend that the proposals raise important issues. I understand that my right hon. Friend the Minister for the Environment is meeting the regulator today to discuss those issues.

The Government want to ensure that any reorganisation will direct long and lasting benefits to customers, and that companies comply with their public health and environmental obligations. I am aware of my hon. Friend's concerns; a meeting with the regulator is taking place; and I hope that the matter can be resolved satisfactorily.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): I entirely associate my right hon. and hon. Friends with the tribute that the Prime Minister so properly paid to the late Lord Runcie, the former Archbishop of Canterbury.

Whatever view the Conservatives may express on the euro, the Liberal Democrats, in acknowledging that it is both inevitable and desirable, certainly agree with the Foreign Secretary—very happily so.

On the other issue raised by the Leader of the Conservative party, if, next week, the Home Office figures show that violent crime has gone up yet again—as widely anticipated—whom will the Prime Minister blame for that?

The Prime Minister: I entirely accept our responsibility to do the very best we can to change that situation. What is happening is that crime is not rising in every police area; in many it is still falling. It is correct that the number of burglary and car crimes are falling; the rise is in violent crime. We need to tackle that—both by extra investment, as I have already indicated, and by measures in the criminal justice system. I hope very much that the right hon. Gentleman will support the measures such as those to ensure that, before those who are tested positive for drugs are given bail, they agree to take treatment for their drug condition. I think that such measures in the criminal justice system are an important part of turning the tide back.

Mr. Kennedy: Is it not the case that, rather than appointing a part-time Lord Birt to look at the issue, the public want more full-time police on the streets and in the community? Is not the sad fact of the matter that, having spent years in opposition quite rightly criticising the Tories for their lamentable record and for the decline in police numbers, the Government in office have presided over exactly the same story?

The Prime Minister: I have been open about the first three years of the Government and the position on police numbers, but I have also said that we now have the ability to make the investment. As a result of the measures that we have taken with more people in work, welfare bills falling and interest payments on the debt falling, we are able to get more investment into the police. What we have said all the way through—I say it again today—is that by the end of the year police numbers again should be rising. I agree with the right hon. Gentleman that is one part of what we have to do, but we can do it only if we are prepared to make the commitment to invest.

Mrs. Claire Curtis-Thomas (Crosby): Three years ago, the Government announced a £1.4 billion injection into the science budget and last week we heard that an additional £1 billion would go into that budget. That money is desperately needed and is welcomed by the vast majority of scientists and engineers working in this country. Under the previous Administration, that potential was ignored. *[Interruption.]* Does my right hon. Friend agree that that funding will be put to good use and that it will enable us to realise our potential? Will he also take the time to reassure me that he will look with special interest on the north-west, because I remain deeply concerned that we need to realise our potential there? I hope that this funding will enable us to do so.

The Prime Minister: Yes. My hon. Friend should know that the Conservatives are shouting at her because they do not want to hear the facts about what they intend to do to the science and education budgets. I am afraid that the science and education budgets would also be cut under the Conservative party were it to come back to power. The £1 billion announcement on science is very important and the reason for the investment is that stability in the economy is important. More jobs are obviously important, but we also have to make that critical investment in the nation's prosperity. Unless we also make the investment in education, skills, technology, science and the transport infrastructure, we will not be able to guarantee—if I can use that word—prosperity and opportunity for people in the future.

Q2. [128673] **Mr. James Gray** (North Wiltshire): Will the Prime Minister give careful consideration to the recommendation by Lord Norton that Prime Minister's Question Time should return to twice a week? Does the Prime Minister agree that, if that were to happen, it would provide greater accountability from him to this place and might give him the opportunity to reduce the spin, the rhetoric, the waffle and the general rambling that has characterised his performance to date?

The Prime Minister: I think that we heard rather more waffle today from the Leader of the Opposition than from me I do not agree with the hon. Gentleman about Prime Minister's questions. In fact, if I can give him the figures, compared to the previous Prime Minister, I have spent more time answering questions in the House and more time giving statements.

I am glad that the hon. Gentleman has asked me a question, because he was the person who famously said after the election that employers would

> lay off workers the morning after he—

me, that is—

> brings in the minimum wage.—[*Official Report*, 21 May 1997; Vol. 294, c. 710.]

I am delighted to tell him that the fall in youth unemployment in his constituency since the general election is 79 per cent. There is some substance for him.

Mr. Neil Gerrard (Walthamstow): My right hon. Friend the Prime Minister will have seen the reports on the international AIDS conference in Durban this week. Although he might share my disquiet that President Mbeki appears to have given some support to people who would deny the scientific evidence on the links between HIV and AIDS, does my right hon. Friend agree that President Mbeki was absolutely right to point to the problems of drug pricing, poverty and the lack of access to basic education and health? Will my right hon. Friend use the next opportunities that he has, through the G7 or the European Union, to press for a substantial increase in support to the countries that are suffering the worst from this epidemic, so that the rich countries of the world start to make a contribution that begins to match up at last to the size of the problem?

The Prime Minister: I agree strongly with my hon. Friend. Of course we shall raise the issue of AIDS in the developing world and the problem of debt at the summit in Japan in the next couple of weeks. I entirely agree with my hon. Friend that it is important to link in action on poverty in the developing world. In addition, we have put special investment into South Africa to tackle the serious HIV-AIDS problem, which is significantly reducing life expectancy in many countries in Africa when, throughout the rest of the world, people are looking forward to increased longevity. That is an important part of the strategy of the Department for International Development.

Q3. [128674] **Mr. Tom Brake** (Carshalton and Wallington): Since the election, the number of police officers in London has fallen by 800, and the number of officers in Sutton has fallen by 21 in the past couple of months. Retention is still a problem in the service, which is the view that Sir John Stevens expressed a couple of days ago, after the Home Secretary's welcome announcement on pay for the Metropolitan police. Can the Prime Minister give my constituents a guarantee that Sutton police will have the resources that they need to make Sutton not the second safest borough in London, but the safest? Can he guarantee my constituents that the number of police officers will not fall below the 25,600 which Sir John Stevens believes is necessary?

The Prime Minister: First, the hon. Gentleman is right to draw attention to the fact that, as a result of housing costs and other issues that we are trying to address, there are particular problems in London with retention and recruitment. However, it is important that we start to bring in investment, which can help to increase police numbers. That should be happening in the Metropolitan police area and elsewhere by the end of the year.

I accept the points raised by the hon. Gentleman. When we first came to office, we had to make difficult decisions on public spending and I very much hope that, when the comprehensive spending review is published next week, the hon. Gentleman's party will join ours in saying that the country really needs those investments to secure its future.

Liz Blackman (Erewash): John Reddington, a former child migrant, will shortly return to my constituency from Australia, not having seen his home for 50 years. That was a shameful policy practised by both countries in the post-war years. Will my right hon. Friend press the Federal Australian Government to make funding available, as this Government have, to ensure that more migrants can be reunited with their families? Does he agree that some kind of joint responsibility for that atrocity is essential?

The Prime Minister: I discussed that matter with the Australian Prime Minister when he was here. I agree entirely with my hon. Friend that is important that we make sure that we try to at least alleviate the pain so far as we can for people who had an immensely traumatic experience when young.

If my hon. Friend will allow me, I will write to her on the issue of funding. I do not know the up-to-date position vis-a-vis the Australian Government. From our point of view, we have made some funding available, and I hope that we can do more.

Prime Ministerial Visits

Q4. [128675] **Mr. Martin Bell** (Tatton): What plans he has to visit the Tatton constituency.

The Prime Minister: I have no immediate plans to do so.

Mr. Bell: My constituents will be deeply disappointed that the Prime Minister is unable to experience the spirit of Tatton for himself. I know that they would be interested in his answer to a question that I know concerns them, having recently had an Adjournment debate on the issue, namely the verdict of gross negligence on the two pilots of the RAF Chinook that crashed in the Mull of Kintyre six years ago. Will the Prime Minister give that personal attention as a question of natural justice?

The Prime Minister: I am happy to give the issue my personal attention. I know that, with other hon. Members, the hon. Gentleman has run a significant campaign for some time on this tragic incident and that he secured an Adjournment debate on it. The RAF investigation into the crash was painstaking and exhaustive. All possible causes were examined, but no evidence of technical malfunctioning was found. The RAF board of inquiry established that the Chinook was flying too fast and too low in bad weather.

We have consistently said that we are ready to consider new evidence, but without new evidence it is difficult for us to justify reopening the inquiry. However, I will of course look into the matter personally as a result of the hon. Gentleman's question, and I will be in touch with him about it.

Engagements

Q5. [128676] **Mr. Steve Webb** (Northavon): Does the Prime Minister now regret putting just 75p on the pension this April.

The Prime Minister: As the hon. Gentleman knows, 75p is not all the money that has gone to pensioners. We had to decide whether to put everything on to the basic state pension, and we believed that it was better to give specific sums, such as the £150 winter allowance, the free television licences for the over-75s and free eye tests, which are very important; more and more pensioners are taking them up.

The other choice that we had to make was which pensioners to help first. Many people do not understand that there are 500,000 pensioners in this country who do not even receive the basic state pension because their contributions and those of their husbands were not enough. Those people have existed solely on income support. Through the minimum income guarantee we have boosted their income very substantially indeed—sometimes by between £15 and £20 a week. Of course, we now want to do more for other groups of pensioners, but overall in this Parliament we will have given an extra £6.5 billion to pensioners.

I remind the hon. Gentleman, whom I know had something to do with this policy before the last election, that the Liberal Democrat policy was, in effect, the minimum income guarantee. His party did not pledge to restore the link with earnings, but said rather that it would keep the link with prices. On both policy areas, we have done exactly what the Liberal Democrats wanted. The fact that they have now changed their minds does not surprise me.

Q6. [128677] **Mr. Chris Pond** (Gravesham): Will the Prime Minister join me in congratulating Mr. Eric Gates, the head teacher of Chantry school in Gravesend, who recently received a south-east teaching award for his work with parents and the local community? Is my right hon. Friend aware that when Mr. Gates took over the school three years ago, it was in special measures, the roof and the windows were leaking and the school could boast only 40 books in total?

Has my right hon. Friend considered abandoning the education policies that have helped excellent teachers such as Mr. Gates create excellent schools such as Chantry and adopting instead a policy of severe cuts in education spending and the abolition of the effect of local education authorities? If he did so, how long does he think it would be before we returned to falling school standards, leaking roofs and 40 books for each primary school? *[Interruption.]*

The Prime Minister: Conservative Members definitely do not like it at all. I am afraid that a £17 billion spending cut has to be paid for, and if the Tories are re-elected it will be paid for by cuts in the schools budget. However, it is worse than that because the Conservatives' education policy also means taking £1 billion out of special educational needs. Not only do I think that that policy would be chaotic and wrong; I think that it is cruel, and no political party should have such a policy.

Q7. [128678] **Mr. Robert Walter** (North Dorset): The post office at Winterbourne Stickland in my constituency has been in the same family since 1877. When I visited the post office last week and met four generations of the Sprackling family and about 60 villagers, they were still unconvinced that the Government's proposals on village post offices will see their post office survive 2003. They asked me what will happen to those who, for reasons of poor credit or bankruptcy, are unable to get bank accounts, and which bank will give them an account. Can the Prime Minister guarantee that Winterbourne Stickland will have a post office in 2003?

The Prime Minister: The hon. Gentleman is asking me for guarantees. This lot have guarantees on the brain. We have set out our proposals on the post offices and measures such as the universal bank, and we are working closely with rural and other sub-postmasters and mistresses to try to make them work. In addition, we have been prepared to commit a sum for investment in post offices. I hope that the hon. Gentleman said to the family that he met yesterday, "Well, of course, if we Conservatives comes back to power, we will cut spending." That would have been an honest thing to say, but I suspect that the hon. Gentleman did not say that. I am afraid that it is only just dawning on Conservative Members that they are going to have a lot of explaining to do between now and election day.

Mr. Harry Barnes (North-East Derbyshire): Somebody is confused and it is not me. To clear up the confusion, will the Government revisit mineral planning guidance note 3, in respect of opencast mining, to make it clear beyond any doubt that there will be no acceptance of applications when they are opposed on environmental grounds, community grounds and by the community itself? Unfortunately, that matter needs to be cleared up for Derbyshire county council, which has just decided to accept RJB Mining's planning application in my constituency. Obviously, action must be taken to ensure that the council knows exactly where it is supposed to stand.

The Prime Minister: Unfortunately, planning guidance note 3 was, by some extraordinary event, omitted from my box last night, but I shall ensure that that is remedied tonight and write to my hon. Friend.

Speaker's Statement

3.31 pm

Madam Speaker: It has been a great honour to serve the House as its Speaker for more than eight years. As hon. Members will recall, I have undertaken on several occasions that the House would be the first to know when I decided to retire. I now wish to inform the House of my intention to relinquish the office of Speaker immediately before the House returns from the summer recess.

As recommended by the Procedure Committee in 1972, I believe that there is clear advantage in a new Speaker being elected during the course of a Parliament. In particular, it ensures that all Members are familiar with the qualities of potential successors. My decision will give my successor a run-in before the general election.

My statement today also gives notice to my constituents in West Bromwich, West that, at the same time as relinquishing the office of Speaker, it is my intention to retire as their Member of Parliament—[HON. MEMBERS: "Oh."] Be happy for me! *[Applause.]*

I have one more thing to say. The summer recess will allow me to carry out official duties to which I am already heavily committed, and it will give me an opportunity to see my many friends in the black country who have given me loyal support for 27 years and sustained me through the ups and downs of parliamentary life.

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): Madam Speaker, the House has already made it plain that it has heard your statement with deep regret. As a House, we have taken pride and pleasure in your speakership. The whole House will wish to pay tribute to you for the services that you have rendered the House and the nation, but today is not the occasion for that. It might assist the House if I indicate the sequence of events that will now be set in train.

I understand that, following precedent, you wish to make a substantive valedictory statement to the House a few days before we rise for the summer recess, on Wednesday 26 July. On that day, immediately after your statement, the House will pay its tribute to you, on the basis of a motion that the Government will table. You will remain in office throughout the recess, representing the House at international conferences in New York, presiding over the Commonwealth Parliamentary Association annual conference in London and Edinburgh, and making official visits to the Ukraine and the Baltic states. Your retirement will come into effect immediately before the House returns from the recess.

On the first day back after the recess, 23 October, there will be no Question Time and the only business before the House will be the election of your successor. That will take place under the chairmanship of the Father of the House, as provided in Standing Order No. 1.

Madam Speaker: Thank you, Mrs. Beckett. We now proceed to our normal business.

Business of the House

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): With permission, I would like to make a short business statement.

The House will recall that I made it plain on Thursday last that, dependent on discussions through the usual channels, the House might be asked to sit on Friday this week. I can now tell the House that it is proposed that the business for Thursday 13 July will now be an Opposition day, the 17th allotted day, followed by the Second Reading of the Football (Disorder) Bill, and that the House will not be sitting on Friday 14 July.

The House may also like to know that a further text of the Bill, as revised, following the recent discussions of my right hon. Friend the Secretary of State for the Home Department, will be made available from the Vote Office later today.

Sir George Young (North-West Hampshire): I am grateful to the Leader of the House for her statement. We have no objection to sitting after normal hours to deal with important business such as the Football (Disorder) Bill. Can the right hon. Lady confirm that the Government will not be tabling a guillotine motion to cover tomorrow's proceedings? Will she tell the House when we shall be taking the remaining stages of this important piece of legislation? Finally, as the House will now be dealing with additional business, does she plan to postpone the date of the recess or abandon some Government business to make up for the extra business?

Mrs. Beckett: It is not intended to do anything tomorrow other than take the business that I have described. I will be making the ordinary business statement tomorrow, and that will lay plain the course of further discussions. As for the notion that we should change the dates of the recess or abandon some Government business, I was under the impression that I heard co-operation being offered from the Opposition Benches. It does not sound much like it to me.

Mr. Andrew Stunell (Hazel Grove): I must say, Madam Speaker, that you have taken our breath away.

We, too, are willing to co-operate with the legislation that is coming forward. However, will the Leader of the House assure us that everything will be done to avoid the mistakes of previous legislation that was brought forward at short notice and with limited time to discuss it? Whether it is guns, dogs or yobs, we quite often make a mess of it.

Will the right hon. Lady confirm that tomorrow's debate will be without limit and will allow proper time for discussion? Will she undertake that any further programming of the Bill will be on the basis of co-operation across the Floor of the House?

Mrs. Beckett: The hon. Gentleman knows that we always seek co-operation on these matters. Although the proposed legislation is new, he will know also that many of the proposals within it have been discussed extensively over a substantial period. There have been considerable discussions already and some changes proposed as a result of them over recent days. The Government are doing their best in somewhat unusual circumstances to meet all the concerns that might be raised.

Mr. Douglas Hogg (Sleaford and North Hykeham): Does the Leader of the House understand that there is considerable concern that we do not know when the Bill will be considered in Committee? Will the right hon. Lady please tell us whether consideration in Committee will take place on the Floor of the House or along the Committee Corridor, and when we will learn of the date? Does she understand that many hon. Members would bitterly resent a guillotine motion?

Mrs. Beckett: I remind the right hon. and learned Gentleman that when we last discussed this matter, he pressed me not to take all stages of the Bill's consideration in one day. Of course, the Government will not be doing so. I anticipate being able to give a little more news when Members have had an opportunity to read the further proposals later today. I hope to be able to say something during the ordinary business statement tomorrow.

Mr. John Redwood (Wokingham): As the Leader of the House is re-examining business for the next few days, will she make sure that there is time and opportunity available to cross-examine the relevant Minister on the fly-on-the-wall documentary about to be shown on Mr. Alastair Campbell, and how—

Madam Speaker: Order. This is a limited business statement. I have the statement in front of me, and it is extremely narrow. It concerns only the business for Thursday 13 July. If the right hon. Gentleman can put his question within the terms of the statement, I will take it. It cannot go wider than the business statement.

Mr. Redwood: I quite understand. The important point is that this event will take place on 13 July, and many people outside the House will want to be reassured that, within the crammed day that the Leader of the House is now suggesting, there will be an opportunity to raise the issue of how a man can be both politically committed and a career civil servant, which is a matter of great interest to the press and the wider audience—

Madam Speaker: Order. I do not require the Leader of the House to respond to an unrelated question.

Mr. Eric Forth (Bromley and Chislehurst): As the Bill, certainly in its present draft form, and presumably even in the form that we hope to see later today, may well, and almost certainly will, involve a possible encroachment on traditional civil liberties and a significant increase in police powers, will the Leader of the House give an undertaking that there will be a proper interval between Second Reading and Committee, and between Committee and Report, not only to allow hon. Members time to consider their approach to the Bill, but, as importantly, for hon. Members to listen to what people outside the House have to say about the Bill as it may change between Second Reading, Committee and Report? The Leader of the House, respecting, as I know she does, the proceedings of the House, surely does not assume that the Bill will somehow sail through in its original form without necessarily being changed between Second Reading, Committee and Report.

Mrs. Beckett: As I am sure the right hon. Gentleman is aware, my right hon. Friend the Home Secretary has held a number of open meetings and remains available to discuss the Bill with hon. Members. The right hon. Gentleman shakes his head, but I remind him, and all those on the Opposition Benches, that the Opposition called for such a measure and undertook to co-operate with it. Of course the Government are doing their utmost within the time constraints to provide as much time and as measured an examination as is possible. Either the Opposition wish to see such legislation facilitated, or they do not. The right hon. Gentleman shakes his head, but those on the Opposition Front Bench say something different.

Mr. Tony Baldry (Banbury): Will the Leader of the House confirm that there will be more than three hours' debate on the Bill tomorrow, which will mean that it will go beyond 10 o'clock? Will she also confirm that, had the Bill been taken under the proposals put forward by the Modernisation Committee, there would not be a vote tomorrow at midnight, as I suspect will happen, but a vote next Wednesday, when we would simply have to sign our book in one of the Division Lobbies? The Leader of the House smiles, but I suspect that she does so because the Bill effectively demonstrates the nonsense of the Modernisation Committee's proposals.

Mrs. Beckett: No, I fear that it demonstrates the hon. Gentleman's ignorance of them. No change is proposed in the handling of Second Reading.

Mr. Peter L. Pike (Burnley): Will my right hon. Friend confirm, that, when the previous Government were in office, there were occasions when we had more accelerated business than we will have under the timetable that she has announced for tomorrow?

Mrs. Beckett: I can certainly confirm that. There were many precedents under the previous Government, but, as we have noticed, it is a matter not of do as we did, but do as we now say.

Mr. John Bercow (Buckingham): Despite the right hon. Lady's desire to expedite the Bill's passage, will she confirm that the Government Whips will not be encouraged to hand-pick Government Back Benchers to sit on the Standing Committee, and that there is a remote prospect that the Government will show some glasnost on the matter?

Mrs. Beckett: My right hon. Friend the Home Secretary has always made it plain that he strongly believes in glasnost.

Mr. Michael Fabricant (Lichfield): Will the Leader of the House clarify from what date we shall be able to table amendments?

Mrs. Beckett: From tomorrow.

Age Equality Commission

3.43 pm

Mr. Lawrie Quinn (Scarborough and Whitby): I beg to move,

That leave be given to bring in a Bill to make provision for the establishment of an Age Equality Commission to advise the Government on discrimination issues in relation to older people.

In moving this ten-minute Bill on such an historic day as today, Madam Speaker, it would be remiss of me not to say that I hope that the age discrimination faced by many in Britain today will not affect you in your long and happy retirement.

Since arriving in the House in May 1997, my weekly constituency surgeries have introduced me to the experiences of hundreds of constituents who feel that they have met the barriers of age in their daily lives. It is my judgment from those interviews that age discrimination is a persistent and disturbing problem which faces far too many in our community.

Like many of our finest seaside communities, my constituency has a higher than average proportion of older citizens. I am grateful for recent research undertaken at the university of Sheffield by Professor Paul Whiteley, who ranked Scarborough and Whitby 37th out of all English and Welsh constituencies in terms of population over the age of 40.

With one in four of my local community of formal pensionable age, compared to a national average of around two out of 11, and seven out of 10 adults in Scarborough and Whitby aged over 40, it is perhaps not surprising that many of my constituents bring their concerns about ageism to my offices in Whitby and Scarborough.

The important work undertaken by Professor Whiteley was commissioned by Age Concern England and published on 4 July this year. It amplifies the demographic patterns that will frame policy-making decisions in the House, and serves as a useful statistical benchmark for the anecdotal evidence presented to many right hon. and hon. Members, including myself, by thousands of ordinary British people who imagined that they had every right to expect a fair deal as they got older. I also commend the excellent work co-ordinated by Age Concern and its partners throughout last year, which is appropriately entitled "The Debate of the Age."

The experiences of people in Scarborough and Whitby have given me the opportunity to work alongside local members of ARPO50—the Association of Retired Persons over Fifty. Through that dialogue, which rapidly developed a national dimension, the principles behind my proposed legislation became focused on the need for urgent action. My Bill therefore seeks to encourage and support the Government in their fight against age discrimination.

Every hon. Member has first-hand experience or anecdotal evidence of discrimination in the workplace, but the evidence presented to me is more wide-ranging and covers almost every aspect of modern life, such as access to financial services, the national health service, educational opportunity, the voluntary sector, and even everyday occurrences such as attempting to hire a motor car.

A well-known bank has a policy of not lending to people over the age of 65. The reason is the unspoken fear of having to fight the estate if the person dies before the loan is repaid. A certain well-known bank has an age restriction of 65 for telephone banking. The justification is that people over 65 have a problem remembering their PIN number, which is essential for all telephone banking procedures. I could cite many other examples from the financial sector.

A national survey on age discrimination in 1998 found that almost 8 million people had experienced discrimination in employment, and 33 per cent. of over-50s say that they have experienced age discrimination. Studies suggest that the age at which discrimination is experienced is falling. Age discrimination is perceived to start at 42, according to a survey conducted in 1998.

Back in 1975, 95 per cent. of men aged 55 to 65 were in employment. The proportion is now closer to 60 per cent. It is estimated that only one in three people over 40 will be working by the end of this year. A man made redundant in his 50s is 50 per cent. more likely than a working man to die within five years of stopping work.

Age Concern's on-going health campaign has gathered evidence from 2,000 people and their families which shows that, across the board, older people experience discrimination in the NHS. A survey earlier this year found that one in 20 people over 65 feel that they have been refused treatment in the NHS. Almost 2 million—one in 10—say that they have received different treatment since their 50th birthday. I could give much more anecdotal information, but in proposing the Bill, I want to go beyond the anecdotal and the objective by offering a more analytical approach to inform the Government and policy makers of the problems that face every community in the land.

Last weekend, I attended a community fair in Whitby where I was surprised by further first-hand experience of age discrimination. The local scouting group displayed its excellent range of youth activities, but was attempting to recruit a new adult leader. The current leader thanked me for the action that I intended to take today and for raising the issue. When he turns 65 in a few months time, he will be forced to retire from the scouting movement. He is fit, motivated and enthusiastic about working with the younger generation. Seeing him forced out of his voluntary position in a respected, people-focused organisation has left me wondering why that organisation is practising such discrimination, which I am sure the House would wish to reject.

I want the commission to deal with such issues as it attempts to influence policy makers and voluntary organisations. Discrimination in any form disfigures and blights our society. With an increasing number of people approaching the formal age of retirement, it is essential that the size of the problem should be measured so that appropriate community-inspired solutions can be introduced to limit its effects.

My proposal has received wide support across the House. That mirrors feeling across the nation. I hope that my proposal finds favour with the House as it exemplifies what this place should be all about—offering solutions to problems rather than simply presiding over them.

3.52 pm

Mr. Desmond Swayne (New Forest, West): It is an honour to follow the hon. Member for Scarborough and Whitby (Mr. Quinn), and I pay tribute to him for his passion and eloquence. His command of the statistics showed how thoroughly he had researched the matter.

That said, I must disagree with him. I do not favour commissions of the sort that he wants to create. They would divide our people into competing interest groups, often antithetical to one another. Logically extended, his proposal would leave us with commissions for fat people or for any number of other groups. It is fundamental that the House should act as guardian of the interests and rights of our people. It is for us to advise the Government and hold them to account. We should not set up commissions to take on our role.

The bare-faced cheek of the hon. Gentleman's proposal astounds me. The Government's record on age is breathtakingly at odds with his views. Our nation has, through its institutions, acquired a dignity of age over many centuries, but the Prime Minister has characterised the land as a young country. What sort of message was that supposed to convey? The Government's own supporters have eloquently pointed to their failure in these matters. I draw to the House's attention the words of the hon. Member for Great Grimsby (Mr. Mitchell) in the address and reply debate that opened this Parliament. The hon. Gentleman said:

> As this is confession time, I admit that I went away shortly after the election . . . I came back to find that I am indeed part of an excluded generation—the rising-60s. To paraphrase Wordsworth in "The Prelude": "Bliss was it in that dawn to be alive—but to be old was something of a disadvantage." That is the situation in which I find myself.—[*Official Report*, 16 May 1997; Vol. 294, c. 304-05.]

The hon. Member for Great Grimsby spoke eloquently for that generation of Labour Members who were beyond the opportunities afforded by those on the Treasury Bench. However, those on the Treasury Bench throughout this Parliament have not acquired the dignity and wisdom of age; they are entirely bereft of it. If the hon. Gentleman's Bill, and the case for it, were to have any credibility, the Government should set an example themselves. Perhaps Labour Members have become so desperate about there being any Government action on the issue that they have had to resort to the motion. The House should deny them the opportunity.

Question put, pursuant to Standing Order No. 23 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House divided: Ayes 190, Noes 7.

Division No. 264] **[3.56 pm**

AYES

Adams, Mrs Irene *(Paisley N)*
Allan, Richard
Anderson, Donald *(Swansea E)*
Ashdown, Rt Hon Paddy
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Baker, Norman
Ballard, Jackie
Barnes, Harry
Barron, Kevin
Beard, Nigel
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony *(Chesterfield)*
Berry, Roger
Best, Harold
Blizzard, Bob
Bradley, Peter *(The Wrekin)*
Brake, Tom
Brand, Dr Peter
Breed, Colin
Brown, Russell *(Dumfries)*
Burnett, John
Burstow, Paul
Butler, Mrs Christine
Campbell, Rt Hon Menzies
(NE Fife)
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clarke, Eric *(Midlothian)*
Clwyd, Ann
Coaker, Vernon
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Corbett, Robin
Cotter, Brian
Crausby, David
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davis, Rt Hon Terry
(B'ham Hodge H)
Dawson, Hilton
Dismore, Andrew
Dobbin, Jim
Donohoe, Brian H
Doran, Frank
Drew, David
Edwards, Huw
Ewing, Mrs Margaret
Fabricant, Michael
Fitzpatrick, Jim
Flynn, Paul
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fyfe, Maria
Galloway, George
George, Andrew *(St Ives)*
Gibson, Dr Ian
Golding, Mrs Llin
Gorrie, Donald
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Gunnell, John
Hancock, Mike
Heath, David *(Somerton & Frome)*
Hepburn, Stephen
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Hoyle, Lindsay
Hurst, Alan
Illsley, Eric
Jenkins, Brian
Jones, Rt Hon Barry *(Alyn)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Nigel *(Cheltenham)*
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Khabra, Piara S
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Laxton, Bob
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
McFall, John
McIsaac, Shona
McKenna, Mrs Rosemary
Maclennan, Rt Hon Robert
MacShane, Denis
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Martlew, Eric
Meale, Alan
Michie, Bill *(Shef'ld Heeley)*
Michie, Mrs Ray *(Argyll & Bute)*
Moran, Ms Margaret
Morgan, Alasdair *(Galloway)*
Morgan, Ms Julie *(Cardiff N)*
Mudie, George
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
Olner, Bill
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pond, Chris
Pound, Stephen
Powell, Sir Raymond
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd
Reed, Andrew *(Loughborough)*
Rendel, David
Ross, Ernie *(Dundee W)*
Ruane, Chris
Russell, Ms Christine *(Chester)*
Salmond, Alex
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheldon, Rt Hon Robert
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Miss Geraldine
(Morecambe & Lunesdale)
Smith, Sir Robert *(W Ab'd'ns)*
Squire, Ms Rachel
Starkey, Dr Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thomas, Gareth R *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Tonge, Dr Jenny
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*

Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Tynan, Bill
Vis, Dr Rudi
Ward, Ms Claire
Watts, David
Webb, Steve
Welsh, Andrew
White, Brian
Williams, Alan W *(E Carmarthen)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woolas, Phil
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Andrew Stunell and
Mr. John McDonnell.

NOES

Blunt, Crispin
Bruce, Ian *(S Dorset)*
Clark, Dr Michael *(Rayleigh)*
Gray, James
McIntosh, Miss Anne
Maclean, Rt Hon David
Nicholls, Patrick
Robertson, Laurence

Tellers for the Noes:
Mr. Eric Forth and
Mr. Desmond Swayne.

Question accordingly agreed to.

Bill ordered to be brought in by Mr. Lawrie Quinn, Mr. Jim Murphy, Mr. Michael Fabricant, Lorna Fitzsimons, Mr. Jeffrey Donaldson, Mr. John Grogan, Mr. Douglas Alexander, Mr. Richard Allan, Mr. Stephen Twigg, Ms Claire Ward and Mr. Andrew Reed.

Age Equality Commission

Mr. Lawrie Quinn accordingly presented a Bill to make provision for the establishment of an Age Equality Commission to advise the Government on discrimination issues in relation to older people: And the same was read the First time; and ordered to be read a Second time on Friday 21 July, and to be printed [Bill 159].

Orders of the Day

Care Standards Bill *[Lords]*

As amended in the Standing Committee, considered.

New Clause 16

General Powers of the Commission

'. The Commission may at any time give advice to the Secretary of State on—

(a) any changes which the Commission thinks should be made, for the purpose of securing improvement in the quality of services provided by local authorities in England in the exercise of relevant functions, in the standards set out in statements under section 48; and

(b) any other matter connected with the exercise by local authorities in England of relevant functions.'—*[Mr. Hutton.]*

Brought up, and read the First time.

4.6 pm

The Minister of State, Department of Health (Mr. John Hutton): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Michael Lord): With this it will be convenient to discuss the following: Government amendment No. 53.

Amendment No. 31, in clause 31, page 17, line 6, after "functions", insert "of regulation and inspection".

Amendment No. 96, in clause 44, page 22, line 40, at end insert—

'(1A) The description of premises referred to in paragraph (1)(b) does not extend to the private dwelling-house of a foster parent'.

Amendment No. 3, in schedule 1, page 84, line 3, at end insert—*'Committees and Directorates—*

6A. The Commission shall establish—

(a) an Independent Healthcare Committee chaired by a Commissioner who shall have specific responsibility for the Commission's functions in respect of independent hospitals; and

(b) a Nursing and Care Homes Committee chaired by a Commissioner who shall have specific responsibility for the Commission's functions in respect of nursing and care homes.

6B. The Commission shall establish—

(a) a Directorate of Independent Healthcare under a Director of Independent Healthcare, who shall report to the Independent Healthcare Committee; and

(b) a Directorate of Nursing and Care Homes under a Director of Nursing and Care Homes, who shall report to the Nursing and Care Homes Committee.

6C. The Secretary of State may by regulations define the respective responsibilities of the Committees established in accordance with paragraph 6A.'.

Amendment No. 32, in page 84, line 3, at end insert:—*'Healthcare Committee—*

6A. The Commission shall establish a Healthcare Committee chaired by a Commissioner who shall have specific responsibility for the Commission's functions in respect of independent hospitals.

6B. The Secretary of state shall appoint a Deputy Chairman of the Healthcare Committee from the staff of the Commission for Health Improvement ("CHI"), and the Deputy Chairman shall have specific responsibility for ensuring that the system of inspection of independent hospitals is common and comparable to the system used to inspect NHS hospitals.

6C. The Secretary of State may by regulation define further specific responsibilities of the Committee established in accordance with paragraph 6A.'.

Government amendment No. 82.

Mr. Hutton: In Committee, the hon. Member for Runnymede and Weybridge (Mr. Hammond) tabled a similar amendment, which would have allowed the commission to advise the Secretary of State on national minimum standards and other matters relating to part III services. I accepted the principle of the amendment but was unable to accept the wording. I am happy to put this more suitably worded new clause before the House.

The new clause is similar in effect to clause 7(5), which gives the commission the power to provide the Secretary of State with any information that it thinks would improve the quality of part III services, as defined in the Bill. The clause allows the commission, in the course of fulfilling its inspection role, to report to the Secretary of State if changes need to be made to the national minimum standards to secure improvements to local authority fostering and adoption services, and on any other matter connected with the exercise of these functions.

Through its inspection of local authority fostering and adoption services, the commission will be able to make a judgment on how effective the standards are. It is important that it should be able to pass on advice that would improve the quality of these services to the Secretary of State. This will ensure the continuing improvement of standards across the country. The Government are strongly committed to that. I thank the hon. Gentleman for raising this issue, as that will be an important function for the commission.

On amendment No. 53, the hon. Gentleman tabled an amendment in Committee that would have had the effect of requiring Ministers to publish the reports of all inquiries held under clause 10. As I made clear to the hon. Gentleman in Committee, we certainly intend to publish the inquiry reports. It is crucial for the public to have confidence in the commission and in the services that it is regulating. It is clearly desirable for failings in those services, or in the regulatory system, to be open to public scrutiny, so that lessons can be learned for the future.

The amendment makes it absolutely clear that all inquiry reports will normally be published, but allows the Government to withhold publication in exceptional circumstances only. As hon. Members will appreciate, there could conceivably be rare instances in which it would not be appropriate to publish a report—if, for example, it included unproven allegations against an individual that could possibly be interpreted as being defamatory. I hope, however, that that will never happen, and that it will be possible to publish all reports.

Let me now deal with amendment No. 82. The Government have made it clear throughout that they intend the commission and the councils to employ their own staff, and intend their functions normally to be carried out by members of their staff. On occasion, however, they may need to sub-contract work to outside people and organisations. For example, the commission may on occasion need to contract some of its inspections to self-employed inspectors if its own inspectorate is reduced owing to illness or a sudden surge of vacancies, although I hope that such problems will not occur. More important, however, the commission may want to contract specialist expertise to help it in its inspection function. It may, for instance, want to contract an NHS trust to provide specialist pharmaceutical advice. Similarly, the councils may wish to contract an outside organisation to provide them with specialist advice.

The purpose of this amendment to paragraph 13 of schedule 1 is simply to ensure that the commission and the councils have the power to sub-contract work, in an entirely sensible and pragmatic fashion.

Mr. Philip Hammond (Runnymede and Weybridge): It is perhaps fitting for us to start with a Government new clause that reflects our constructive discussion in Committee. On a number of occasions the Opposition tabled amendments that the Government could not accept—sometimes for drafting reasons, sometimes because they were not entirely happy with the precise way in which the Opposition had sought to amend the Bill—although they were willing to accept the principle.

Although, in the true traditions of this place, we had heated discussions on some issues, by and large the Committee engaged in constructive consideration, which has led to significant changes. I believe that some 37 of the Government amendments and new clauses with which we shall deal today respond to issues raised by Opposition parties in Committee. The Government have reshaped those ideas into a form acceptable to them, and we appreciate that.

New clause 16 gives the National Care Standards Commission a role in relation to the functions of local authorities which mirrors the role that the Bill gives it in clause 7(5) in relation to what it describes as part II services. The clause allows the commission to act as the Secretary of State's eyes and ears—to advise him on changes that might be required to national minimum standards in order to secure improvements in the delivery of services.

As the Minister has acknowledged, we proposed such a measure in Committee. We referred to part III services, thinking that that would nicely reflect the reference to part II services in what is now clause 7. Sadly, however, while part II services are defined, part III services are not. The Minister therefore rightly described our proposal as defective, but, following consideration, has presented a way of achieving the objective within the confines of the definitions in the Bill. "Relevant functions" in relation to local authorities is defined in clause 43.

4.15 pm

During discussions in Committee on the role of the National Care Standards Commission, particularly in providing information and advice to the Secretary of State, we expressed the view that it would be good if the commission could be a watchdog out and about among providers and users of services, and if it were able to flag up issues to the Secretary of State, quite apart from any areas where the Secretary of State might specifically require it—as he has the power to do—to investigate a matter and to report back. In other words, it might instigate such investigations itself.

To give that role of watchdog, it would be necessary for that information to be published and widely known, so that people outside were aware of the concerns that the

[Mr. Philip Hammond]

commission had identified and had reported back to the Secretary of State. We would have preferred a provision that required publication of the advice given to the Secretary of State in order to stimulate public debate.

The Government were not prepared to concede that point. We had that argument and lost it. That somewhat limits the power of the care standards commissioner to flag up problems effectively for public scrutiny. Nevertheless, new clause 16 is a worthwhile extension to the powers and capabilities of the commission and we welcome it. I am grateful to the Minister for taking the time and trouble to redraft what we originally tabled and to bring it forward for inclusion in the Bill.

Government amendment No. 53 deals with a slightly different issue that touches on some of the same concerns. I mentioned in relation to new clause 16 our preference for advice that was given to the Secretary of State to be published, so that it was available for public scrutiny. The amendment addresses a concern raised in Committee about the publication of inquiry reports. It makes it clear, as the Minister has said, that the norm will be that such inquiry reports will be published in a manner determined by the Minister. He has reserved for himself the power in exceptional circumstances not to proceed with publication.

Again, in Committee, we sought to change that arrangement, so that it would be the person conducting the inquiry who determined whether the report should be published and, indeed, the mode of publication. The Minister was not able to agree with us on that point, but he acknowledged then that he expected the norm to be publication and that publication would be withheld only in exceptional circumstances.

The amendment meets the Government's commitment in Committee to provide for that point on Report. The Minister gave us one example of what he might consider to be an exceptional circumstance: a situation where the contents of a report might be considered libellous. I had thought that he probably had in mind a situation where criminal proceedings might be contemplated and the material in the report might prejudice those proceedings and, thus, be inappropriate for publication at that time. I hope that he will acknowledge that in a case where, for example, criminal proceedings are contemplated, there is an argument for delaying publication of an inquiry report in order to allow those criminal proceedings to continue uncompromised by publication of the report. However, I suggest that, in those circumstances, it would be in the public interest that the report was published eventually.

I can think of very few circumstances beyond the one that the Minister mentioned in which it would be appropriate not ever to publish. Even the circumstances that the Minister mentioned might be an argument only for delay, until the matters giving rise to the possible libel had been resolved.

I should be grateful if, later in the debate, the Minister will say whether the libel situation that he intimated and the possibility of criminal prosecution are the only situations in which he envisages immediate publication not being possible, and also whether he agrees that, in the case of pending criminal proceedings, it would be possible for the report to be published eventually, at an appropriate time.

The Liberal Democrats' amendment No. 31, which was tabled by the hon. Members for Sutton and Cheam (Mr. Burstow) and for Isle of Wight (Dr. Brand), seeks to tighten the commission's power to require disclosure of any information that it considers to be "necessary or expedient"—I emphasise those words—

for the purposes of its functions.

The amendment would tighten that power by making it clear that subpoenas can be used only in relation to material that is "necessary or expedient" for the purposes of the commission's functions of regulation or inspection.

I expressed a concern in Committee that I am sure Liberal Democrat Members share—amendment No. 31 expresses a similar concern—but I am not sure that their amendment, albeit well meaning, really deals with the mischief that concerns us. The real concern that we expressed was that the Bill enables the care standards commission to conduct fishing expeditions—to seek information from registered persons without necessarily having to indicate a specific reason why it needs that information, and perhaps even to trawl widely in the hope of finding something that might incriminate the person or persons in question, leading ultimately to the deregistration of those people or that establishment.

In this debate, it is important for us to explore with the Minister how he intends to prevent the commission from undertaking that type of fishing expedition. Perhaps he will be able to reassure us that he can use the extensive regulation-making power that the Bill gives to the Secretary of State to prevent that type of activity.

Mr. John Bercow (Buckingham): I think that my hon. Friend will recall that on Second Reading I inquired about the nature of the regulations that will be introduced attendant upon the Bill. Is he satisfied that any regulations on this subject will be subject to the affirmative procedure, and therefore open to hon. Members to debate?

Mr. Hammond: Regulations made in relation to this aspect of the Bill, and to the great majority of the Bill, will be subject to the negative procedure. *[Interruption.]* While I understand that my hon. Friend is quite naturally disappointed about that, I have to tell him that it gets worse.

In the next group of amendments, we shall be examining a subject on which significant material will be introduced by Ministers, not in the form of regulation subject to either the affirmative or the negative procedure, but in the form of documents that will not be subject to any form of parliamentary scrutiny. I hope that my hon. Friend will be in the Chamber for that debate, when he will be able to explore that issue a little more fully.

In Committee, concerns were raised about the powers that the National Care Standards Commission will have to obtain information from a registered person. The Bill does not appear to include any exclusion for information that a registered person is gathering in contemplation of an appeal against a decision to deregister under the procedures in the Bill. I raised that issue with the Minister who, to paraphrase his response, agreed that it would not be acceptable for the commission to seek to sequester the evidence that an individual intended to produce to an appeal tribunal merely because it would be expedient for the commission to do so. Of course it would always be expedient to have sight of an opponent's intended evidence in any proceedings.

The Minister made it clear that he did not contemplate such wide-ranging use of the power, but nothing in the Bill would prevent such action. Perhaps the Minister will prevent it through regulation, but I am certain that the hon. Member for Sutton and Cheam (Mr. Burstow) had such issues in mind when he framed his amendment. I am sure that he will wish to pursue the argument further, if he is fortunate enough to catch your eye, Mr. Deputy Speaker.

Amendment No. 96, tabled by myself, addresses clause 44, which deals with the power of entry of inspectors. The issue at stake depends on the interpretation of the term in the clause about

> premises which are used . . . by a local authority in its discharge of relevant functions.

Relevant functions are defined as functions of fostering and adoption and the clause gives powers of entry to premises that are used in that connection. If that means a power of entry to the town hall to have a look in the filing cabinet, at any time of the day or night and without notice—although we might have practical issues to raise—nobody would have a problem in principle with inspectors inspecting the premises of a public authority to ensure that records are in order. However, the advice that we received before the Committee debate on the subject was that it is not clear from the Bill's wording that the term does not include the private dwelling house of a foster parent who fosters a child for the local authority. Fostering is a relevant function and the local authority is procuring the discharge of that function. It is at least arguable that the private dwelling house of the foster carer is a premises being used in the discharge of that relevant function. I return to the issue today because the Minister sought to deal with the concerns during the debate.

Dr. Peter Brand (Isle of Wight): Does the hon. Gentleman believe that no powers of entry should be granted for the private dwellings of foster parents? Under existing arrangements and for the purpose of child protection, surely it is important that inspections can be made.

4.30 pm

Mr. Hammond: The hon. Gentleman is right. As he says, inspections can be made under existing legislation and will continue to be possible. If he will bear with me for a moment, I shall come to that point.

Let me quote from an exchange in Standing Committee. I said to the Minister:

> My reading of the Bill was that the reference in subsection (1)(b) to premises used by a local authority in the discharge of its relevant functions would include the private home of a foster carer, where a child is being fostered as part of the discharge of the local authority's functions. Will the Minister say whether that is correct?

The Minister replied:

> Other amendments are coming up that will allow us to discuss that. There will be an opportunity for National Care Standards Commission inspectors to have access to the homes of private foster carers, because that is entirely appropriate.

I then asked the Minister the same question again:

> Will the Minister answer my specific question? Does the reference in subsection (1)(b) to premises used by a local authority for the discharge of its relevant functions include a private home in which a child is fostered?

The Minister answered

> My advice is that it does not include the private homes of foster carers.—[*Official Report, Standing Committee G*, 22 June 2000; c. 428-29.]

I have got to know the Minister quite well during the progress of this Bill and others. When he prefaces a remark by saying, "My advice is", that suggests that he has just a little doubt in his own mind, as when he is quite clear about something he is usually robust in saying so. Apparently, there is something of a contradiction between those two statements. The Minister said that there would be an opportunity for National Care Standards Commission inspectors to have access, but clearly that opportunity will not occur under clause 44. We need to hear from the Minister where it is stated in the Bill that National Care Standards Commission inspectors will have access to the private dwellings of foster parents.

To answer the hon. Member for Isle of Wight (Dr. Brand), of course local authorities, as part of their contracting process, may require access to the private dwellings of foster carers. They may want to secure that access for National Care Standards Commission inspectors. I have no problem with that as it would be a contractual matter, and issues such as time of access and how much notice needs to be given could be agreed between the parties to the contract. That is quite distinct from a statutory power of entry.

The amendment seeks to clarify what I think the Minister told me in Committee—that a private dwelling is specifically excluded from the definition of premises used by a local authority in its discharge of relevant functions. We believe that there is an important distinction to be drawn between the domestic dwelling of a private individual and premises such as the offices of a local authority.

In addition, again referring to what the hon. Member for Isle of Wight said, there will still be powers of entry in certain circumstances—for example, to protect the safety of children under the Children Act 1989, although that power would probably not be exercisable by National Care Standards Commission staff. So, both through contracting and through the existing legislation for the protection of children, there would be access, but I am still baffled by the Minister's reference in Committee to the right of National Care Standards Commission inspectors to have access to private dwellings, and I look forward to some clarification on that point.

Amendment No. 3, in my name and that of my hon. Friend the Member for Meriden (Mrs. Spelman), deals with the inspection of independent acute health care provision. This matter considerably exercised my noble Friends and others when the Bill was being considered in another place. I cannot speak for my noble Friends and other noble Lords as to how they might proceed when the Bill returns to them stripped of the provisions that they inserted on inspection of the independent acute health care sector.

The Bill originally contained provisions that would have made the Commission for Health Improvement responsible for inspection, registration and regulation

[Mr. Hammond]

of the independent health care sector and the NHS. The Government have advanced some persuasive and largely pragmatic arguments why the commission would not be appropriate for the task. They said that it was designed with a different purpose in mind, and to work in the context of a managed service—the NHS—rather than in an independent system that requires arm's-length regulation.

The debates on the matter have caused much rethinking on the issue by hon. Members of all parties. However, it is clear that the Government oppose the use of the Commission for Health Improvement as a single regulatory body for both independent and NHS provision. When Conservative peers pressed for that, they were keen to draw attention to the advantages—a level playing field and a clear and even-handed regulatory system that would ensure that patients were treated in accordance with appropriate and properly policed standards. That would be the case wherever they were treated and whoever was paying for the treatment.

It is becoming increasingly ludicrous to distinguish between the private and NHS sectors. The Government have made clear their intention to use private-sector providers more regularly and widely in the provision of care to NHS patients. The Government tabled a new clause in Committee to allow cross-contracting between the Commission for Health Improvement and the National Care Standards Commission, to avoid the absurdity of double inspection, under which beds are inspected separately according to whether they contain NHS or private patients.

One anomaly remains, however. Many private beds remain in the NHS, and they will still be inspected by the Commission for Health Improvement, rather than by the National Care Standards Commission. The independent acute provision sector will be regulated and registered, but its largest competitor—the NHS pay beds service—will not.

Our preference would be for a single regulatory mechanism covering all sectors, but the Government will not countenance that. The independent sector and other observers have described the problems that they foresee, and we propose that two separate committees and directorates should be established in the National Care Standards Commission. Each would be led by a dedicated commissioner, who would be the figurehead responsible for, respectively, independent acute health care and for nursing and care homes. That recognition would give clear status to the importance of those two strands.

The commission is a multi-functional body. We are dealing with two areas in which, by definition and by circumstance, large elements of the total provision come from the independent sector.

Mr. Tim Collins (Westmorland and Lonsdale): My hon. Friend makes a powerful case for amendment No. 3. Could he, for my benefit, and possibly that of other right hon. and hon. Members, clarify whether the commissioners who would have those specific tasks would be appointed by the Secretary of State or the chairman of the commission? Would they be appointed to the commission with a view to having a specific responsibility, and does my hon. Friend therefore envisage that people with a specific background would be appointed?

Mr. Hammond: I believe that the Bill provides that the Secretary of State will appoint the commissioners. Interestingly, amendment No. 32, tabled by Liberal Democrat Members, addresses my hon. Friend's point by suggesting that a member of the Commission for Health Improvement staff should be the deputy director of the independent health care directorate of the National Care Standards Commission. That issue is likely to be debated shortly.

Why is it necessary to establish a separate entity within the commission to address the needs and concerns of the independent acute health sector? A couple of general points have come to light, as well as a couple of specific points. First, which staff in the commission will carry out the inspections and the registration function? We believe, from what the Minister has told us, that many of them are carrying out inspection functions within health or local authorities, and will move across to the National Care Standards Commission.

In some areas—I emphasise "some"—there are historic tensions that do not bode well for a good working relationship. The old role of inspectors working within local or health authorities is different from the working relationships that the Government hope to inspire by this new model, in which people will work for an independent care standards commission. There is a concern in the independent sector that the same people will be wearing different hats—and probably earning higher salaries—after the move from one employer to another.

There are specific questions about the nature of inspection and the regulation of private hospitals. The term "independent hospitals" encompasses a wide range of entities. Sophisticated hospitals in central London and other large cities have sophisticated equipment, fully-fledged intensive care beds and the capability to carry out almost any procedure that can be done in the national health service. At the other end of the scale we have smaller, low-tech institutions. The smaller ones are often run by voluntary or charitable organisations; they may perform a general service to the community or to a particular group or community.

There is a wide range of competence and ambition between private hospitals. We must ensure that the regulation and inspection regime is sensitive to those differences, and that small hospitals seeking only to carry out relatively minor procedures are not rendered non-viable by a requirement to comply with regulations designed for hospitals that have loftier ambitions.

We agree with the industry that identifying a unit within the National Care Standards Commission that will address itself exclusively and specifically to these issues, will give a greater chance of achieving an appropriate, light-touch regime that will ensure proper delivery of consistent quality standards and proper compliance with appropriate levels of regulations without becoming oppressive. That is why we propose the establishment of the health care committee, and an associated commissioner.

I turn to the arguments for the nursing and care homes committee. In some cases, history does not offer much help when we consider working relationships in that sector. Local authorities have been providers of accommodation themselves, as well as purchasers of accommodation and services from the private sector and regulators of that sector. They have experienced considerable conflicts of interest, because they are asked to regulate homes that are in competition with those that they provide. There are many stories from many parts of the country about practices that we certainly should not accept. I know that the Minister would not accept them; that is, in large part, why the Government want to change the regime and to establish a level playing field.

4.45 pm

The Bill will separate the role of regulator from that of provider. For the first time, it will require local authorities that provide care home or nursing home accommodation to be regulated in the same way as their private sector competitors. We acknowledge that the establishment of that regime is an important element of the measure, and we welcome it.

People who are active in the sector are anxious about the fact that those with whom they have, with difficulty, built relationships on specific issues locally will arrive on their doorsteps as the inspectors for the National Care Standards Commission. Although everyone might be working on the new level playing field that the Government are creating, we all know that it is easier to change a title than to deal with deep-rooted, long-established personality differences that have grown up over a long time.

As the Minister acknowledged in Standing Committee, in some cases there will be real difficulties in ensuring that there are constructive working relationships between the commission inspectors and the providers of residential accommodation. Much confidence building and tender loving care will be needed to convince all the providers that the new regime genuinely represents a break with the past and with a system that many people feel is discredited. A dedicated commissioner and committee would send the right signals—a positive message to encourage all parties to build constructive relationships in the future.

The aims of the Liberal Democrats' amendment No. 32 are closely linked to those of amendment No. 3. An interesting twist in amendment No. 32 is that it provides for the appointment of a deputy chairman from the staff of the Commission for Health Improvement. I realise that the provision was designed to ensure that the committee includes a member with expertise in acute health care—indeed, that it is led from the top, or near the top, by such a person. That would address the fear expressed by those in the independent acute sector that their needs might be swamped by the broader responsibilities of the National Care Standards Commission for registering and regulating care homes. I anticipate that there will be certain practical problems with the Liberal Democrats' proposals, but I look forward to hearing the detailed reasoning for their approach to a problem that we have both identified. Their amendment deals with concerns that we share.

The Government have embarked on the creation of a level playing field for care home regulation and registration. In Committee they made a minor concession in relation to boarding schools, and made it clear that they did not want a distinction between independent and local authority schools. That was another step in the right direction, but we have come to a deeper philosophical divide in relation to acute hospitals.

The Under-Secretary, the hon. Member for Birmingham, Edgbaston (Ms Stuart), said openly in Committee that the Government were committed to the managed system of health care and to the Commission for Health Improvement, which has no power of deregistration. If it finds a problem in the national health service acute sector, all that it can do is report the problem to the management—which may be responsible for the problem in the first place. It will have to rely on the Secretary of State's powers for direction and central management of the national health service to try to deal with the problem. In the independent care sector, the National Care Standards Commission will have real teeth, because it will be able to deregister someone who is in breach of the standards or who has not behaved properly in any other way.

Our amendment and the Liberal Democrats' amendment seek to address the real concerns of the independent health care sector and to make the level playing field a reality. The amendments recognise that both sectors—the independent sector and the national health service—can learn from each other. There is not a monopoly of wisdom on either side, and no one thinks that there is.

The amendments will help to ensure—there is no guarantee—that independent sector providers are not saddled with inappropriate registration or inspection regimes, and that the many different functions of independent hospitals are properly recognised. The industry believes that there would be safety in having a dedicated commissioner, and amendment No. 3 seeks to provide for one. The Liberal Democrats have a similar aim in amendment No. 32.

In a letter to me dealing with outstanding matters from the Committee, the Minister described Government amendment No. 82 as a drafting amendment. However, as he said in his opening remarks, it addresses the question of how the National Care Standards Commission will operate. Will it mainly employ its own staff, or contract its functions out? In other words, will it follow the local authority or the Ofsted model? Will the initial position be enshrined in any way or may it change over time? Does the Minister envisage the position evolving once the initial cohort of staff, who will transfer from local authorities and health authorities, is replaced by other people? Members on both sides of the House will wish to explore that issue a little so that they can understand the significance of the change that the amendment will make to schedule 1.

This interesting and diverse group of amendments and new clauses will significantly improve the Bill—and I include the Government new clause and amendment in that description. I look forward to hearing in due course the Minister's answers to my questions.

Mr. Paul Burstow (Sutton and Cheam): I look forward to the contribution of the hon. Member for Chatham and Aylesford (Mr. Shaw). The hon. Member for Runnymede and Weybridge (Mr. Hammond) said that he looked forward to the Minister's response in due course, and it remains to be seen how long, and how detailed, that turns out to be, as I know that some Members are minded to engage in a detailed dialogue on these matters.

[Mr. Paul Burstow]

The Government amendments are wholly welcome and useful additions to the Bill, and rightly respond to concerns that were raised by Members on both sides of the Committee. The hon. Member for Runnymede and Weybridge broadly welcomed amendment No. 31, which we tabled and to which my hon. Friend the Member for Isle of Wight (Dr. Brand) will speak in some detail. When he does so, we shall see whether the amendment involves the degree of paranoia that was suggested might underpin it. My hon. Friend and I wish to ensure that the Minister addresses concerns on that matter.

I wish to concentrate on amendment No. 32 and shall comment in passing on amendment No. 3, which was tabled by the hon. Member for Runnymede and Weybridge. Both amendments deal with the same issue, as the hon. Gentleman and I, as well as many other Members, are trying to find a route by which we can create a common architecture for establishing a sensible regime of standard setting across the health sector, regardless of whether services are public or independent. Our discussion is part of a long-running debate—indeed, I suspect that the Minister sometimes thinks that it has been running for far too long—which started with consideration of the Health Act 1999, when we had detailed discussion in Committee and on the Floor of the House about the role of the Commission for Health Improvement, and which continued with the progress of the Bill through all its stages in the Lords and in this place.

It has begun to feel a bit like trench warfare, as there are two clearly defined positions, one on whether it is possible to establish a common framework in which health care standards are set and assured and the other on whether we have to have two parallel or separate structures to do that. To be fair, the Government have moved quite a long way from the position originally taken by the right hon. Member for Holborn and St. Pancras (Mr. Dobson), the former Secretary of State. When the Select Committee on Health conducted an inquiry into the regulation and inspection of the private health care sector, the former Secretary of State responded to a question from my hon. Friend the Member for Isle of Wight by saying that it was not the role of Government to provide a stamp of approval for the private sector.

Clearly, things have moved on, and the Government recognise that there is a legitimate role for Government in providing a mechanism to give the public assurances and guarantees of standards wherever they receive health care. We welcome that movement, which has continued with the passage of the Bill through this place and the House of Lords. When the Bill was published, it was plain that the National Care Standards Commission would have a role in private health care, but that that would be clearly separate from the NHS. CHIMP was not to have a role in private health care because, as several Ministers said, CHIMP is a tailor-made institution, geared to dealing with the specific circumstances of the NHS, which is a managed service. By contrast, they said that private health care services needed to be brought into a regulatory framework. Somehow, those two things were completely different and could not be brought together in a single structure.

Since then, however, in the other place, a majority of their lordships decided that the Bill was defective and a clause was added which would have given CHIMP a specific role in providing, on behalf of the NCSC, inspection and registration of the independent sector. That new clause was subsequently removed in Committee, much to the regret of my hon. Friend the Member for Isle of Wight, myself and many people outside the House.

5 pm

We are particularly concerned that the Bill remains silent on the question of a duty of quality that will apply across the board, and not only to the NHS, in respect of which we have debated the rightful need for such a duty to exist. A similar, comparable standard should be applied to the private sector. The Government should now make further moves on that, and even if we cannot affect their actions in this debate, I hope that when the Bill returns to the other place, their lordships will closely examine our debates in Committee and on Report and give the Government an opportunity, by way of an amendment, to think again about how they can provide a consistent framework.

There is no difference between a medical intervention in the private sector and one in the NHS—how can there be? I do not understand how clinical governance can be relevant in the NHS but irrelevant in the private sector. We were told that clinical governance was irrelevant in the private sector because it was defined only in regulations and not in a Bill. Surely it is not beyond the wit of the Government to find a mechanism to provide such a definition so that there is clarity about what clinical governance means in the private sector. It should mean exactly the same as it does in the NHS.

The same applies to clinical management of patients. Surely that also requires common standards. That would be common sense, and we still do not understand why the Government are not prepared to put in place the mechanisms that will guarantee those common standards for everyone in this country.

As I said, the Government's case is that the NHS is a managed service, but the private sector is not and has to be regulated in some form. However, the NCSC will be regulating managed services provided by the public sector, such as boarding schools and colleges, and care homes run by local authorities. Why is it that those institutions, which are provided for and managed by the public sector, have to be regulated and inspected, but the NHS, which is also provided for and managed by the public sector, is not to be regulated and inspected in the same way? What is the difference? Is it simply that the Government are not prepared to trust local government in this respect? What is the difficulty that means that the Government want to twist the logic of the case for a seamless system and have a two-tier system instead?

The Minister has not explained that, and in Committee his colleagues did not adequately address that conundrum, which is at the heart of the Bill. Amendment No. 32, in my name and that of my hon. Friend the Member for Isle of Wight, is intended to provide a vehicle for debate about that and to give the Government a chance to reflect further on what mechanisms could be put in place to use the skills and resources that will be at the disposal of the

Commission for Health Improvement to ensure that we are monitoring and driving up standards in the private sector.

The hon. Member for Runnymede and Weybridge did an admirable job of explaining the purpose of that amendment, so I will not say much more about it. I am grateful for his broad support. Amendment No. 3 in his name takes a similar approach in trying, albeit by a very different route, to provide a structure that would bring together the two sectors.

Ideally, the Commission for Health Improvement should be an arm of the NCSC. That would be logical and it would provide a better fit if we are to have a system that covers the independent sector and the public sector. When one considers that there are more than 200 hospitals in the private sector with more than 10,000 beds, and that last year, there were some 800,000 treatments in that sector, it makes no sense to exclude those treatments from a regime that guarantees standards. That is why we think that one regime with one set of standards and a common understanding of clinical governance would be far better than two separate regimes. In a sense, our amendment is about establishing a vehicle through the NCSC that will achieve that—albeit by dint of setting up a committee. Committees might not be the best vehicle, but they are a means of persuading the Government to consider the matter further.

If we have two separate regimes, as we will under the Bill as drafted, there is immense potential for grey areas to engulf the issues of who has responsibility for the inspection of services, where the line should be drawn between acute and chronic care, and which body has responsibility for the public and the private sector. What if an NHS patient is taken into the private independent sector? Does the inspection regime follow the patient, or does it depend on which bed they occupy when receiving treatment?

Mr. Hammond: Does the hon. Gentleman agree that the Government's introduction into the Bill of clause 7, which allows cross co-operation between the Commission for Health Improvement and the NCSC, averts some of the more bizarre possible outcomes while doing nothing to address the fundamental issue?

Mr. Burstow: I agree absolutely. The hon. Gentleman allows me to acknowledge that, to some extent, the Government have changed their mind and addressed the concerns raised by Opposition Members and Cross-Benchers in the Lords. It is right to establish a mechanism whereby cross-contracting can take place. However, we want to go further—hence our amendment and our argument that, instead of allowing the possibility of contracting to take place between the two agencies, the Government should recognise the necessity of doing so, or—better still—make CHIMP part of the NCSC.

Barring a miracle, it is unlikely that we shall be able to gather enough votes today to persuade the Government to accept either amendment No. 3 or amendment No. 32, but there is a possibility of our doing so in the other place. I hope that, when their lordships give the Bill further consideration, they will agree with Opposition Members that the matter is one that should not be left as it stands, with the Government amendments made in Committee, and that there is a long way to go before the public can be guaranteed common standards of care wherever they happen to be treated, whether in the independent health care sector or the NHS.

That is what the public now want. When told that there are to be two separate regimes governing the quality and standards of care that they receive, the public are horrified. They want guarantees, continuity and standards that can be assured throughout the health sector. That is what the amendment is designed to achieve. I hope that the Government will accept it, but, if they do not, we hope that the Lords will do more.

Mr. Jonathan Shaw (Chatham and Aylesford): I welcome new clause 16. I hope that my hon. Friend the Minister of State will be able to advise me whether one of the matters that the commission may consider is private fostering. In Committee, I tabled an amendment requiring those individuals who carry out private fostering to be registered with the commission. I did so not only because of my personal experience, but because Sir William Utting referred to the matter in his report, as did former social services inspector Lord Laming during the Lords consideration of the Bill, and the social services inspectorate in 1994: all called for those who privately foster children to be regulated. However, because the arrangement is a private one, under the provisions of the Children Act 1989, such individuals merely have to notify the local authority that they are looking after children. Many eminent reports have stated that that does not meet the safeguards that we would want for particular children. We do not know how many children are privately fostered, often for a small amount of money. There will be far tighter regulations for day care, where children go home at some part of the day, than for children who may be with private foster carers for weeks, months or years.

My hon. Friend the Minister said that he took the matter seriously. He repeated the response of my noble Friend Lord Hunt of Kings Heath that the social services inspectorate was also be taking the matter seriously and would be requiring local authorities to have greater regard to the responsibility to ensure that private foster carers notify local authorities so that they can be inspected. It has been repeated that there will be a national publicity campaign to ensure that people are aware of their responsibilities.

Suppose that, following the national publicity campaign and the requirement on local authorities, the NCSC, perhaps in consultation with the social services inspectorate, was more rigorous in ascertaining how many children were in private foster care and whether they were being cared for to a standard that we would expect. Would the sharing of that information, if the NCSC raised concerns with my hon. Friend, lead him to introduce legislation of the sort suggested in my amendment, which has been recommended by distinguished Members of the other place who have long experience in these matters? Would my hon. Friend be able to make changes to the foster regulations under the Children Act 1989, or would he have to introduce primary legislation?

Mr. Eric Forth (Bromley and Chislehurst): Those of us who did not have the honour and privilege of considering the Bill in Committee now have the chance to express our thoughts about the Bill, including the matters immediately before us. I make a preliminary observation. My heart sinks whenever I see a Bill like this one and

[Mr. Eric Forth]

whenever I hear the dialogue that has already taken place, which is a sort of throat clearing for the main business that is to come.

I am not surprised that we are already in something of a tangle with this group of amendments. I shall say a few words and ask a few questions about each one. We are in a world in which both the Government and the official Opposition claim repeatedly to be deregulatory, to believe in a free society and to wish to dismantle red tape and bureaucracy—I do not know whether the Liberal Democrats sign up to that—yet we are confronted with a Bill that will have precisely the opposite effect.

I accept that on Second Reading and in Committee, it was agreed that there was a need to adopt the approach that is set out in the Bill. I do not intend to challenge that for the moment. That is also a preliminary observation. It is no surprise to me, however, that Members then become hopelessly bogged down when considering the minutiae of what the bureaucracy that we are now setting up will do. One would have thought that its aims were clear enough, but what will it do in detail? The new clauses and amendments that have already been touched on illustrate well how one can set up a well-meaning bureaucracy, but get into difficulty in defining not necessarily its aims, which can usually be pretty well defined, but the way in which the aims will be fulfilled.

5.15 pm

New clause 16 is pretty opaque to say the least, certainly to the layman coming to it for the first time. On the face of it, it should be relatively straightforward. It refers to section 48, but if one goes to clause 48 for guidance and clarity, one is surprised to see that it refers to section 23. Clause 23(1) states:

> The appropriate Minister may prepare and publish statements of national minimum standards applicable to establishments or agencies.

That is clear enough. Subsection (2) states:

> The appropriate Minister shall keep the standards set out in the statements under review and may publish amended statements.

Subsection (3) states that

> the appropriate Minister shall consult any persons he considers appropriate.

The Minister will undoubtedly be able to help us later, but given that the Minister

> shall keep the standards . . . under review

and

> shall consult any persons he considers appropriate—

not our old friend may, but shall, which is strong and prescriptive—I should have thought that, without any doubt, that means that the Minister will involve the commission in the review of national minimum standards.

Yet new clause 16 states:

> The Commission may at any time give advice to the Secretary of State on . . . any changes which the Commission thinks should be made.

I shall come in a moment to consider the commission's terms of reference—to look, as it were, through the other end of the telescope—but any reasonable person would be satisfied that, given clauses 48 and 23, the Minister would be most unlikely to discharge those elements of his responsibilities without fully taking the commission's views into account.

Therefore, because of the obligation that I am assuming, the first question that arises is whether new clause 16 is otiose. The Minister may tell me later that I am wrong in that presumption, but, for the moment, I think that a reasonable person would want to take that view.

Mr. Hammond: My right hon. Friend may not yet have had a chance to look ahead to new clause 4 in the next group of amendments, but, if he does, he will see that it puts precisely that obligation on the Secretary of State, before bringing forward any new standards under what will be a replacement for clause 23—that he must consult and seek certain information from the commission.

Mr. Forth: I am grateful to my hon. Friend for that. I am a slow reader, so I have not quite reached that point yet. I shall want to look at it and listen to what he says at the appropriate time.

I am even more puzzled because in clause 7, entitled "General duties of the Commission", subsection (5) states:

> The Commission may at any time give advice to the Secretary of State on—
>
> (a) any changes which the Commission thinks should be made . . . and
>
> (b) any other matter connected.

I should have thought that that gives an extraordinarily wide—almost certainly rightly wide—remit to the commission to give advice to the Secretary of State. Yet new clause 16 seems to be in the business of gilding lilies, saying:

> The Commission may at any time give advice . . . under section 48.

We need some clarification. I fear—this is my suspicion about this group of amendments, as I suspect it will be about the next group when I catch up with the reading that my hon. Friend has set me—that when we get into this, we will begin to see that we are wading not just knee deep, but waist deep in a mass of verbiage which, if we are not careful, will obscure the objectives, with which everyone appears to agree, of the new bureaucracy.

That is, of course, the danger. Bureaucracies are bad enough as they are, and rarely achieve the ends that are set. Goodness knows, one can point to any number of examples in other walks of life where there are bureaucracies, commissions and regulatory regimes that hopelessly fail to fulfil their task. One hopes that that will not be the case with the Bill, but I, for one, do not set out with any great optimism.

My problem with new clause 16 is that I cannot for the life of me see how it adds materially and usefully to the wording in the Bill.

In Government amendment No. 53, we are in the "exceptional circumstances" business. The amendment refers to the publication of material and whether that should be done routinely. Again, I accept that the Minister tried to be helpful in his brief explanation. I can understand that he may want to move things along, as Ministers often do, but our job is not to move on until we are satisfied.

We must consider what the words suggested in the amendment add materially to the Bill. I confess that I am somewhat mystified. The original words are:

> The report of the person who held the inquiry shall, unless the Minister who caused the inquiry to be held considers that it would be inappropriate to publish it, be published in a manner which that Minister considers appropriate.

I accept what the Minister said—there is a presumption of publication. In the new world of open government, that is as it should be. However, the Bill already states that if the Minister considers publication inappropriate, the report will not be published. According to the amendment, the report will be published unless there are exceptional circumstances. For the life of me, I can see no material difference.

Of course, I am not remotely querying the sagacity of the selection of the matter for debate—far from it—but there is an onus on the Minister, who is suggesting a different form of words, to explain to us more fully why he concluded that the original wording in his own Bill was not satisfactory for the purpose that he stated, and why the new words are a material improvement. That, after all, is why we are considering the matter.

I thought that the original words were perfectly fit for the purpose. Obviously, I do not want to digress or delay the House unnecessarily, but we could get into a debate about that. The Minister gave us one or two examples of possible exceptional circumstances. We do not need to get bogged down in that, but we may want to know to what extent the Minister thinks that the power, in the existing words or the Government amendment, is likely to be invoked.

The Minister wanted to reassure us that that would rarely happen but, as we all know, the good intentions set out at this stage in the proceedings to make us feel warm and comfortable about something often do not stand up in the cold, harsh light of the real world, when the matters on the statute book are tested in practice.

Amendment No. 31, which was tabled by the Liberal Democrats, rather puzzled me. I got the impression that the amendment was designed to restrict the powers in the Bill, and I was not sure why that was necessary. The present wording is fairly general—

> considers it necessary or expedient to have for the purposes of its functions under this Part.

The important question is whether adding "of regulation and inspection" strengthens, clarifies or limits it.

Mr. Burstow: It does.

Mr. Forth: In typical Liberal Democrat fashion, the hon. Gentleman says, "it does" when I have asked three different questions. Perhaps he would like to pick one of the three and help me.

Dr. Brand: Wait and see.

Mr. Forth: The hon. Gentleman is reluctant to help, but his hon. Friend tells us to wait. I am really excited now. We have had a hidden Liberal promise of clarification to come. I shall contain myself for now, exercising patience in the expectation that the hon. Member for Isle of Wight (Dr. Brand) will regale us later with a much fuller explanation of what the amendment is all about. I shall restrict myself merely to posing my questions now, but if the hon. Gentleman does not keep his promise, I shall find some way to punish him. He can only guess right now at what my means may be, but they may become obvious as the night wears on.

That brings us neatly and satisfactorily to amendment No. 96, which is much more interesting and with which my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) dealt very ably. More and more as we consider Bills, we debate the necessity and wisdom of giving powers of entry and investigation to authorities and bodies, and the extent to which we wish to make those powers general or to restrict them.

I can see what my hon. Friend's amendment is driving at: he wants to restrict to genuine local authority premises powers that could be extremely wide and intrusive, and he wants to ensure that private dwelling houses are not covered. I confess that I wonder whether that would inhibit the legitimate purposes of the Bill and the bureaucracy. I am caught in a dilemma on this point: I have explained my reservations about bureaucracies, regulatory powers and powers of entry, but I must, reluctantly, accept that once the House has accepted the general purpose of a Bill, we can only ask whether it will be effective.

There is a slight risk—I put it no higher—that amendment No. 96 could, in some circumstances, inhibit or restrict the proposed powers. I can imagine circumstances in which something happens in the private house of a foster parent about which we may have legitimate concern. Given the relationship between foster parents, local authorities and the proposed bureaucracy, we can query how far the Bill's powers should be restricted or left broad.

Mr. Ian Bruce (South Dorset) *rose—*

Mr. Hammond *rose—*

Mr. Forth: My hon. Friend the Member for Runnymede and Weybridge can help me because he proposed the amendment.

Mr. Hammond: I recognise my right hon. Friend's concern, but there are two points at issue. First, powers exist, particularly under the Children Act 1989, to allow entry in order to protect a child at risk. Secondly, we must make sure that our sanctions and intrusions are proportional to what we seek to do. I believe that my amendment has the balance right.

Mr. Forth: I am grateful. If my hon. Friend cannot envisage circumstances in which his amendment would prevent the proper discharge of the duties in clause 44, I must be satisfied.

Mr. Hammond: I should make it clear that the Minister has already told the Standing Committee that in the Government's view, there is no power of entry to a private dwelling house under this part of the Bill. The amendment would simply make the Bill clear, which, in my submission, supported by my right hon. Friend's interpretation, it is not at present.

5.30 pm

Mr. Forth: That is helpful. Of course my hon. Friend has just shown the disadvantage that those of us who did not serve on the Standing Committee have in such matters. I will not be tempted to dilate on Pepper *v.* Hart; he is not trying to do so. If the Minister has put that on the record in Committee, that may be good enough. Of course I accept what my hon. Friend says; he wants only to put such matters beyond doubt—even beyond the Minister's words, which are on record. The Minister has already said that that is an appropriate matter and I am grateful to my hon. Friend for that clarification.

Mr. Bruce: I, too, did not serve on the Standing Committee. Indeed, I had not read clause 44 until warming up for the debate, but I have read the Regulation of Investigatory Powers Bill, which will restrict law enforcement officers and all sorts of other people from entering a private dwelling or whatever. It strikes me that, without amendment, the Bill could directly contradict another Government measure that is being considered in the House of Lords. Will my right hon. Friend comment on that extraordinary situation?

Mr. Forth: My hon. Friend may think it extraordinary, but I am not sure that I do. He characteristically gives the Government the benefit of the doubt in assuming that they are consistent. I have never believed that and, in his perspicacious way, he shows that the Government are all over the place.

Mr. Bruce: That is putting it mildly.

Mr. Forth: Yes, it is. Perhaps my hon. Friend would like to develop that point in his own way; I do not want to encroach on his territory.

I shall move on swiftly to amendments Nos. 3, tabled by my hon. Friends, and 32, tabled by the Liberal Democrats, by which they seek to pre-empt or prescribe the way in which the commission will discharge its responsibilities. That is an important issue. We should carefully consider whether it is beneficial for the House to prescribe how the commission will work, even in the way in which my hon. Friends suggest.

Amendment No. 3 states:

> The commission shall establish . . . an independent Healthcare Committee . . . a Nursing and Care Homes Committee . . . a Directorate of Independent Health Care . . . a Directorate of Nursing and Care Homes . . . The Secretary of State may by regulations define the respective responsibilities . . .

That seems to go a bit far, even for enthusiasts of bureaucracy. Either we have reasonable confidence about how the commission will discharge its duties, or we do not. Even at this late stage, my hon. Friends want to state in detail how the commission will be structured and how it will carry out its responsibilities. I make no apology for taking them to task, but they even want to state that there should be

> an Independent Healthcare Committee chaired by a Commissioner who shall have specific responsibility for the Commission's functions in respect of independent hospitals . . .

I yield to none in my admiration of my hon. Friends' perspicacity and foresight, but for them to suggest that they can envisage, with such clarity, how the commission should function and discharge its duties seems to go a tad far, and I therefore remain to be convinced.

Mr. Simon Burns (West Chelmsford): I want to press my right hon. Friend on that matter. I fully appreciate the point that he makes, but we shall have only one stab at the Bill. Can he foresee how the law could be changed if such a provision were not included and the experience of the system working in practice suggested that what my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) proposes in amendment No. 3 was needed?

Mr. Forth: In an attempt to justify the wording of amendment No. 3, my hon. Friend gives the game away completely. He has reminded the House, as I was about to, that it is difficult, though not impossible, to alter or remove a proposal once it has been included in a Bill. That is my worry.

By my reading, if we do not use either the wording suggested by my hon. Friends or that suggested by the Liberal Democrats, the commission will be free—within the broad terms of its remit and, if necessary, under guidance from the Secretary of State, which is also in the Bill as a longstop or failsafe—to structure itself as it sees fit and to set up such sub-committees as it sees fit. That will provide the flexibility to enable it better to react to changes in circumstances. As my hon. Friend the Member for West Chelmsford (Mr. Burns) points out, if a well-meaning form of words is included, it will be there for ever, or at least until a future Government get round to trying to change it. Were the Government to be re-elected, we know that their legislative programme would be so full that the chance of changing the wording would be zero.

Mrs. Jacqui Lait (Beckenham): I have huge sympathy with what my right hon. Friend says, but will he bear in mind that the Bill already provides for a children's rights director who, although not a commissioner, is specifically referred to? That is frightfully politically correct, and I accept his reaction to that, but does he accept that independent health care and social and nursing care, to which my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) refers in amendment No. 3, are the two areas in which the Government find the greatest anathema in respect of providing care across the spectrum? Therefore, specifying that a commissioner is responsible for those areas will make it palpably clear that the person appointed will be put under the spotlight to ensure that the commission's powers are exercised truly impartially.

Mr. Forth: I am grateful to my hon. Friend and neighbour, who has given as elegant an explanation of amendment No. 3 as one could expect. I can of course see the force of what she says, but again my reservation is that circumstances can change rapidly, as we know, and sometimes to our cost. My worry is that committing ourselves to such a degree of detail at this stage would also commit the commission and create the danger of rendering it relatively inflexible when flexibility is of the essence. I still have my reservations, in spite of the valiant effort to persuade me.

Mr. Bercow: Will my right hon. Friend give way?

Mr. Forth: Yes, I shall let my hon. Friend have a go.

Mr. Bercow: I understand my right hon. Friend's objection to, and general concern about, the excessive rigidity or specificity, but is there not another concern, which I would usually expect him to express? Unless there is some codification in the Bill, the danger is that unamended Henry VIII clauses will allow a usurpation of a power, to which he would usually object.

Mr. Forth: Of course I accept what my hon. Friend says, but my assumption is that the Secretary of State will soon be a Conservative Secretary of State. Therefore, what my hon. Friends have in mind and what my hon. Friend the Member for Beckenham (Mrs. Lait) suggested a moment ago could be achieved elegantly and amply under the existing wording. I know that none of my hon. Friends assumes or even expects the Government to be re-elected, so there is no need to put a defensive and protective provision in the Bill and set it in concrete.

However, my hon. Friend the Member for Buckingham (Mr. Bercow) has made an important point, as usual, and, as always, we are in a dilemma as to whether we, as legislators, believe in a general power for a Secretary of State, with the flexibility that goes with it, or think it preferable to include ever more detail in legislation—perhaps to restrict the opportunities for a Secretary of State to intervene. There are more than sufficient powers for the Secretary of State in the Bill. Henry VIII is wandering through the Bill, and this attempt to pre-empt or restrict that probably will not succeed. I remain to be convinced by the amendments, although I will listen to the many different views that will be expressed over the next hour or two.

Amendment No. 82 may be the most interesting and worrying of the amendments and proposes something with which we have become familiar—the powers of delegation. It says:

> An authority may make arrangements with persons under which they, or members of their staff, may perform functions of members of the staff and of the authority.

I will not repeat my earlier argument but I am not sure how this adds to the original wording.

Such provisions always lead to wider issues, as we have seen in other Bills. How far does the Minister believe the proposal will go? Could there be restrictions on the persons with whom arrangements are made and to whom delegation is given? Either we take a fairly restrictive view or there will be a flexible arrangement. The Minister must assure us that the exercise of powers under the amendment would be limited and restricted and that a guarantee or safety mechanism will be available so that there is no danger of delegation to persons who are not fully qualified.

If the authorities find themselves under pressure to fulfil their responsibilities, there may be a risk of delegating to the wrong people, and we will be right back at the difficulties with which the Bill is trying to deal. The present wording—even with the imprimatur of the Minister and the Secretary of State—worries me. I might have been reassured if it had said "appropriately qualified persons" or "persons with appropriate references". However, the current wording appears to leave the matter loose and over-flexible.

Mr. Hammond: Does my right hon. Friend conclude that those persons to whom the powers are delegated will have all the powers of entry that inspectors have under the Bill?

Mr. Forth: That must be a suspicion. Some wide powers may devolve, worryingly, to unspecified persons. It is not good enough for the Minister to say that flexibility is needed and that provision must be made for other people to be brought in. In this of all matters—given all the sensitivities that surround it, and all the history behind it—if we are to legislate properly, and provide the reassurances and guarantees that are required, we must have a form of words that gives us more reassurance than we have now.

5.45 pm

Mr. Bercow: As the devolution of responsibility may entail contracts with outsiders, can we at least be reassured by the Minister—in so far as he feels able to attend to the debate—that such arrangements will be undertaken only after a process of competitive tendering? Or will this take place simply on the basis of the old pals act?

Mr. Forth: I hope that others are listening, although the Minister patently is not. Perhaps he will be appropriately advised at the appropriate time, although it may take quite a bit longer than he thinks if he carries on in the same way. I may have to repeat everything when I think he is listening to me, and I doubt that he would want that.

My hon. Friend the Member for Buckingham has raised an interesting point. The mechanism whereby the delegation is to be achieved is unspecified. The wording gives no hint or clue about the connection between the delegating authority and those to whom the important powers may be delegated—including potentially, as my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) pointed out a moment ago, powers of entry, inspection or whatever.

We are completely in the dark about who the people concerned may be, what guarantees or reassurances we may have about them, their relationship—contractual or otherwise—with the authority, and the extent to which the authority may have sought appropriate reassurances in terms of qualifications or references. We know none of that, and the wording gives no clues. I fear that amendment No. 82 poses at least the danger—I put it no higher than that: not the likelihood, but the possibility—that a risk of some kind could emerge. That, as I understand it, is exactly what the whole Bill is intended to avoid.

The new clause and Government amendments illustrate all too well the dangers that we encounter when we embark on the route of bureaucracies, regulations, regulatory powers, regulatory mechanisms and the like. No matter how well justified such measures may appear on the face of it, we can readily see those dangers just from this first canter around the course. For we have not yet reached the meat of the Bill: although we are discussing important matters, there is much more to come. Already, in scratching the surface in a rather superficial way, we have dug up all sorts of difficulties. The Minister could not reassure us, and—if I may say so—even my hon. Friend the Member for Runnymede and Weybridge,

[Mr. Forth]

in his much clearer and more concise speech, was unable to answer all the questions that, in my modest and very brief way, I have tried to pose.

Mr. Bercow: Will my right hon. Friend give way?

Mr. Forth: I will give way once more, but I am trying to conclude my speech.

Mr. Bercow: I am exceptionally grateful to my right hon. Friend for his characteristic generosity. I am sorry to interrupt his flow, but I wonder whether he can answer a question. Speaking to amendment No. 32, the hon. Member for Sutton and Cheam (Mr. Burstow) argued that the regulations that he advocated should be subject to the negative or the affirmative procedure. The capacity to debate the regulations, however, is surely of the essence.

Mr. Forth: It is to my hon. Friend and me, but I do not recall the hon. Member for Sutton and Cheam (Mr. Burstow) saying as much. I do not think that the Liberal Democrats are all that bothered about parliamentary scrutiny, or about negative or affirmative resolutions. They are not here very often, and when they are they seem to be in the Government's pocket. My hon. Friend and I pay close attention to such matters, but I do not think that we can look to the Liberal Democrats to help us, now or in the future.

All in all, an awful lot more will have to be said about the new clause and some of the amendments before I am satisfied. Although the Minister did not listen to some of what I said—I cannot imagine why—I know that, having been properly advised, he will be able to give full and comprehensive answers to my points and those made by others. We shall have to make our judgment on the basis of those answers when—somewhat later, I suspect—we vote on the new clause and amendments. The position is certainly not self-evident to me.

Dr. Brand: This is the first time that I have had the privilege of following the right hon. Member for Bromley and Chislehurst (Mr. Forth) and it is a curious experience. At the outset of his contribution, he declared himself as a legislative nihilist—he does not believe in regulation and clearly feels that the safety of vulnerable people should be left either to the marketplace or to self-regulation. He then talked about having more powers for the Secretary of State without making them explicit in the Bill, and turned that argument round and said that the Bill was not explicit enough, so I find that confusing.

The right hon. Gentleman made a threat, which I did not find alarming; I was not surprised at his comment. It was not even an implied threat. It was that we might all be punished tonight by some means not yet declared if we did not toe the line. I am not aware that activities in the Chamber are designed to indulge either masochist or sadistic tendencies. I am sure that we will get many contributions from the right hon. Gentleman. If he would let me know how long he is going to take, we can rest while he makes them.

I address my main remarks to amendment No. 31, which deals with clause 31. There is a concern that we do not give the commission undue powers. Clause 31 says that the registration authority can require—presumably, it is a statutory requirement—to have information made available if it is "necessary or expedient". I can see that it may be expedient for a registration authority to ask for all sorts of information, but I am also aware that red tape is a major imposition, especially for small businesses, and that information does not come free. It takes time and resources. Incidentally, it also takes time and resources to analyse it once it has been obtained. It is clear from the rest of the Bill and from some of the earlier comments that the commission will have a role over and beyond registration and inspection.

It is right that the commission should have statutory powers to require information to be made available where it is dealing with the safety of the public. Therefore, in relation to its registration and inspection function, it is totally appropriate that anyone running an establishment described under the Bill should be made to provide information when it is requested, but I have an anxiety that that statutory requirement might be extended, because it is convenient and expedient for the registration authority, to other areas such as the giving of strategic advice to the Minister on how many beds might be needed in 10 years, and what the industry's intentions are on retirement and non-retirement.

Those are important issues. Clearly, consultation with the industry is important, but it should be consultation on equal terms, rather than a requirement by law. It is a simple amendment. I hope that the Minister will take it on board. It in no way diminishes the powers of the registration authority in its primary function: the protection of the public.

I touch on the other amendments in the group, notably Nos. 3 and 32. My hon. Friend the Member for Sutton and Cheam (Mr. Burstow) Sutton has squared the circle in relation to regulation and inspection of acute and chronic services in the private and public sectors. In my clinical practice, I sometimes find it difficult to decide in which of the four categories a particular patient is in the course of treatment or the course of a disease. The permutations are quite large. It would be helpful if we had a common regulation and inspection regime.

To have the Commission for Health Improvement as the specialist hospital arm, the specialist medical arm, of a national commission makes extraordinary sense. It would still allow the Government to have their own machinery to advise them, but it would also create a healthy, slightly arm's-length relationship, between the Secretary of State in his managerial function with regard to the national health service and the Secretary of State in his regulatory role through the Commission for Health Improvement. I urge the Government to look at that as a way of still accepting that the NHS is different from the private sector, but overcoming their dogmatic doubts about a common way of dealing with the problem.

As usual—it is the usual phrase that we used in Committee—I look forward to the Minister's response. I hope that he will give us some confidence on small matters, but that he will consider the real nub of the argument, which is the safety and quality of standards for all people needing medical, nursing or caring services, irrespective of who provides it and where it is provided.

Mrs. Lait: Before I contribute to the debate on the Bill for the first time, I should like to put on record the fact that before I entered the House in 1992, the National Care Homes Association was a client of my lobbying business, but that subsequently, I have had no remunerative interest in the association at all. However, my husband is the leader of the Conservatives on East Sussex county council, and of course, all social service issues are a responsibility of county councils. For a brief period, he was chairman of the social services committee, and tried hard to persuade the county council to get rid of its substandard care homes. The Lib-Lab pact managed to defeat that, but the objective still remains.

By putting those two things on the record, I hope that I have not only clarified my position, but made it clear that I have some knowledge of many of the areas that we are talking about. Indeed, I have long advocated the establishment of some form of national standards and care structure for the social care and nursing care sectors. Therefore, in principle, I do not have a difficulty with the structure of the Bill as it has emerged from the various stages of its consideration.

It may cheer the heart of my right hon. Friend and neighbour the Member for Bromley and Chislehurst (Mr. Forth) that one of the most overbearing parts of the private sector care standards regime is being totally repealed by the Bill. The repeals list shows that the Registered Homes Act 1984 and the Registered Homes (Amendment) Act 1991 will both be repealed in total, so one form of bureaucracy—a very hard and overbearing bureaucracy—will disappear.

I hope that my right hon. Friend—I see him nodding—will appreciate that occasionally, legislation can lead to the death of bureaucracy, as well as—as is happening in this case—the creation of further bureaucracy. It is the concerns about the further bureaucracy that I shall take up, as will many of my right hon. and hon. Friends.

Government new clause 16 is about the advice to Ministers on fostering and adoption. I think that we have established the fact that the advice and how it is implemented will be covered by regulations, which will be taken under the negative resolution procedure. Most Conservative Members find that somewhat concerning, because that procedure makes debate so difficult. However, what concerns me even more is the lack of any assurance that before regulations are promulgated, those who will be affected by them will be consulted. That concern is reinforced by the fact that publication of the commission's advice will not be mandatory.

6 pm

It is therefore possible, even for one who is not a conspiracy theorist, to envisage a situation remarkably similar to one with which many care homes are already familiar—the sudden introduction of an entirely new fostering and adoption regulatory regime, without any notification to those affected by the new regime.

Mr. Bercow: I think that my hon. Friend is right to say that the Government have opted for the negative procedure. However, we have to know the reason for Ministers' knee-jerk reaction and preference. Is it because they do not think that we should be allowed to debate such regulations? Is it because they cannot trouble themselves to have such a debate? Or is it because we do not have sufficient time? The last explanation would be quite unsatisfactory to many hon. Members, who would be more than happy to attend a morning sitting of the House to debate the regulations, based on the authoritative advice that has been tendered to Ministers.

Mrs. Lait: I entirely agree with my hon. Friend, who makes some sane and sensible points. I also think that use of the negative resolution procedure is always very sinister. I am simply seeking assurances from the Minister that there will be proper consultation on regulations, and that the commission's advice will be published.

The commission is a public body, funded by taxpayers. Therefore, it has a responsibility to taxpayers and the public to make public precisely what it is suggesting to Ministers. It is crucial that Ministers reassure us today that, one way or another, there will be proper scrutiny of proposals affecting fostering and adoption—both of which are so fraught with emotion and so important to people's futures. Very many bodies are involved in the subject, and they need to be consulted.

As all hon. Members know from their surgeries, rumour and innuendo get around, and out of small acorns grow very large oaks. Rumour and innuendo can threaten an entire system. Therefore, correct information has to be placed in the public domain at the right time.

Government amendment No. 53 deals with the publication of reports. Although I am not a lawyer, I absolutely accept the difficulty of the libel issue and of the possible consequences of prosecutions. It may come as no surprise to my hon. Friends to hear that I was the Parliamentary Private Secretary to the current Leader of the Opposition when he was Secretary of State for Wales, and the Welsh Office was debating whether he should establish the inquiry into the Welsh children's homes. We grappled at length with the issues of libel and prosecutions. However, my right hon. Friend had the guts and the courage to establish that inquiry, and to take on the chin the possibility of difficulties arising from subsequent legal action.

If my right hon. Friend had the courage to do that, I cannot see for one minute why the Government cannot give us assurances today, or even write something into the Bill. They could abandon their amendment, so that reports of concern to the public were published. As I said, if the relevant information is not made public, rumour and innuendo will spread and the situation will get completely out of hand. I would not like to see any Government on the back foot in addressing issues that are so important to so many people.

The Liberal Democrats' amendment No. 31 deals with the National Care Standards Commission. I have some difficulty with the idea of enabling the commission to trawl for information, in a fishing expedition. Such an ability was one of the reasons why the local government inspection system was regarded with fear and trepidation within the private care home sector. In that system—not in all cases, but in a sufficient number of cases to concern the industry—inspectors essentially had that power.

I hope that in considering the information that it wants and needs from people, the commission will take into account the long history of difficulties between inspectors and the private care sector. To give those inspectors their due, the badly run businesses have now gone out of business. The commission will therefore usually be dealing with well-run businesses. The businesses that have survived—it has been a tough world for them—have

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done so because they are good businesses. Therefore, although there is no need to provide the power to undertake fishing expeditions, there is that history, and such a power is not beyond the bounds of possibility.

I share the concerns expressed by my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) about the potential impact of amendment No. 31. Of course we very much hope that the horrors that we are envisaging do not materialise.

Mr. Burstow: The import of the hon. Lady's argument seemed to be that she was broadly supporting amendment No. 31—which is about preventing the very fishing exercises that she has been concerned about. Can she say whether she supports the amendment?

Mrs. Lait: I apologise to the hon. Gentleman; he is absolutely right. I am more likely to be supporting him than the Government on this particular issue.

I share the concerns expressed in the official Opposition's amendment No. 96, not only because I am a great believer that an Englishman's home is his castle. I am surprised that I am the first hon. Member to use that cliché in this debate, because it is such an obvious one in discussing the amendment. Like many other hon. Members, I know people who have given a lot of their life, time, love, affection and emotion to fostering children. As I am sure all hon. Members will know, many of those children are very difficult and complex characters who have deep-seated needs that foster parents have to deal with.

Consequently, over the years, in any well-run fostering regime, a body of law has developed that allows access to a foster parent's private home, either by agreement or—when potential child abuse is involved—by instant access. I am sure that many hon. Members will have had constituency cases involving neighbourhood conflicts and difficulties in which, on the flimsiest pretext, although the children themselves have often been difficult, neighbours have taken a dislike to each other and called in social workers and police. In those circumstances, foster carers' homes have easily been accessed by those who wanted or needed access.

Therefore, on the basis of what we know happens in practice and what is often dealt with in statute, I do not know why the Government cannot reassure people by including in the Bill an exception ensuring that private homes are not covered by the Bill's provisions on rules of entry.

It may be that legislation cannot impose a negative, but I do not believe that the clever people who draft legislation cannot come up with a form of words to reassure people who foster difficult children that, although their homes will continue to be accessed by social workers and police, as is required by statute, the Bill will not impose further requirements so that any misuse of its provisions presents a further barrier to people volunteering to foster difficult children who need loving homes.

Hon. Members may have gathered that I support amendment No. 3 because I have concerns about the text of the Bill. When I first reached the conclusion that a national organisation would help the care home industry to provide better care, I was very clear in my own mind that the National Care Standards Commission would need to appoint people who represented and had thorough knowledge of the industry. The proposal for separate commissioners for the independent health care sector and for nursing and social care, with separate directorates, would meet that requirement and would go slightly further than the Bill does in respect of the children's rights director.

Many of us who have some knowledge of the residential and nursing home sectors realise that it is not easy to consider them as indivisible. A nursing home provides nursing care. The demands and requirements on a nursing home are different from those on a residential home, which is a place where people live as independently as possible. They require totally different skills that require different training, although residential care homes for elderly people provide an element of nursing care. However, if a properly run rest home has people who need nursing care there is usually someone on the staff to provide that care and it is usually the sort of care that a district nurse can provide. If somebody is too ill for that, their medical condition will dictate where they are looked after—*[Interruption.]* I heard someone say, "nonsense" and I would be most interested in the reason for that remark.

Dr. Brand: Over the past 15 years there has been a dramatic shift in dependency from nursing homes to residential homes and it is not unusual to have people in residential homes who might previously have been in nursing homes, certainly towards the end of their lives. I would not want people to be forcibly moved from what has been their home when they become terminally ill.

Mrs. Lait: I am not entirely certain that the hon. Gentleman and I are a million miles apart on this. If someone were terminally ill and living in a residential home, as that would be regarded as their home, they would get the same care that would be provided in their own home.

Dr. Brand: Does the hon. Lady accept that a great many people who live in their own homes have a nursing dependency as great as people in nursing homes under hospital at home schemes and the like? The differentiation is not as clear as the hon. Lady implies.

Mrs. Lait: The hon. Gentleman and I could have a long dialogue on this, although you would probably call us to order if we did, Mr. Deputy Speaker. As I said, I do not think that the hon. Gentleman and I desperately disagree about this matter. However, the bulk of people in rest homes are not there—or should not be there—because of nursing requirements. That is part of the argument for national care standards and for removing the involvement of local social services in placement into rest homes. As I said earlier, I have long believed in that.

6.15 pm

The amendments seek to ensure that two sectors in which the private sector has taken a strong interest—well-run private hospitals and nursing and rest homes—should receive the consideration that they require from the commission.

I see that my right hon. Friend the Member for Bromley and Chislehurst has returned to the Chamber. Let me pick up his point about what should happen to the commission when we win the next election. I suggest that it would be helpful to have people with the right skills on the commission, and a directorate with specialist skills in the independent health sector and nursing and social care so that those two sectors get the attention that they require to ensure that they provide the highest care standards of which we would all approve.

Another reason why I support the proposal for a social and nursing care commissioner was mentioned by my hon. Friend the Member for Runnymede and Weybridge in relation to inspectors. We probably expect that most local authority inspectors will move over to the commissions under the Transfer of Undertakings (Protection of Employment) Regulations 1981, if for no other reason. I sincerely seek assurances that the inspectors will receive the necessary training to act in an even-handed way. As I said earlier, a number of local authority rest homes are not up to the standards that are required in the private sector. Under the 1984 Act and subsequent legislation, inspectors have no statutory remit to close local authority homes. However, good inspectors in some local authorities—there are some—made sure that some of the local authority homes were aware of their responsibilities. However, we cannot—the private sector would find it difficult to live with this—send in inspectors who are still of the old school and are not prepared to be completely impartial.

Let me briefly draw a parallel with Ofsted, which was mentioned earlier. Ofsted hires teachers and trains them to be inspectors. Unless the system has changed recently, once inspectors are trained Ofsted does not have the ability to decide whether they are good enough to do the job. Once somebody has been trained they automatically become an Ofsted inspector even if they are not suited to the job. I would not like the same loophole to exist in respect of commission inspectors. Once somebody has been trained, a decision will have to be made as to whether that person meets the required standards. The mere fact that somebody has been trained does not mean that they have attained the necessary standards.

Mr. Bercow: I am sorry to interrupt my hon. Friend as she develops her argument, but is she referring to in-service training or to some other training?

Mrs. Lait: I made the analogy with Ofsted because everyone wishing to become a school inspector has to go through the training that Ofsted offers. However, all trainees become school inspectors after the training, regardless of the extent to which they fit Ofsted's requirements. I do not want the same system to be brought in for the commission.

Finally, I have gained a little understanding of how what I have learned to call "CHI" works. A team from the health service is put together and sent to inspect a hospital. It usually consists of a medical director, a nursing director and a chief executive or member of senior management. Those people may be crucial to another hospital, but they are taken away from running their own hospital for at least a week. Given the state of the NHS and the number of hospitals needing inspection, will not the removal of such personnel for inspection purposes place an intolerable burden on all hospitals?

Dr. Brand: Rubbish.

Mrs. Lait: The hon. Gentleman may say that that is rubbish, but perhaps he will tell me why. A hospital trust could be in trouble if even the smallest crisis emerged while its medical director was away for a week on inspection duties. We all know how long patients have to wait in accident and emergency departments in most hospitals, and how litigious they are these days, with hospitals often being challenged and asked to pay compensation. Taking key managers away from an understaffed and hugely pressurised health service is not the best way to ensure that our health service improves.

Dr. Brand: I cannot follow the hon. Lady's argument. Is she really suggesting that inspections, by Ofsted, the Commission for Health Improvement or any other body, should be carried out by people who are not involved with the service that they are inspecting? I understand what she says about pressure being placed on services, but that can be solved by adjusting staffing levels. I assure her that the NHS carries out a great many inspections, and that about a tenth of consultants' time is spent on them. That is quite apart from their educational role.

Mrs. Lait: The hon. Gentleman is a GP and has a direct interest in how the NHS works. He probably knows how much inspection is carried out. I am merely pointing out, however, that the commission represents yet another layer of inspection. It will take people away from their real hospital work for a week, and then reports will have to be written. Taking out that level of management skill is not the best way in which to run the hospital service, let alone the NHS.

The hon. Member for Isle of Wight will agree that the NHS faces huge staffing difficulties. Imposing an extra burden is not the best way forward.

Mr. Burstow: Is the hon. Lady aware that a Liberal Democrat amendment tabled in the House of Lords secured cross-party support and gave effect to the principle that the commission would have a role in inspecting provision in the private and public sectors? The Government removed that amendment, against the opposition of my hon. Friend the Member for Isle of Wight (Dr. Brand) and the hon. Member for Runnymede and Weybridge (Mr. Hammond).

Mrs. Lait: The hon. Gentleman and I differ in our view of what the commission is doing at present.

Mr. Hammond: I thank my hon. Friend for allowing me to intervene and put in context what the hon. Member for Sutton and Cheam (Mr. Burstow) just said. I said earlier that my interpretation was that the Lords were trying to promote the desirability of a single regulatory system for both sectors. That was the essence of the debate in the other place.

Mrs. Lait: I would have no difficulty with a single regime for inspection. I am interested in the practical application of the commission's operation, given the difficulty in finding enough people of the right calibre to staff the NHS. We must not forget that the basic job of the service is to make people get well, and to prevent some from falling ill in the first place.

Mine is a practical objection rather than an objection in principle. No matter how much money the Government throw at the health service, it will not improve all that much in the near future. The Bill will not help those

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hospitals that desperately need proper inspection—nor will it ensure that the independent health care sector does not provide a distraction.

I have spoken for longer than I planned. These diverse amendments set the tone for the matters in the Bill that need to be considered and that concern me deeply, and the debate on them is therefore worth while.

Mr. Ian Bruce: I did not intend to speak to these amendments, but my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) mentioned amendment No. 96, and thereby brought to my attention a specific problem.

Clauses 44(3)(b) and 45(3) set out the powers that allow the inspection of documents or other material, including computers. They contravene clauses 47 and 48 of the Regulation of Investigatory Powers Bill, which deals with all aspects of surveillance. Schedule 2 of that Bill sets out which people can issue a warrant allowing someone to inspect computers.

I believe that amendment No. 96, which would protect foster parents from such an inspection, should be more widely drawn. The Minister should know that any evidence obtained under this Bill without a warrant under the Regulation of Investigatory Powers Bill would be specifically excluded, by that Bill, from any legal proceedings. A proper investigation could be made that would then be ruled out of order because of the Regulation of Investigatory Powers Bill. I am no fan of that Bill, which I believe to be very flawed. It is extraordinary that the Department of Health and the Home Office should both introduce Bills in the same Session covering the investigation of what is on a computer in someone's premises whose provisions are in complete contravention of each other. My hon. Friend's amendment is very helpful in this respect.

6.30 pm

Mrs. Lait: My hon. Friend might like to bear in mind the conflicts with the Data Protection Commissioner as to what information is protected, and the demands of the National Audit Office, particularly in the health sector.

Mr. Bruce: I am grateful to my hon. Friend. Right-minded people might think that the Regulation of Investigatory Powers Bill is a sensible measure that can be used to investigate child abuse, for example. Police officers who go into premises to investigate could think from having looked at the Care Standards Bill that they are authorised to get the records from the computer, print them out—perhaps even getting the key for encrypted data. They then think, "The case is all there in black and white." However, the defence lawyer, who is always paid more than the prosecuting lawyer, says, "The Regulation of Investigatory Powers Bill specifically excludes you from looking at these data, and if you have looked at them, a clause in the Bill says that you cannot use them in a court of law."

I hope that the Minister understands that I am not filibustering—this point hit me between the eyes instantly. I know that Department of Health Ministers have an awful lot to do—they cannot know what is going on in the Home Office. Frankly, somebody in the Government—I thought that this was supposed to be joined-up Government, after all—should have understood the problem.

I hope that the Government will at least accept the amendment that would protect foster parents. I declare an interest, because my wife and I were short-term foster carers many years ago. I would not like to think that because we had volunteered to do that, our premises could be entered in the course of an investigation.

From looking at the Bill, it seems that someone's home is available to be entered. The Minister may say that it does not mean that. Even so, a police officer could enter a person's home and be told, "You can't come in," but if he showed them the Bill, the person would read it and say, "Obviously you do have the power." The individual is hardly likely to read *Hansard* and contact a lawyer for advice; he would instead assume that those powers were in the Bill.

Mr. Bercow: I shall certainly study *Hansard* tomorrow. Can my hon. Friend explain what wording in the Bill leads him to believe that there could be a laissez-faire approach to entry?

Mr. Bruce: My hon. Friend just needs to read clause 44, which says:

> the registration authority may at any time require a local authority to provide it with any information relating to the discharge by the local authority of relevant functions which the registration authority considers it necessary or expedient to have for the purposes of its functions under this Part . . .

The clause continues:

> a person authorised to do so by the registration authority—

although such a person is not authorised by the Regulation of Investigatory Powers Bill because the registration authority is not one of the named bodies—

> may at any time enter and inspect premises which are used, or which he has reasonable cause to believe to be used, by a local authority in its discharge of relevant functions.

What happens is that local authorities approach foster carers to foster a child. The Government have quite rightly said that they will do their best to close down as many children's homes as possible and to put children into foster care or have them adopted, because that is best. If the only avenue that a local authority has when it comes to placing children is a private foster home or adoptive parents, those must be the premises referred to in the Bill. The Minister tries to reassure us that the words in the Bill, which are as plain as a pikestaff, do not mean that, but I am afraid that he is misdirecting both himself and us.

Mr. Bercow: I am grateful to my hon. Friend, who has duly alarmed me by pointing to the relevant provisions of clause 44. On the basis of his 13 years' experience in the House, will my hon. Friend confirm that it is commonplace, when discussing rights of entry for officers or other persons on public authority duty, for clauses to refer to "reasonable force"? However, as far as I am aware—my hon. Friend will disabuse me if I am mistaken—there is no reference in these provisions even to reasonable force, which opens up a worrying spectre of what might be entailed.

Mr. Bruce: Certainly, there are no such words in the Bill. Let us assume that a police officer is called because an inspection authority officer is battering the door down. The person living there says that his premises are being invaded by the officer, who says that under the Bill he is authorised to enter and that, as he has been stopped, he is battering the door down. Nothing in the Bill says that there should be an individual at the premises—it is not about requiring people to allow entry to the premises, but about entry to the premises.

Mr. Hammond: It might help my hon. Friend to know that I explored this avenue with the Minister in Committee, and the hon. Gentleman confirmed that there will be no power to force an entry under these provisions.

Mr. Bruce: I am grateful to know that the Minister and my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) both know that. It is a pity that it is not made clear in the Bill.

Mr. Hutton: You caught me by surprise by calling me, Mr. Deputy Speaker. I thought that we were in for a couple more hours of debate on these amendments.

There is a small but substantial problem with amendment No. 31, in the name of the hon. Member for Sutton and Cheam (Mr. Burstow). We used to say in Committee—I am sure that the hon. Gentleman will not mind if I say it again today—that his amendments were largely unnecessary or technically deficient. Sadly, amendment No. 31 is both unnecessary and technically deficient, which is a first for his party on the Bill.

I should like to reassure the House that the registration authority will require individuals to provide only information that is needed for its regulatory work. Clause 31(1) states that it may require only information that it considers

> necessary or expedient to have for the purposes of its functions under this Part.

Part II is concerned only with the commission's regulatory functions. It will therefore not be able to ask for anything that is not necessary for fulfilling those functions under this part of the Bill. That is the purpose of the hon. Gentleman's amendment, and I can assu[illegible]m that that is already how the Bill is constructed.

Obviously, the commission will sometimes need to require a wide range of information from persons carrying on or managing an establishment or agency. I think that all right hon. and hon. Members will understand the common sense of that. The information will vary, according to the stage at which the service is being scrutinised. Inspectors will not have the powers to go on general fishing expeditions, however, if that is what the hon. Gentleman is concerned about. Nor will they have the power to require providers to give information that may be of general interest for statistical purposes, for instance. They might be able to request such information, and providers will, I hope, be happy to accommodate those requests, in the knowledge that national information of this kind can be useful to all concerned. However, such requests will not come with the force of clause 31.

Mr. Bercow: I am extremely grateful to the Minister for giving way on that point. He says that the commission will not go on general fishing expeditions, and I accept his word. However, can I take it from what he has said that somebody seeking entry to conduct an inspection would subsequently, if there were a dispute, be obliged to prove that he or she had grounds for belief at the time?

Mr. Hutton: That must be the case. The powers under the Bill can be exercised only if the conditions of the Bill have been complied with. If there is any argument about that, the appropriate place to hold it might well be the court; it is precisely the type of issue that could be tested by lawyers before a judge. We do not propose any provision that would give the NCSC unique powers to act above and beyond the law—of course not. The hon. Gentleman is correct; no such situation could possibly arise.

Amendment No. 96, tabled by the hon. Member for Runnymede and Weybridge (Mr. Hammond), concerns the commission's powers to inspect premises under part III. In Committee, the hon. Gentleman rightly pointed out that that power to inspect applies to premises used by a local authority in the discharge of its functions. He asked me to look into the matter. Having taken further advice, I am satisfied that the power does not apply to individual foster homes, and we certainly have no intention that it should be used in that way. I agree that it would not be appropriate for the commission to exercise powers of entry to foster carers' homes in the same way that such powers would relate to local authority premises.

The hon. Gentleman's interpretation of the wording is that it would include powers to inspect individual foster homes, but I can assure him that that is not our reading of the provision. The private homes of foster carers are not under the control of local authorities, so it would not be sensible to treat them as though they were premises used by local authorities. We cannot consider that the amendment is either justified or necessary.

As I said in Committee, we expect that, in inspecting fostering services, the commission inspectors will need to speak to foster carers, and to satisfy themselves that the standards required of fostering services are being properly met through the foster carers approved by the authority. We all want assurance about that. That will mean that, sometimes, commission inspectors will need to visit foster carers in their homes, but the commission will not need general powers of entry to a foster home.

As I explained in Committee, we intend to tackle the matter by setting out a requirement—perhaps through the foster placement regulations under the Children Acts—for approved foster carers to co-operate with the commission inspectors when they are carrying out their functions. That will be reinforced by individual foster placement agreements that will set out what might be required for co-operation with the work of the commission. That approach will not give the NCSC a general power to enter foster homes, backed up by an offence of obstructing inspectors. That would be too heavy handed.

Mrs. Lait: By giving those powers to the commission inspectors, will the Minister do away with other regulations that give other people power of entry to a foster home?

Mr. Hutton: I assure the hon. Lady that we are not doing that. The Bill makes clear which provisions will and will not be amended. For example, we are not changing the powers of local authority officers in relation to their child protection functions; nor are we changing the powers of a police constable in the exercise of such functions. As the hon. Lady herself pointed out, it is important to retain measures to ensure that children placed in foster homes by local authorities are properly protected should there be any risk to their health or well-being.

Mrs. Lait: I am grateful to the hon. Gentleman for giving way again. Will he make it absolutely clear that the measure would give further rights to strangers to inspect a foster home and that foster carers would have to face additional bureaucracy?

Mr. Hutton: With great respect to the hon. Lady, I think that she has completely misunderstood the point. I have made it quite clear that NCSC inspectors would not have a power of entry to private foster homes. I tried to make that clear. Under the Bill, there will be no general power given to NCSC inspectors to enter private foster homes.

It is not the foster carer who will be regulated by the National Care Standards Commission, but the local authority or independent fostering agency. That is where the powers of the commission will rightly be directed.

Mr. Ian Bruce: By now, the Minister's officials will have had a chance to examine the Regulation of Investigatory Powers Bill. That measure makes clear the circumstances in which people can obtain information—especially from computers and other forms of investigation and surveillance. The Care Standards Bill is clearly in contravention of that measure. Will he address that point?

Mr. Hutton: I am pretty sure that it is not in contravention. I may have to qualify my comment later in our proceedings, but I think that the reason that this Bill does not contravene the provisions of the RIP Bill can be seen in clause 44, in which the hon. Gentleman was extremely interested. Clause 44 gives the NCSC the power to require the local authority to provide information. That does not involve the issues raised by the hon. Gentleman in relation to the RIP Bill. We are not inspecting computers. The clause requires the regulated provider—in this case, the local authority—in relation to part III, to require information to be produced to the local authority under the powers of the Bill.

If the hon. Gentleman will be patient, I think that the best way to deal with that point would be for me to give him a fuller explanation at a later stage of our proceedings.

Mr. Bruce: The hon. Gentleman contradicts his own Bill. Clause 44(3)(b) states that the powers include

> in relation to records which are kept by means of a computer, power to require the records to be produced in a form in which they are legible and can be taken away.

That is exactly what is dealt with in the RIP Bill. The requirements for obtaining such information are set out in that measure and they are not complied with in the Care Standards Bill.

6.45 pm

Mr. Hutton: With respect to the hon. Gentleman, I am quite sure that he is wrong. Later in our proceedings, I will find some way to satisfy him on that point.

Amendments Nos. 3 and 32 are similar in that they require the commission to establish statutory committees to deal with specific aspects of its responsibilities. Amendment No. 32 was tabled by the hon. Member for Sutton and Cheam. I share the hon. Gentleman's wish to ensure that private and voluntary health care is regulated effectively by the NCSC.

The Government's commitment to do so has, in our view, been amply demonstrated by the requirement that we introduced on Report in another place a power for the commission to appoint a director of private and voluntary health care, and to fund and head a health care division in the commission, whose functions will be prescribed in regulations. The independent health care sector has broadly welcomed those measures.

Measures that we have introduced provide the necessary assurance as to the importance that the commission will attach to its responsibilities for regulating independent health care. The hon. Gentleman's amendment would require the commission to have, in addition, a separate and statutory health care committee. That is where our views differ. The hon. Gentleman's approach, which is mirrored by that of the hon. Member for Runnymede and Weybridge, is over-bureaucratic. The benefits of his proposed solution are not clear. It would duplicate the work of the private health care division.

The amendment raises questions about the relationship between the Commission for Health Improvement and the NCSC in its role of regulating private health care. That is one of the issues that we have returned to throughout the passage of the Bill in both Houses. I accept that the relationship is important. The two bodies will between them have responsibility for standards throughout all the health care services provided in this country. They will have important common interests and shared experience.

We have repeatedly spelt out the arguments—although perhaps not to the satisfaction of the hon. Member for Sutton and Cheam—and have pointed out that the role of CHIMP in the NHS is not the same as that of a statutory regulator in the private and voluntary health care sector. CHIMP has been designed to work within the context of a publicly managed national health service, which is ultimately accountable to the House through the actions of my right hon. Friend the Secretary of State. CHIMP fits into a range of levers, incentives and controls—all under the overall management of my right hon. Friend.

Independent hospitals and clinics, on the other hand, are private businesses; they do not operate in a publicly managed system and are not under the control of the Government. If an NHS organisation is failing, it is the Government's job to do something about it. That is a responsibility and a burden that we take seriously. If necessary, the Secretary of State can intervene directly in the management of the NHS body, including, at the extreme, removing an entire trust board.

Amendment No. 32 would introduce a rather clumsy mechanism to try to involve CHIMP in the management of the NCSC. I do not think that it would be practical. It would establish a wholly superfluous layer of administration that would not be able to do anything that could not already be accomplished by the National Care Standards Commission under the proposals that we have made. I ask the House to reject it.

Amendment No. 3, which was tabled by the hon. Member for Runnymede and Weybridge, proposes a statutory committee to deal with independent health care, and I do not think that I need to repeat my comments on that subject. It also proposes a further statutory committee within the commission to deal with nursing and care homes, plus a statutory director of nursing and care homes and a separate division for dealing with those services.

On a technical level, the amendment obviously leaves itself open to criticism. For instance, are care homes really to be dealt with totally separately from domiciliary care agencies? We all recognise that people being cared for today in residential settings may in future be equally well cared for in their own homes, but the amendment would run the risk of creating a new Berlin wall between those services in the way they are dealt with in the commission.

Although I cannot accept the hon. Gentleman's amendment, it may help if I say a little about how external interests, including regulated providers, will be able to work with the commission to feed in their views and to engage generally in dialogue with the commission. The hon. Member for Beckenham (Mrs. Lait) raised that concern.

Mr. Bercow: Given that we are waiting with bated breath and beads of sweat upon our brows, will the Minister please share with us the contents of the yellow piece of paper that the Secretary of State for Health has just passed to him?

Mr. Hutton: I do not think that the hon. Gentleman would like that; the piece of paper might be about him. He might not like what he has invited me to say. Therefore, I will not read it out. However, as I said earlier, I shall come to the points that the hon. Member for South Dorset (Mr. Bruce) raised when we come to the appropriate point in the Bill.

The commission, as a regulator, will obviously from time to time find itself in dispute with providers. From her experience, the hon. Member for Beckenham will be aware of such cases. However the commission's purposes will not be best served if it does not also engage in constructive and open discussion with service providers so as to allow feedback and proper suggestions from them and to work together to encourage improvement.

We certainly intend that there should be mechanisms in place to ensure that such discussion is an on-going feature of the commission's work. We expect arrangements to be in place at a local level to allow for such partnership working and for arrangements to be put in place at a national level for a dialogue to be established between the new National Care Standards Commission and care home providers' organisations and interests. I said in Committee that the relationship between the commission and care home providers will be central to making the arrangements work in practice and I want that relationship to be characterised by professional respect and a clear mutual understanding of each's responsibilities and respective roles. I am sure that the commission will want, once it is established, to develop that relationship with care home providers from all sectors—public, private and voluntary. That will be critical to ensuring that the arrangements work in future.

I hope that the hon. Members for Beckenham and for Runnymede and Weybridge are reassured that the commission will be open for business with regulated providers and others who have a stake in the work that it will do. If the hon. Gentleman's amendment is designed to ensure that care providers have a point of contact with the commission—that was partly his point—I think that we can make sure that that is available without having to set out the rigid structures that he suggested.

If, on the other hand, the hon. Gentleman really thinks that Parliament should be setting down in primary legislation exactly how the management structures of the Commission will be arranged, I will probably have to disappoint him, because I cannot agree that that is a sensible thing for the House to do. If he decides to press his amendment, I shall urge my hon. Friends to vote against.

My hon. Friend the Member for Chatham and Aylesford (Mr. Shaw) raised a point that is of concern to him and to my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson). My hon. Friend the Member for Chatham and Aylesford referred to the efficiency and efficacy of the arrangements that supervise private foster care arrangements. I remind him of what I said in Committee. We share with him a concern for the proper administration of the existing regulations. We took the view, and we have stuck to it, that the regulatory framework is robust enough to deal with issues of abuse and concern about the welfare of children who have been privately fostered.

My hon. Friend asked me specifically whether I would be prepared to revisit the regulations about private care arrangements, and I say to him that I am prepared to re-examine them to satisfy myself once again that they are in the right shape to meet the concerns that he raised. I go further than that: if he and my hon. Friend the Member for Lancaster and Wyre wish to talk to me about how, in particular, they want the regulations to be improved, I am happy to have that conversation.

To some extent, the amendments tabled by the hon. Members for Sutton and Cheam and for Runnymede and Weybridge are a rehash of previous arguments. We have been through the arguments about the right relationship between CHIMP and the National Care Standards Commission extensively in this House, the Committee and in another place. I think that the hon. Member for Runnymede and Weybridge welcomed clause 9—the hon. Member for Sutton and Cheam certainly did—and it will allow the two important new bodies to work closely and effectively together. We should get on with the job, get the organisations up and running and, in doing that, better serve the public interest.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 4

STATEMENT OF NATIONAL MINIMUM STANDARDS

'.—(1) It shall be the duty of the Secretary of State to publish a statement of national minimum standards in respect of establishments or agencies required to be registered under this Part and to amend such statements from time to time as he deems appropriate.

(2) The Secretary of State may publish different statements under subsection (1) in respect of different descriptions of establishments or agencies.

(3) Before publishing a statement or amendments to a statement, the Secretary of State shall comply with the requirements of subsections (4) and (5) below.

(4) The Secretary of State shall—

(a) consult such persons as he considers appropriate and, in determining who to consult, he shall take advice from the Commission; and

(b) request the Commission to give him advice as to the likely impact of the proposed statement or the proposed amendment on—

(i) the aggregate supply of the service provided by establishments or agencies of the type concerned in England and Wales; and

(ii) the cost of supplying such services in accordance with the statement of minimum standards;

and shall then publish a draft of a statement or of amendments to a statement.

(5) The Secretary of State shall lay before both Houses of Parliament a draft of any proposed statement of national minimum standards or amendments to a statement together with copies of representations received in respect of the consultation under subsection (4)(a) and the advice received from the Commission under subsection (4)(b).

(6) No statement of national minimum standards shall have effect unless a draft of it has been laid before each House of Parliament in accordance with subsection (5) and has been approved by resolution of each House of Parliament.

(7) Where a statement of national minimum standards applies to an establishment or agency, no person may be registered in respect of that establishment or agency unless the applicable national minimum standard is complied with.'.—*[Mr. Hammond.]*

Brought up, and read the First time.

Mr. Hammond: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Amendment No. 38, in clause 22, page 13, leave out lines 14 and 15.

Amendment No. 39, in page 14, line 35, at end insert—

'(m) make provision in the case of an establishment providing cosmetic surgery as to—

(i) the nature of statements that may be made with regard to the services provided; and

(ii) the titles that may be used to describe persons carrying on, managing or employed at such an establishment'.

Government amendment No. 61.

Amendment No. 2, in clause 23, page 15, line 3, leave out Clause 23.

Mr. Hammond: New clause 4 and amendment No. 2, which is a paving amendment for it, would remove clause 23 from the Bill and substitute it with new clause 4. The new clause would do broadly the same things as clause 23, but with some important differences.

For the benefit of hon. Members who did not serve on the Standing Committee, I shall briefly explain what clause 23 does. It gives the Minister the power to

prepare and publish statements of national minimum standards applicable to establishments or agencies

and to keep the statements of standards under review. The statements will not be subject to any parliamentary scrutiny; they will be prepared by the Minister and published after the consultation that he considers appropriate.

Once the standards are published, they will "be taken into account"—that is a rather indefinite phrase—in making certain decisions and in any proceedings taken under the Bill. It also seems likely that the statements will be referred to in regulations made under other parts of the Bill. Therefore, the regulations that refer to the standards or incorporate them may be subject to scrutiny in the House, but the statements themselves will not be.

Of course, the Minister will consult with whoever he considers to be appropriate before he publishes the statement of minimum standards. However, I remind the House that people's businesses and livelihoods may be at stake and they may be driven out of business if they do not comply with the statement that the Minister has issued. For it to become effective, all he has to do is publish it; there will be no parliamentary scrutiny whatever.

New clause 4 and the paving amendment seek to do two things. First, the new clause would change the process of bringing into force a statement of minimum standards. It would place a clear obligation on the Secretary of State to prepare statements of minimum standards; he would not merely be allowed to publish them. The statements are a vital part of the structure that the Government are creating and the Secretary of State should have a clear obligation to prepare them.

Secondly, new clause 4 lays down a procedure for consultation outside Parliament and for a process of interaction with the commission, along the lines suggested by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) in the previous debate. That process would require the Secretary of State to require from the commission an analysis of the likely effect of the statements of minimum standards so that he can make a proper appraisal of their probable impact on the supply of services and the cost of providing them. Finally, it provides for proper parliamentary scrutiny of the draft statement of minimum standards before it comes into force.

7 pm

Mr. Burns: Will my hon. Friend clarify proposed subsection (4)(b)(ii), which is a crucial part of the new clause and refers to

the cost of supplying such services . . . ?

Does that mean the cost of supplying the service to the business providing it or does it mean the cost of supplying the service to the individual who is benefiting from it? Or does it mean both?

Mr. Hammond: The two are obviously related, but the provision is intended to relate to the cost to the business supplying the service. Proposed subsection (4)(b) seeks to ensure that, when formulating a draft statement of minimum standards which is to be laid before Parliament, the Secretary of State has advice from the commission about the likely effect of such a statement on the aggregate supply of services in England and Wales and the likely cost of supplying them.

My hon. Friend spoke about the connection between the cost to the business of supplying a service and the cost to the person enjoying it. Of course, he could go further and discuss the cost to the public purse because, in the majority of cases, the service will ultimately be paid for from the public purse. There is, therefore, a direct read-across from implications for costs on the businesses providing such services to implications for the public purse.

Mr. Bercow: Did I understand my hon. Friend correctly when he suggested that, in the absence of new clause 4, regulations will become effective on publication? Is my hon. Friend telling the House that, under the Bill, there is no required minimum period of consultation for draft regulations, and no required gap between the consultative process and the required date of implementation?

Mr. Hammond: As I understand it, the Secretary of State will consult such persons as he considers appropriate before publishing statements. However, those statements will become effective on publication. I am sure that the Minister will correct me if I have misunderstood that aspect of the working of clause 23.

May I go back to the point I was making about what the new clause seeks to do? First, it deals with the process of bringing such a statement into force and, secondly, it makes it clear in proposed subsection (7) that someone who does not comply with the statement of national minimum standards will not be registered. Clause 23 states:

> The standards shall be taken into account

in making decisions, in any proceedings for making orders and

> in any proceedings for an offence under regulations.

That seems to be rather vague for a matter as important as national minimum standards. If a national minimum standard is to mean anything, it should mean that someone who does not comply with it cannot come to the table. New clause 4 would therefore provide that someone who does not comply with the standard cannot be registered.

Of course, we accept that many standards are going to be made—indeed, some have already been made in draft. The Under-Secretary of State for Education and Employment, the hon. Member for Barking (Ms Hodge), has already circulated draft minimum standards on child minding. It would, therefore, be wrong to lead the House into thinking that statements of minimum standards published under clause 23 or, indeed, our new clause would relate only to care homes. However, everyone present will understand why I will focus on the statements of minimum standards for care homes, as there cannot be a Member who has not received correspondence from owners, operators and residents of care homes in their constituencies expressing concern about the potential impact of the national standards that the Government have circulated for consultation in the draft consultation document "Fit for the Future?".

We accept the need for minimum standards, which are a central feature of the Bill and the structure that the Government are putting in place. However, standards must not simply be aspirations: they must be deliverable, and the question of cost must be addressed. We have repeatedly asked the Government whether they accept that higher quality equals high cost and that that cost must be paid for. Do they recognise that the great majority of those in nursing and care homes are paid for by the state and the public purse? Therefore, as I have asked the Minister many times, does the state accept the implications for public spending and is it ready to meet them?

Throughout the industry, the concern is not that the Government want to raise standards—indeed, people would be delighted to operate to higher standards. The industry is concerned that the Government want to raise standards without paying the costs incurred, which will have a disastrous consequence. In the vast majority of cases, local authorities are the purchasers of this type of care. If they are not funded to meet the higher costs that these aspirations will impose, higher quality for the lucky ones will, inevitably, mean that no funding is available for others. Regrettably, the Government have consistently refused to address that point, and have not told the House or the Standing Committee whether they accept that there will be substantial costs and whether they are prepared to meet them in the case of those whose funding is met from the public purse. If the Government can reassure providers about that, many concerns will, at least, be diminished and, in some cases, will melt away completely.

We cannot look at the matter in a vacuum. The new higher standards in "Fit for the Future?" are being introduced against a background of tight finances for providers in the care home and nursing home market. They are dealing with the consequences of the national minimum wage—which has an impact in some areas, but not in others—the working time directive and other elements of the Government's social and employment legislation that have involved significant costs. They work in an environment in which, to a great extent, they face cost inflation of the type faced by the NHS, which is significantly higher than general inflation in the economy. In particular, wage and pay increases for NHS personnel, however welcome, have an inevitable consequence for competing employers in the private sector who provide services to publicly funded residents in nursing and care homes.

For many years, in many, if not most, parts of the country, providers of such care have faced below-inflation fee increases from local authorities that, with the best will in the world, cannot be more generous because their finances are too squeezed.

Mr. Burns: Has my hon. Friend considered the possible financial implications for local authority providers of residential care? There is much evidence that local authorities that still have residential homes do not receive in their Government grant the financial resources that will be necessary to upgrade the quality and structure of their premises to meet any minimum standards that the Secretary of State may set under the Bill

Mr. Hammond: My hon. Friend is absolutely right to point out the difficulty in which local authorities find themselves. Local authority accommodation is some of the least compliant of any accommodation, and the Government's recognition of that is the main factor behind their intention to bring it into the regulated system. They want to create a level playing field and to ensure that the quality of that accommodation is improved. I say to my hon. Friend, however, that local authorities' ability to improve their accommodation, particularly through capital works, will depend ultimately on the Government making funding available or authorising local authorities to finance the necessary works in unconventional ways.

Many private care home operators, particularly the smaller players in the market, do not have the luxury of being able to anticipate capital grants from central

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Government. As I shall show in a moment, they have found that the capital markets are closed to them because of the uncertainty created about the potential standards for nursing and care homes.

Mr. Ian Bruce: I do not know whether, in Committee, my hon. Friend received any assurances from the Minister that the Government would ensure that those who provide standards higher than the minimum—which, in looking after people, would be a natural way to get business—would not be financially penalised. It should not be possible for someone to say to them, "Although you are giving value for money in your provision, the minimum standards mean that you can provide the services for less," because that would force providers down to the minimum standard.

Mr. Hammond: My hon. Friend has made an important point. One introduces minimum standards with the best of intentions, but if the contracting price is set at the minimum standard level, one compels anyone who wants to participate in the market to reduce their standards to the minimum. As I said in Committee, I fear that that is inevitable unless the Government introduce a method to incentivise the provision of care over and above the minimum standards. I shall not digress further because that is another debate.

New clause 4 would require the Secretary of State not only to undertake the usual consultations, but to use his powers to require the commission to evaluate the likely impact on aggregate supply and cost. That is to ensure that decisions are properly informed and that the full impact of proposed national minimum standards is properly taken into account. The new clause provides for that information to be made available to Parliament. That would mean that a quasi-independent body would be required to review the cost and supply implications of any proposed standards or changes to standards. It would not be right to characterise the commission as a fully independent body because it is required to act on directions in writing from the Secretary of State. The new clause would therefore introduce objectivity into the debate about new or changed standards.

7.15 pm

I shall contrast that with what the Government have achieved with their draft standards for residential care homes. As many hon. Members will know, the Government commissioned a report, which they have put out for consultation. I believe that it contains some 280 recommendations, some of which are not controversial and will not have significant cost implications. Others, however, are highly controversial, and many of my hon. Friends will know from their postbags that the standards relating to staffing ratios and room sizes, in particular, have alarmed providers.

There is no doubt that the standards set in the draft document—10 sq m for rooms in existing accommodation and rooms of 12 sq m for wheelchair users and in newly built accommodation—would drive some providers out of business. I refer to particular individual providers whose accommodation is of a certain type and, perhaps, incapable of being easily converted. Other standards would have a more general impact across all providers in the sector; for example, recommendations for staffing ratios would have the straightforward effect of increasing costs for providers of all sizes.

Mr. Bercow: My hon. Friend's grasp of the detail is positively Powellite, and I want to probe him on subsections (5) and (6) of the new clause, which properly require that a draft of the proposed national minimum standards should be subject to approval through a resolution of each House of Parliament. My hon. Friend will understand that I am troubled because it is not entirely clear from either subsection that the resolution of approval will require a debate.

Mr. Hammond: My hon. Friend raises an important point. Subsection (6) says that the national minimum standards will not have effect until they are approved by a resolution of each House of Parliament. I understand that that is what we know as the affirmative procedure.

Mrs. Lait: On a point of information, my hon. Friend has mentioned smaller homes, but what regime will cover three-bed homes?

Mr. Hammond: All homes will come under a standard regime. As my hon. Friend implies, some of the proposals in the draft minimum standards document will be more onerous for small providers than for large providers. If, for example, there were a requirement to have a member of staff in a management position who was supernumerary to the established staffing ratio, that would clearly be a more damaging blow to a very small home than to a large home provided by a large corporate provider.

I shall give the House some measure of the impact that "Fit for the Future?" would have on provision in this country if it were implemented in full. I do not want to mislead the House: the Minister has made it clear that the document will not be implemented in full. On this issue, he can be characterised as a man on a bicycle pedalling very fast backwards, but unfortunately we do not know where he will have got to when he stops pedalling, so uncertainty still hangs over the marketplace.

Let me illustrate the scale of the problem. The Department of Health has estimated that 20 to 23 per cent. of independent sector residential homes, 12 per cent. of independent sector nursing homes and 55 per cent. of local authority residential homes would not meet the draft space and amenity standards; and that 53 per cent. or more of nursing homes would not meet the draft staffing standards. Even those alarming figures ignore the impact of economics, considering only the possibility of meeting the standards by reducing the number of places and, thus, income; in the real world, in many cases, reducing the number of places would drive the home out of business.

Regional and local variations are even more striking. In the Southampton area, more than 50 per cent. of capacity in the residential market will be non-compliant. In Hampshire, a survey has shown that, overall, 71 per cent. of nursing homes and 68 per cent. of registered care homes would be non-viable. The position is worse in Portsmouth, where 88 per cent. of registered care homes and 65 per cent. of nursing homes claim that they would be non-viable if the draft standards were imposed in full. In the constituency of the other Minister of State, Department of Health, the hon. Member for Southampton, Itchen (Mr. Denham), 82 per cent. of registered care homes and 85 per cent. of nursing homes would be non-viable. In Blackpool, a staggering 91 per cent. of care home provision would be non-compliant with the 10 sq m standard; and I am told that in Blackburn that figure is an astonishing 100 per cent. of provision.

The problem is serious and, unsurprisingly in view of the figures I have just read out, it has provoked—in a masterly understatement—a reaction in the market; actually, it has produced something nearer to panic. Lenders have withdrawn; many potential sellers of homes have found that they are unable to sell their property because the buyer cannot know whether it will be compliant with a standard as yet undetermined and unpublished; potential new entrants are being denied access to capital, because no one knows what the final standards will be; and the presence of distressed sellers unable to sell causes a downward spiral in values. The overall result is chaos and blight in the market.

Mr. Ian Bruce: New premises have to be larger to comply with the regulations, and someone selling a business will, in effect, lose his registration. Will a new business taking over the same premises with a new registration come under the regulations for new premises, or those for old premises?

Mr. Hammond: That brings me back to my description of the Minister as a cyclist furiously peddling backwards. The concern that my hon. Friend expresses was circulating widely in the marketplace until very recently. However, the Minister recently wrote to me specifically confirming that transfer of ownership will not constitute a trigger event that would cause a change of status requiring the larger room size standard.

To be fair, as I always try to be, the Minister has been doing his best to stem the tide of speculation that has been rising for the past year and causing considerable harm; he has been engaged in a damage-limitation exercise, drip feeding pieces of information as and when possible, in an attempt to dampen expectations of the final standards. However, the fact remains that he has been unable to make a definitive announcement of either the standards in the key areas that are the source of disruption in the marketplace, or, most critical of all, the time scale for compliance. To be frank, those are the only two pieces of information that will calm the market.

The story becomes worse, degenerating into Whitehall farce. At the beginning of the Standing Committee's consideration of the Bill, the Minister said that he should be able to

> share with the Committee some of the detailed thinking—[*Official Report, Standing Committee G*, 6 June 2000; c. 29.]

on the standards by the time that Committee reached consideration of the relevant part of the Bill. At that time, it was common knowledge that negotiations were being held with providers of residential and nursing accommodation about the detail of the most contentious remaining issue: room size. As the Committee made progress, hon. Members were delighted to be invited to the Department of Health, there to partake of the largesse of Her Majesty's Government and to look at a little display showing what the different room size options meant in practice: helpful plastic cut-outs had been laid on the floor and some plans prepared by NHS Estates were hung on the wall.

That lunch set alarm bells ringing in the minds of some, because the plans clearly showed that the area of the room occupied by the sweep of the door as it opens—that arc—was to be excluded from the calculation of usable space, as were any en-suite bathroom facilities. I questioned the Minister in the Committee that same afternoon; he replied that it had always been intended that only usable space would be measured. I and people outside took that as confirmation that the area swept by the opening door and the en-suite bathroom would be excluded.

I am happy to say that the Minister has since made matters clear in correspondence, which I have faxed on to everyone I thought might be interested. He has stated that it is not now the Government's intention to exclude the door-opening area and en-suite bathroom facilities when calculating usable space. I am delighted to hear that; otherwise, we would have faced the absurdity of care home owners who two years ago had spent large sums installing en-suite bathroom facilities—as one owner that I met had—being forced to take them out to comply with the minimum standard. That would have been bureaucracy gone mad, especially as surveys consistently show that the facility most valued by residents in care homes is an en-suite bathroom.

Mr. Bercow: I am somewhat reassured by the letter my hon. Friend has apparently received from the Minister, but does he not agree that it is only right that such an assurance should have been forthcoming, given that, otherwise, the Minister would have been implying that en-suite bathrooms did not constitute usable space, which would have been bizarre, even by the standards of the current Government?

Mr. Hammond: My hon. Friend is right. My point is that the process followed by the Government, if it were intended to introduce workable standards in an orderly fashion without damaging the market, has failed. Instead, that process has resulted first, in the breakdown of the negotiations that the Minister expected, wrongly, would reach enough of a conclusion to enable him to make an announcement to the Standing Committee; and secondly, in a lack of clarity about issues such as whether or not en-suite bathrooms and door-sweep areas are to be included. I am merely speculating, but, as the Minister makes announcement after announcement in an attempt to reassure the market, it strikes me that, in his efforts to make the arrangements workable, the Minister is having, time and again, to overrule civil servants who have led him seriously astray and left him with a system that would be unworkable and unaffordable.

7.30 pm

We still have no definitive answer to clarify the mystery of what the minimum acceptable room size will be. Similarly, we do not have a time scale for compliance in existing properties. We are still in a mess. I do not pretend that the new clause will solve all the problems. Clearly this is a matter of process rather than one of legislation. However, I believe that the new clause would lead to cleaner, better, more informed and more transparent processes for arriving at national minimum standards. It would ensure that the Minister had all the relevant information. To put it bluntly, he would be able to see the size of the bomb crater that he would create in

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his own backyard before he published the draft standard. There would then never be a danger of disrupting a market by allowing rumour and speculation to get a hold.

Critically, the new clause will provide for proper parliamentary scrutiny of these most important parts of the regulatory system. I suspect that my hon. Friends will agree strongly with me that it is outrageous that a key element of the Bill, which could destroy people's businesses and livelihoods, should lie outside and beyond the scrutiny of Parliament.

I hope that the Minister will be able to give us some reassurance. Perhaps he will be able to tell us when he will make a definitive announcement, and what the time scale will be for compliance with the definitive room size that he determines. Of course, he will tell us that he is still in the process of consultation, and we have no objection to that. Indeed, it is valuable. However, we know that the Department can act when it has to. It managed to consult 12 million people in its so-called national health service survey in a fortnight. Apparently, it cannot talk to those responsible for about 17,000 care homes in much less than a year so as to get them on board and understand their responses to the consultation process. Meanwhile, individual owners of care homes and residents—those who live in fear of what will happen to their homes, many of them having gone into them expecting to live out the remainder of their lives there—are suffering from blight. Repairs are not getting done, and extension plans are being put on hold. The system has degenerated into chaos.

It is easy, tempting and convenient for government to express national minimum standards for care homes in terms of what is easily measurable—for example, the size of a room, the number of staff, the number of choices on a menu and the number of square metres available per resident in the day room. I have serious doubts about that, which I know are shared by other hon. Members on both sides of the House. Are we measuring what matters or what is easily measurable? What matters to those who are being cared for is the quality of care being delivered. The danger of introducing prescriptive national minimum standards is the elimination of choice and diversity.

It seems self-evident that if there is a given income—usually provided by a local authority—for housing a resident, it can be spent in several ways. For example, a larger bedroom may be provided, but there may be smaller areas of communal accommodation. Smaller rooms might be provided for both purposes, but there may be a vastly superior menu. There might be smaller rooms but a much higher staffing ratio, or much better qualified staff. There should be choices because different residents will have different needs. Someone who has limited ambulatory capability—in other words, someone who cannot walk about—will not have much use for elaborate day-room facilities. Someone who is active and sprightly may have little need for a large bedroom. It seems self-evident that there should be no one set of prescriptions to govern all the accommodation in the marketplace. That would have the effect of eliminating choice still further.

The new clause would improve on clause 23. It would ensure that future proposals for new national minimum standards were better informed. It should help to avoid shambles such as those created by the circulation of "Fit for the Future?" Crucially, it would allow for proper parliamentary scrutiny of these vital national minimum standards, which have a huge impact on individuals and on the public policy agenda.

Mr. Hutton: I am listening carefully to what the hon. Gentleman is saying, and he is setting out his case clearly. Will he confirm what I think I heard him say? Is he saying that there should not be a national room-size standard for residential or nursing care homes?

Mr. Hammond: I questioned whether there should be rigid criteria which reduce choice and—*[Interruption.]* The record will show what I said. I shall clarify what is in my mind and what concerns me. The Minister knows of my concerns because he has heard me express them before. I believe that different people have different needs and different wants. We are talking about people, not statistics. There needs to be enough flexibility in the system to cater for people's diverse needs and wants.

In an ideal system, we could have 12 sq m rooms for everybody, and payments high enough to allow care homes to provide additional services. However, if resources are constrained so that we are forced into choices, surely it is better not to lay down certain criteria and state that they will apply to all care homes, but to lay down some variable geometry. That might be sensible. Some care homes might provide better bedroom accommodation and fewer communal facilities. Others might provide better communal facilities and less bedroom space. One category of home will appeal to one category of resident and another type will appeal to a different category.

Mr. Hutton: I understand what the hon. Gentleman is saying about the need for discretion in terms of a possible national minimum room-size standard. I shall take up his argument when I respond. However, does he think that there should be a national minimum room-size standard, perhaps subject to discretion?

Mr. Hammond: The Minister knows very well that minimum standards are required by local authorities, and that they vary from area to area. I can see advantages in having national minimum standards—but we must regard them as the minimum. As I said in response to an intervention from my hon. Friend the Member for South Dorset (Mr. Bruce), if we introduce minimum standards we run the danger of their becoming the normal standards.

If we introduce minimum standards at a level low enough to allow, within the resource envelope available, some discretion to provide above-minimum standards in other areas, we must always avoid the minimum standard becoming the norm. Some sort of variable geometry, which recognises the reality of a trade-off and takes into account the fact that different residents will have different needs and wants, is the way forward.

Mr. Burstow: I wish to clarify the hon. Gentleman's exposition. He is saying that there is a clear link between quality and costs, and that standards may need to be lower to accommodate the current financial envelope. Which is his preference? Is he saying that we should increase resources to enable a higher standard to be achieved, or that we should lower the standard?

Mr. Hammond: The hon. Gentleman misquotes me. I was saying that if we want room for discretion—and if we want diversity there must be room for discretion—the minimum standards will have to be set at a level which leaves some resource in the hands of the provider, so that he can add to that minimum provision in one area or another. If the minimum standard in each area where a minimum standard is set—room size, staffing ratio, meals—is at a level which, together, consumes all the resource available to the provider, there is no possibility of diversity and variation between providers, and the consequence of that is no choice for those entering residential care.

Amendment No. 38 seeks to leave out from the powers to make regulations a reference to imposing

requirements as to the financial position of an establishment or agency.

The Bill seeks to level the playing field between public and private sector providers. It is unlikely that anyone will lay down requirements as to the financial position of a county council or unitary authority before it is allowed to operate or register a care home. Therefore, the provision allowing the Minister to set regulations regarding requirements as to financial position can only be taken to be addressed to private sector providers, and to open up again a distinction between private and public sector providers, which the Government have sought to close.

I am not sure what the criteria will be. The Minister knows that a considerable number of care and nursing homes operate in receivership. That, I am afraid, is the nature of the pressures in the marketplace. The Minister assured me in a letter that the provision that we seek to omit, which concerns requirements as to financial position, would not be used to disallow the registration of an operator merely because it was operating in receivership.

One's financial position cannot get much worse than operating in receivership, so I am not sure quite what the Minister has in mind. However, the provision will act as a barrier to entry. It will stifle new entrants to the sector if they are required to show a financial robustness which, typically, start-up businesses may not have. That would be a massive own goal for the Minister because competition among providers is essential to him in ensuring good quality and sensibly priced provision.

We also run up against the problem of who will make decisions about adequacy of financial position. By and large, the people doing the inspecting, registering and regulating will be people who know about the care and accommodation of frail elderly people, not accountants, and that is a major problem.

Amendment No. 39 will not get the attention that it deserves, but it is important, as it would enable the Minister to make regulations to

make provision in the case of an establishment providing cosmetic surgery

to control

the nature of statements that may be made with regard to the services provided; and . . . the titles that may be used to describe persons carrying on, managing or employed at such an establishment.

The first problem arises because there are many well-documented examples of misleading claims being made for cosmetic surgery and premises providing cosmetic surgery. The second provision is there because there is hard evidence that in some cases, people have been seen by, and indeed treated by, people who describe themselves as consultants, but who are sales consultants, not medical consultants. Whether or not the Minister is prepared to accept the amendment, he will share the worry about the fact that that is going on. Those are areas of concern, and the amendment is simply intended to highlight them.

7.45 pm

Mr. Burns: I add my support to the important new clause moved by my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond). However, I warn my hon. Friend that I have a grave reservation about part of it.

As my hon. Friend said, minimum standards are a fundamental part of the Bill and of its impact not only on care home owners in the private sector but on local authorities that still own and control residential homes.

As I said in an intervention on my hon. Friend, there is grave concern among many local authorities, not least Essex county council, about the bills that they will have to pay to upgrade their homes to a decent standard. For a variety of reasons, over the years some authorities have fallen behind in renovations and improvements, to the point where the cost of complying with any minimum standard issued by the Department of Health would be excessively high—and that is before we even come on to the issue of the quality of care. The quality of care could be, and in many cases will be, infinitely better than the quality of the buildings in which people may live.

Therefore, I am concerned about who will finance local authorities' need to improve their homes. As I have said, Essex county council has a real problem. It already spends significantly above its standard spending assessment on social services. As the Minister will know, there is no relaxation or abatement in the demands that are being put on social service budgets by the needs of the populations that they and local authorities have to meet. To have to find on top of that a significant amount of money to enhance their residential homes stock will be an onerous burden.

Has the Minister made any provision for helping local authorities through central Government grants to take that into account? Many hon. Members whose local authorities are concerned about that would be grateful if the Minister could deal with it when he replies.

Mr. Bercow: Given the financial constraints that local authorities face, does my hon. Friend agree that those authorities would welcome from the Minister tonight a clear idea of the timetable within which they will be expected to achieve the minimum standards that he favours? Does my hon. Friend also agree that it is incumbent on the House in taking forward the Bill properly to distinguish between desirable standards and those that are essential to human safety?

Mr. Burns: I am grateful to my hon. Friend for raising two crucial points. I hope that the Minister listened carefully to my hon. Friend's point about the timetable that the Government expect local authorities to use to bring the physical structure of their residential homes up to the standards required. With regard to the quality of care, there is probably no problem in the vast majority of residential homes.

My hon. Friend's second point is critical. It would be desperately perverse if residential homes were penalised because they were way above the minimum standard.

[Mr. Burns]

By definition, the service that they provided would be too good according to the criteria of the bureaucracy entailed in establishing any minimum standard. I hope that the Minister will bear that in mind. It would be terrible if care home owners were penalised because they had enhanced and improved, or were seeking to enhance and improve, the quality of their service way above the minimum standard

Mrs. Lait: I agree with my hon. Friend, but does he agree that the unintended effect of minimum standards could well be that local authorities get out of residential provision entirely, and such provision then becomes a private sector monopoly?

Mr. Burns: That is a logical conclusion to draw from the situation facing several local authorities. Particularly in the case of Essex, unless the Government are exceptionally generous in providing ring-fenced additional money to help authorities deal with their residential home stock, local authorities will have to sell those homes into the private sector. If they do not, the homes will not reach the minimum standards that the Government plan to establish. Presumably, they would then have to be closed down, and that would be intolerable.

I do not entirely agree with the conclusion of my hon. Friend the Member for Beckenham (Mrs. Lait) that it would necessarily be a bad thing for local authority owned residential homes to move into the private sector. There is a great deal to be said for that, particularly in view of the problems that the public sector has faced for many years because the financial resources have not been made available to it by central Government to allow it to keep pace with the standards and quality of private homes.

Mr. Swayne: Will my hon. Friend give way?

Mr. Burns: Briefly.

Mr. Deputy Speaker: Order. Before the hon. Gentleman gives way, I appeal to him to face the Chair.

Mr. Swayne: Given my hon. Friend's inference that the provision is a potentially welcome privatisation measure, those on the Treasury Bench no doubt welcome the fact that there is not a single Labour Back Bencher present to hear the real consequences of the Bill.

Mr. Deputy Speaker: Order. We do not need to worry about who is not in the Chamber. We are in the Chamber. That is the important thing.

Mr. Burns: I echo the comments of my hon. Friend the Member for Runnymede and Weybridge about minimum standards. When Governments start laying down minimum standards, there is a danger that an attitude of mind develops, and that what began as a minimum becomes set in stone. The troubles multiply as people try to enforce the minimum standards. If they have got it wrong in any way, tremendous problems can result for the care home owners providing residential care and nursing care to our citizens.

Similarly, as my hon. Friend pointed out, there is considerable uncertainty about what the standards will be and how much parliamentary scrutiny the process of establishing them will receive. I assume that the Government intend the standards to be a movable feast as changes are needed in the light of experience and developments in the provision of residential care and nursing care for members of the community.

There is one aspect of my hon. Friend's new clause about which I have serious concerns. I do not criticise my hon. Friend lightly, because he does not deserve criticism, but part of his new clause suffers from what may tactfully be described as careless or ambiguous drafting. I refer to subsection (4)(b)(ii).

Under subsection (4), the Secretary of State shall

> consult such persons as he considers appropriate

and

> request the Commission to give him advice as to the likely impact of the proposed statement or the proposed amendment

on, according to subsection (4)(b)(ii),

> the cost of supplying such services in accordance with the statement of minimum standards.

As I suggested to my hon. Friend in an intervention, the reference to the cost of supplying services could mean one of two things, or possibly both. It could mean the cost to the supplier of the service—the owner of the care home—or it could mean the cost to the person using the service.

Mr. Hammond: I do not want to engage my hon. Friend in a detailed grammatical debate, but I feel obliged to defend myself. It seems to me that the cost of supplying a service can be incurred only by the supplier. The cost of purchasing a service will be incurred by the purchaser.

Mr. Burns: I thank my hon. Friend. His knowledge of the construction of the English language is probably superior to mine. I do not want to continue to argue with him, and I accept his clarification, but that has implications for the person to whom the service is supplied. There should be a sub-paragraph (iii) referring to the cost to the user of the service supplied in accordance with the minimum standards.

I have good reason for considering that to be important. The sheer horror of the situation will become apparent only next Tuesday. I expect that the Minister saw or had drawn to his attention the main story on the Channel 4 news last night. I do not know how many of my hon. Friends saw it. The subject, which has a serious impact on many hundreds of thousands of elderly people and their families, was the leak of what the comprehensive spending review to be published next Tuesday will say about long-term care, its cost and how that will be met.

As the Minister will remember, although he was not at the Department of Health at the time, the former Secretary of State, when announcing the royal commission, said that it must complete its work swiftly. The original timetable set was 12 months from its inception in the summer of 1997. Because of the sense of urgency and the rhetoric, we expected the Secretary of State to consider the recommendations and make an announcement to the country fairly swiftly.

The 12-month period would have ended in July or August 1998. It is now July 2000 and we have not heard a single word from the Department of Health about how it is to move forward. I understand from the Channel 4 report last night—this will have a direct bearing on new sub-paragraph (iii), which I urge my hon. Friend to include in new clause 4—that the state is to pick up the bill for nursing care in nursing homes. The Government would be absolutely right to make such a decision. The difference between what the health service should provide and what the individual should pay for has become increasingly blurred as the National Assistance Act 1948 has become more and more irrelevant to society's changing needs over the past 52 years. If that is what the Government intend to do, it is a step in the right direction.

8 pm

Mr. Collins: The powerful case that my hon. Friend is developing seems to be an argument in favour of new clause 4. The Minister may be reluctant to accept subsection (4)(b)(ii) because the only advice that the Secretary of State will wish to take will be that of the Chancellor, who will tell him what he can and cannot spend. The Secretary of State has no interest in independent, possibly awkward, advice.

Mr. Burns: My hon. Friend makes an extremely pertinent point in his correct analysis of the thinking in the Department of Health. He identifies the straitjacket within which Health Ministers must operate. They have received different moneys from the Chancellor for hospital and medical care, and I imagine that the Chancellor thinks that enough is enough.

As Channel 4 said last night, pensioners will now be hit with a double whammy—the miserly 75p a week increase in pensions this April and the announcement—

Mr. Deputy Speaker: Order. These matters are worth mentioning given that some people live on fixed incomes or are in long-term care, but the hon. Gentleman must not make a meal of them.

Mr. Burns: I am grateful for your guidance, Mr. Deputy Speaker. In conclusion on that point, then, I feel that the new clause should include a subsection (4)(b)(iii). The Government will apparently announce on Tuesday that they will not fund long-term care. They may raise the £16,000 threshold, but will still expect families to sell their homes to pay for long-term care. That takes us to the need for an analysis by the commission or by those whom the Secretary of State consults of the costs of the minimum standards to the users of the services. Those costs must include the costs to families or individuals for living in a residential or nursing home.

We shall not know until Tuesday whether Channel 4 was accurate, but if it was, there is even more need for a change to new clause 4. It is, of course, too late to amend the new clause tonight. I shall support my hon. Friend the Member for Runnymede and Weybridge if he wishes to pursue his new clause, but, without being unduly unfair to him, repeat that it is a pity that my additional proposal is not in the new clause.

Mr. Burstow: I support the new clause, which provides a basis for exploring the Government's attitude towards national minimum standards and the process by which we have reached our present point. The Bill is primarily a vehicle for a series of regulation-making powers, giving the Minister powers to redefine and rewrite large chunks of the Bill. It also gives the power to introduce minimum standards in a range of differing care settings, and we must be clear what the role of the House will be, not only in passing the Bill, but for the future when standards are introduced.

The Standing Committee explored in some detail an issue that we must revisit—the need for a clear and transparent process that gives the House and the other place an opportunity to debate both the statutory instruments that give effect to national minimum standards and those standards themselves. As we know from "Fit for the Future?", the standards will contain an awful lot of detail, and many devils lie in the details, which has raised much concern outside the House.

The debate about national minimum standards is at least in part motivated by understandable anxieties among care home owners, and all Members will have had representations from them. It is important to record, however, that minimum standards exist for the safety and security of the consumers of the service, and act as a guarantee for them. That should be our starting point in constructing any minimum standards. I entirely accept that legitimate concerns exist about minimum room size, staffing ratios and so on. We must address those questions, but other standards—identified in "Fit for the Future?"—are welcome and should be implemented at the earliest opportunity.

The debate about minimum standards will of necessity be better informed if we consider what has happened to date rather than talking only in the abstract about future domiciliary care, day care or any other type of care. It is crucial to bear in mind that a key element underlying minimum standards must be the principle of maintaining the independence and dignity of people in care. We must consider how to provide choice and how to ensure as much control as possible for the individual. "Fit for the Future?" covers such issues as social activities and other measures of quality that ought to be covered by minimum standards. I do not see room size as an adequate proxy for quality.

That said, we must recognise that standards change over time and cannot be absolute. My generation may expect something different in a care home from what a future generation will expect. Perhaps there are differences in what those living in care homes expect. Those differences should be borne in mind. Equally, on choice, someone living in a care home may have chosen a particular location because it is a listed building with unique features. That may be the very reason why that person has chosen that home, and we should not lose sight of that fact as we implement standards. It would be wrong to drive out of business a home in which people are receiving the quality of care and life that they want just for the sake of complying with a minimum room size standard.

The regulatory impact assessment attached to "Fit for the Future?" said that 7,000 additional nurses would be required to give effect to the national minimum standards. We know all too well from questions and debates that the Government are struggling to recruit and train enough nurses to fill the 17,000 vacancies in the national health service. To suggest that we can find another 7,000 beggars belief. As we consider "Fit for the Future?" and the emerging national minimum standards, we should be given clear timetables showing when consultation will end

[Mr. Burstow]

and when ministerial deliberations will be concluded. That would provide the maximum possible clarity on the minimum standards, which the industry—home care, day care or care homes—wants.

Mr. Bercow: I agree with the thrust of what the hon. Gentleman says, but may I focus his attention on Government amendment No. 61? Given that clause 22, which will be amended under that amendment, contains no fewer than 10 subsection and 34 paragraphs, what precisely is the merit of, or the need for, Government amendment No. 61?

Mr. Burstow: That is an interesting point. When the Minister responds, we may discover that the Government are attempting to respond constructively to concerns that were expressed in Committee by the hon. Member for Runnymede and Weybridge (Mr. Hammond). The hon. Member for Buckingham (Mr. Bercow) may have to wait to listen to the Minister's gracious comments on those matters.

In Committee, several hon. Members expressed concerns about the impact that standards would have on the supply of places in care homes, but the availability of domiciliary care is also important. The Government need to accept that there is a crisis of confidence in the care homes sector. How many homes are closing in any given week may be a matter of dispute, but I have heard that one a week, possibly more, are closing. They may be closing for the perfectly legitimate reason that they do not provide a good standard of care. Such homes should be closed, but many others are closing because they cannot provide a decent rate of return on the investment that they have made in their businesses.

Fees have not kept pace with costs. That key problem predates the Bill and national minimum standards, but the uncertainty about those standards has added fuel to it. As the hon. Member for West Chelmsford (Mr. Burns) has said, local authorities are under financial pressure on the provision of social care and the increasing demands that are placed on them. As a result, they must be ruthless in exercising their role in purchasing care places. They are undoubtedly holding down fees as much as they can. There have been some increases, but they have not been adequate in many cases.

The link between quality and the cost of meeting the standards is not straightforward. The equation is more complicated than that, but there is a link. If the standards are driven up—I would entirely applaud and support that—it must be recognised that, at some point, that will have a bearing on the fees that need to be charged and the incomes that need to be provided. We shall expect care assistants and others involved in domiciliary care and care homes to receive more training to meet the new national minimum standards and to ensure that adequate numbers of staff are registered with the commission.

All too often, better trained staff look for better paid jobs. Care assistants in care homes are not paid decent salaries. They can get better pay stocking the shelves at the local supermarket. If we do not recognise that problem, we shall store up problems for ourselves. There will be a flight from the sector as a result of improving the qualifications of its staff because they can get better jobs in other aspects of social care, where their skills are more fairly rewarded.

The hon. Member for West Chelmsford, who is no longer in his place, rightly expressed concern about the link between improvements in standards and the potential increase in costs to the consumers—those who live in care homes. He linked that to reports of yet other leak about what the Government have in mind for long-term care and the relative distribution of the consequent costs between the state and the individual. We shall have to wait for the White Paper, rather than the comprehensive spending review, to find out whether the leak is true.

If "Channel 4 News" is to be believed, I hope that the Government, even at this late stage, will give further thought to what the Prime Minister said before the general election. He said that he did not want to live in a country where old people had to sell their homes to pay for their care. The many hundreds of thousands of people who thought that the Government would take serious action on that feel betrayed and let down by the Government in that respect.

8.15 pm

We shall have to wait until next week to find out whether the comprehensive spending review will provide a true idea of exactly what sums will be allocated to such matters. Time will tell, but I fear that we might have to wait until the White Paper is published, I hope, at the end of the month.

If the hon. Member for Runnymede and Weybridge decides to press the motion to a Division, we shall support him. New clause 4 proposes an entirely right and proper structure in which the Government should discharge their responsibility to produce minimum standards. The House should have a clear role in scrutinising those standards. Its role should involve much more than approving a statutory instrument under the negative procedure. The affirmative procedure should be used, so that we can consider not only the regulations, but the details behind them. I hope that the Minister will be able to respond positively.

Mr. David Amess (Southend, West): I do not want to fall out with my hon. Friend the Member for West Chelmsford (Mr. Burns), but I congratulate my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) on his skilful drafting of new clause 4. I found his arguments entirely convincing and hope that the Minister will accept new clause 4.

The Minister will know from our deliberations in Committee, that I feel very strongly about such matters. There are a huge number of residential and nursing homes in Southend. That should be no surprise because it is well known that Southend is the finest seaside resort in the country and elderly people are flocking to the town because the movement of the Thames estuary is extremely good for people's breathing. That is why our residential and nursing homes are so popular, especially those in Southend, West. I regularly visit those homes and I am in constant contact with the people there.

The Minister takes a different view, but of course Conservative Members support national minimum standards. That is well understood, but he is saying "Trust the Government." I, for one, do not trust the Government. I am very concerned about those standards. As the Minister knows only too well, this is not about the curtains, the en suite facilities or similar matters, but about the love and care that many elderly people in those homes are given by the home owners. I baulk at using the expression "running their business", but it is not good enough for the Government to expect the owners of those homes to do whatever the Government want without proper and due consultation.

I take my hat off to the Minister: he was kind enough to invite the Committee to 79 Whitehall to look at the different rules and regulations on which he was consulting. However, I ask him to consider new clause 4 carefully because it would be a tremendous fillip to all our residential home owners if it were accepted. He knows only too well that the Independent Healthcare Association, Leonard Cheshire, the National Care Homes Association, Help the Aged, William Laing and others have all been somewhat concerned about the overall tenor of the minimum standards.

Perhaps the Minister will tell us that he has managed to placate those concerns in the past few days, but the magazine, "Caring Times" carried out a survey to discover the effects of "Fit for the Future?". That survey should be of concern to the Minister because more than 50 per cent. of respondents said that they could be obliged to close due to bankruptcy.

We all know from our constituencies that the national health service is in crisis. My goodness, I experienced that myself at St. Thomas's accident and emergency unit in the wee hours of the morning on Monday, learning at first hand how the NHS is in great difficulty. Many of our constituencies are experiencing bed blocking. We have 56 people in hospital at the moment—

Mr. Deputy Speaker: Order. The hon. Gentleman's remarks are wide of the new clause; he may want to return to discussing it.

Mr. Amess: Of course, Mr. Deputy Speaker.

A residential home proprietor in the north-east said of minimum standards:

> Basically, this is another idea developed by those who do not know and never ask.

A nursing home proprietor in Scotland said:

> We are negotiating a loan to improve our facilities and have been experiencing difficulties with lenders directly due to the possible implication of these proposals. We are now having to alter plans and hope this will satisfy lenders. This will increase our loan and without an adequate increase in fees, budgets will be very tight. These are onerous standards, financially wasteful and will threaten small establishments.

That is why we need the Minister's reassurance that there will be due and proper consultation. For that reason, I am an enthusiast for new clause 4. The Scottish proprietor continued:

> The larger homes can easily absorb costs. Is this the future—the large plcs controlling the care sector?

That is another concern.

I do not want to cause controversy in Southend, West, but when I go round residential nursing homes and see chintzy curtains and plush facilities, I am not taken in for a minute. I am concerned about the quality of care. I have first-hand experience because next door to me is an excellent residential nursing home called Cherry Croft, and I pay tribute to the loving care and nursing that it gives to many of my constituents. However, I also have first-hand experience of another nursing home outside the area that I represent, although I shall not go public on that as I am trying to deal with the matter tactfully at the moment. One would think that the home is the cat's whiskers, but I happen to know that the care and attention that it provides are somewhat disappointing to say the least and there have been unfortunate outcomes.

Recently, I had the privilege of visiting a small home with only eight beds in my constituency. It is struggling, and it told its Member of Parliament that it is struggling because it is concerned about minimum standards. It is looking for certainty, as it wants to plan for the long term. The people there love their residents, but they think that, unless there is the certainty that new clause 4 would provide, the home may have to close, adding to the 50 per cent. of homes that believe that they will have to close.

A residential home owner in the midlands said:

> We've just spent a fortune upgrading to existing standards. If new standards are introduced, we would have to close. Residents would lose their homes, staff would lose their jobs and we would be devastated.

That is happening right this minute in the midlands. Linda Nazarko, the director of the Registered Nursing Homes Association, said:

> Standards must be meaningful, and concentrate on quality, not merely on physical standards . . . The RNH is 100 per cent. committed to quality care but have been saying for some time that it is unjustifiable to raise physical standards any further in a climate of decreasing resources.

That is a different argument, but we should not completely reject the points that she has made.

A residential home proprietor in the south-west said:

> We comply with all the current regulations. I have difficulty comprehending how an increase in bedroom size can have that great an effect on the care and wellbeing of our residents. The vast majority spend no waking time in them whatsoever. We employ more care staff per week than the basic requirement, our staff are comprehensively trained and care is of the highest standard. These standards would bankrupt us. Eighteen residents would be homeless. Twenty-four staff, many of them breadwinners, would be unemployed.

Another residential home proprietor in the south-west said:

> In our experience, most of our residents have used the bedroom only for sleeping in at night and a few for a nap after lunch.

Recently, I attended a reception at which home owners gathered to debate the national minimum standards and I say to my hon. Friend the Member for Runnymede and Weybridge that I found them overwhelmingly enthusiastic about the proposals in new clause 4.

I have received a letter from the Norfolk Residential Care Homes Association, which is very concerned about minimum standards. It says:

> We are seeing Home closures in Norfolk which result in residents being transferred up to 20 miles away

and that is

> a problem for relatives and friends for . . . maintaining contact

with their loved ones. I have also been contacted by the Brighton and Hove National Care Homes Association. It, too, is very concerned and I am advised that 17 of every 20 care homes for old people in Brighton and Hove—85 per cent.—will close as a result of the minimum standards. The councillor dealing with this matter said that the Conservatives were scaremongering and that the closure rate would be only 30 per cent. That is no comfort to the good people of Brighton and Hove.

[Mr. Amess]

I ask the Minister to consider carefully the arguments made by my hon. Friend the Member for Runnymede and Weybridge. I support minimum standards—they are desperately important to the living standards and living conditions of elderly people—but where is the measure for the love, care and devotion that many home owners give to residents? An overwhelming number of residents have no relatives and might have lived in a home for 10, 15 or 20 years. They may not have en suite bedrooms or rooms that meet the standard that the Minister has in mind, but none of that is important to them. They do not regard home owners as wicked capitalists. In fact, morning, noon and night, they put their hands in their pockets to make sure that standards for residents are decent and they also celebrate residents' birthdays and provide all sorts of entertainment. None of that is recognised in the minimum standards.

I know that the Minister has the best intentions, as he showed in Committee, but we need to be convinced that the minimum standards are in the best interests of residents. I hope that he will reconsider new clause 4.

8.30 pm

Dr. Brand: I am sure that the motives behind "Fit for the Future?" were right, but it has caused great concern, mainly because it does not necessarily address the issue of fit for the purpose. I have been struck by the complaints. Small care home owners are concerned about rigidity—the bricks, mortar and buildings—and are relaxed about the excellent quality standards for care and staffing. Conversely, the larger providers—those quoted on the stock market which run large granny factories—were relaxed about the bricks and mortar, but extremely concerned about meeting the staffing levels and qualifications. There is no doubt that care is more to do with staff than with buildings.

It is right that the Government should set minimum standards for staffing and training, which are vital. We should commend the Minister for his efforts in that area. However, minimum structural standards for care homes could be best addressed through ministerial guidelines to the commissioning agents. Different homes suit different people. That is not only because different personalities are happier in different settings, but because their physical, emotional and social needs may be different.

It would be sad if a fixed ratio were imposed on the double occupancy of bedrooms, as opposed to single occupancy. Even in a place such as the Isle of Wight, there are cultural differences. In one part of the island, it is the norm to share. In other parts, everyone wants an en suite room and not to talk to anyone else. We must accept that that is part of giving residents choice.

The issue of communal facilities has been mentioned. In nursing homes dealing mainly with post-operative conditions, people spend a great deal of time in their bedrooms. They do not want to go out, mix or sit in a dining room. They want to rest in peace and quiet and then go home. If that is the business that the establishment is in, it seems unreasonable that it should be required by regulations to have facilities that it does not use.

In Committee, I supported the imposition of statutory standards by affirmative resolution, but these should be backed by ministerial guidelines which, in time, may show where statutory standards may go in the fullness of time. That will help health authorities and local authorities in their commissioning role. There is a need for standards to rise even in places such as the Isle of Wight, where we have done well at the expense of some less effective and less successful home owners. One must accept that we are dealing with a part of the business sector, and that businesses should compete. With that goes grief from time to time.

There is no doubt that what is happening to the sector is unreasonable. One of my slight criticisms of new clause 4, which is well drafted, is that it does not give a time scale for consultation. Consultation is vital. The Government consultation on "Fit for the Future?" was announced in October last year and it took until a week after Christmas before I could get copies to the people affected by it. It was difficult to get responses in within the deadline and, when people put in their responses, nothing happened. In the meantime, we have had a long period of uncertainty, which is having a detrimental effect on investment in raising standards and on those who were about to retire, but cannot at the moment.

We have rehearsed the arguments and we have heard indications of comfort, but no real comfort from the Minister. I hope that he will go further than he did in Committee.

Mr. Hutton: First, I wish to explain to the hon. Member for Buckingham (Mr. Bercow) why amendment No. 61 has been tabled. The amendment will place an obligation on the Government to consult the people and bodies whom they think appropriate before making any regulations under clause 22 and before making any significant amendments to regulations made under clause 22. In tabling the amendment we are responding to concerns raised by the hon. Member for Runnymede and Weybridge (Mr. Hammond), who raised the issue in Committee. I assured him then, and I confirm today, that it was always the Government's clear intention to consult on all the regulations made under this clause. However, I am happy to table this amendment to put the matter beyond any reasonable doubt.

I hope that the hon. Member for Runnymede and Weybridge will be pleased to see that we have actually gone further than his amendment would have required, in that we have included a requirement to consult on any substantial changes to regulations that have already been made under this clause. I hope that that will be welcomed by the hon. Gentleman and his colleagues.

We have had a wide-ranging debate about some other issues, particularly new clause 4. This is a familiar theme to those Members who take an interest in national minimum required standards. The hon. Member for Southend, West (Mr. Amess) spoke with his usual passion—if not accuracy—about the subject. The hon. Member for West Chelmsford (Mr. Burns) spoke with substantial knowledge, gained from his time as a Health Minister. I thought that his contribution was important and useful.

The hon. Member for West Chelmsford explained the difficulties that he had experienced in his own county, Essex. It is my own county, too; I lived there for many years.

Mr. Keith Simpson (Mid-Norfolk): An Essex boy!

Mr. Hutton: Indeed.

Mr. Stephen Day (Cheadle): That explains a lot.

Mr. Hutton: It might explain a few things, but I do not think that we should go there today.

The hon. Member for West Chelmsford was explaining some of the problems that small care home owners in Essex were experiencing primarily with the room size standard. He will be aware that the problem in Essex perfectly illustrates the need for the changes in the Bill and the new laws that we are proposing. Essex county council has had a 10 sq m standard since 1991, and the council gave care home owners 10 years to comply with the standard. The hon. Member for Southend, West was moaning about the standard, but it was introduced nearly 10 years ago in his constituency and that of his hon. Friend the Member for West Chelmsford. To be fair to both hon. Members, I must say that I have no information about the extent to which the standard has been implemented by the county council and, in particular, the social services department. It may be possible for us to correspond about that.

The hon. Gentleman was concerned about the fact that the county council had never applied the standard to its own homes. In the Bill, we are creating a level playing field between the public and private sectors. I should have thought that the hon. Gentleman and his hon. Friends would at least welcome that advance.

Mr. Burns: Will the Minister give way?

Mr. Hutton: I will in a minute. Conservative Members have taken nearly an hour and three quarters; I have spoken for four minutes.

An important point has been made today—all who have spoken made it effectively. We have tried to make it too; certainly, I made it repeatedly in response to the concerns expressed by the hon. Member for Runnymede and Weybridge in Committee. We absolutely must get the emphasis right. The quality of care must be measured accurately, and that cannot always be done with a tape measure.

Not all hon. Members—although, to be fair, the hon. Member for Isle of Wight (Dr. Brand) probably came closest to it—have sufficiently stressed the importance of room sizes as a measurement of quality. We should ask ourselves whether, if we were going into a care home, we would want to be in a small room, or in a reasonably sized room. The hon. Member for Southend, West said that some care home owners were saying, "These people do not spend much time in their bedrooms." We should bear in mind, however, that in a typical residential or nursing home the bedroom is probably the only private space for residents.

The care home owner may believe that a resident is not spending much time in the bedroom. That is an observation. It must be recognised, however, that for many people the size of the room is an important issue. I am certain that, whatever hon. Members on either side of the House may say, it would be important for us if the time arrived for us to be in care homes.

Mr. Hammond: The Minister asks whether any of us would want to be in a small room. Viewing the question in isolation, everyone would probably prefer the idea of a larger room; but we cannot consider such questions in isolation. If limited resources are available, choices must be made. That, I think, is the point that some of my hon. Friends have been trying to make.

Mr. Hutton: Obviously, the hon. Gentleman is right. The whole process of government and decision making in this place is about making choices. I will not pretend that we do not have difficult choices to make in setting national minimum required statements; of course we do. It would be naive to imagine that we could sail through it without having to make difficult judgments. What planet does the hon. Gentleman live on?

Of course these are difficult issues. That is why the process is taking time—that is a matter of record; it is taking time to make the right decisions, but we are determined to get them right.

Mr. Bercow: A couple of minutes ago, the Minister referred to room sizes, in the plural. In the light of his earlier challenge to my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond), will he confirm that he is irrevocably committed to a single national minimum room size?

Mr. Hutton: I do not know where the hon. Gentleman has been, for the past 12 months or so, but he has obviously not been following this debate.

Mr. Bercow: I have.

Mr. Hutton: The hon. Gentleman may have been following it closely, but if he has I am surprised that he should ask such a question.

Mr. Bercow: I have a family interest.

Mr. Hutton: I am pleased to learn that.

We have always made it clear that we want to establish proper national minimum requirement standards, and those standards will include room sizes. My grammar may be wrong. I have been picked up on that a few times before in this place and I am sorry if I confused the hon. Gentleman, who is obviously punctilious in his use of grammar. If it is easier for him to come to terms with "room size", that is what I am talking about.

If the hon. Gentleman is as familiar with "Fit for the Future?" as he says, he will know that we are talking about the separate room-size requirement in relation to nursing homes, as opposed to residential care homes. We have postulated the possibility of a different room size for residents who are permanently in wheelchairs, for instance. I am afraid that the suggestion that we ever discussed just one figure makes me less convinced than I otherwise would have been that the hon. Gentleman was paying as close attention as he would have us believe.

8.45 pm

Let me now deal with amendment No. 39. We consider it important for prospective patients to receive clear and accurate information about the treatment and services that are proposed. The Bill already contains scope for that in clause 22. The power that we already have, enabling

[Mr. Hutton]

regulations and standards to be produced in relation to patients information requirements, is more flexible than the power in the amendment.

The Government's response to the fifth report of the Select Committee on Health on the regulation on independent health care, produced in 1999, was that the powers in the Control of Misleading Advertisements Regulations 1988 were sufficient to control advertising. That, of course, is a matter for the Advertising Standards Authority and the trading standards departments of local authorities.

The amendment also deals with the question of the medical titles that people might use in cosmetic surgery clinics. As the hon. Member for Runnymede and Weybridge will know—he conducts his research carefully—section 49 of the Medical Act 1983 already makes it an offence for any person to pretend to be, or use the title of, a physician, Doctor of Medicine, surgeon, general practitioner or Licentiate of Medicine—I must say that in my travels across the country I have never come across anyone who has described himself as that. I think we have the right balance: there is already enough legislation to prevent such problems, and section 49 of the 1983 Act triggers liability for criminal sanctions.

Amendment No. 38 concerns the financial position of establishments and agencies. I cannot accept the amendment, which would remove a key power to ensure the protection of vulnerable people who depend on regulated care services. The purpose of this express power is simply to ensure that the establishment or agency is and remains financially viable. Would-be providers must be able to demonstrate that they have the means to run their businesses properly. Establishments or agencies providing care must be financially sound; otherwise, service users who depend on them will be put at risk.

The hon. Member for Isle of Wight rightly said that the focus of all this work should be on the consumers—those who live in residential homes. That is what the provision is about. It will, I hope, prevent unreasonable and unnecessary movements between care homes.

The principle was recognised in recent case law relating to fitness under the Registered Homes Act 1984, and therefore already forms part of the existing regulatory arrangements. In that case, the registration authority proposed to refuse registration on the ground of a lack of financial viability. The case was referred to the High Court for judicial review. As the hon. Gentleman knows, the care home owners challenged the decision. The court upheld the registration authority's view. The judgment confirmed that the consideration of the way in which it was intended to carry on the home must include the means available to provide the facilities and services.

The hon. Gentleman spoke of intrusiveness, but I think that most sensible people will see the power as simply a demonstration of common sense. Of course we need the provision in the Bill, and I would not advise my right hon. and hon. Friends to remove it.

I accept that our proposals may require commercially sensitive information to be made available to the commission, and I fully appreciate some of the concerns raised by the hon. Gentleman. However, as I told him in Committee, such information will be confidential, and the commission will have to observe high standards of security in respect of it. Not to allow the commission to be able to satisfy itself about these matters would make it harder, not easier, for it to do its job properly. That should be our yardstick.

Mrs. Lait: Could the Minister clear up a point of confusion on a slightly different subject? Close care sheltered housing, quite rightly, will be regulated. However, on 14 June, in a debate on sheltered housing in Westminster Hall, the Under-Secretary of State for the Environment, Transport and the Regions, the hon. Member for Sunderland, South (Mr. Mullin), said:

> The Care Standards Bill . . . will introduce the regulation and inspection of all types of home care provision, including that provided in sheltered accommodation.—[*Official Report, Westminster Hall*, 14 June 2000; Vol. 351, c. 270WH.]

Does that refer to all sheltered housing, or just close care sheltered housing?

Mr. Hutton: If the hon. Lady will forgive me, I should like to look at that reference myself and confirm—*[Interruption.]* She is waving it at me. I cannot actually read it from here, but I am sure that we will have a chat about it in the Lobby in a minute. We tabled amendments to the Bill to make it clear what type of care homes we wanted to regulate. We do not intend to extend the category of homes currently being inspected and regulated by inspection units. We have tabled amendments to put that beyond reasonable doubt.

The difficulty is, as the hon. Lady will be aware—she has much experience in the matter—that none of those categories of sheltered housing is legally defined anywhere. Therefore, we have made clear in the Bill which care homes we think the new powers should relate to. We have tried to reassure care providers that the Bill will not widen or broaden the scope of registration. I hope that that clears up the point for the hon. Lady.

There has been substantial discussion on new clause 4 and amendment No. 2. They have led to a long discussion tonight, and the same subject led to extensive discussions in Standing Committee. New clause 4 goes to the nub of the Bill—how we intend the new regulatory system to work in practice, and the impact that it may have on the viability of some the establishments and agencies to be regulated. When debating these matters it is important that we maintain our primary focus on the benefits of the Bill's changes for the people—children, young adults and older people—who use the services that we intend to regulate.

Those people are at the heart of our regulatory reforms. It is important to know how vulnerable they are to shoddy, negligent and, in some cases, abusive care. We know that there are some operators who should not be in the business of providing care, whose performance damages the reputation of decent providers and has led to the destruction of public confidence in some areas. Our intention with the Bill is to establish a proper regulatory system that promotes good quality care services and supports those many providers—the vast majority, in fact—whom the public can rightly trust. Therefore, I want to argue against the amendment tabled by the hon. Member for Runnymede and Weybridge, both in substance and in practice. It should not be part of the Bill.

The regulations will, as it were, form the bones on which the minimum standards will be the flesh. The current system works similarly, but the main difference is that under the present arrangements there are no national standards; there are only local standards. We want a level playing field between different providers. The independent sector has been calling for national standards for a long time—a point that was never acknowledged by Opposition Members during the debate. That is what we intend to deliver, but consistency must be balanced with discretion.

In Committee, much of the debate on standards centred on "Fit for the Future?", the draft standards for care homes for older people. Through consultation, we established that nine of the 11 topic areas were widely supported. Standards cover fundamental aspects of quality of care for residents. They introduce principles of dignity, privacy and choice, and demand that residents are treated with respect by properly trained, competent and trustworthy staff. Two controversial areas—room sizes and staffing—have provoked concerted opposition from some sectors of home owners, especially owners of smaller homes, and opposition from owners in certain parts of the country rather than others. The wide variation in standards is in itself an argument for more consistency nationally.

Mr. Burns: On the question of national consistency and a level playing field, can the Minister answer the questions about how local authorities will be able to fund the upgrading of their residential homes?

Mr. Hutton: I want to say something about resources in a minute. Labour Members still have to be persuaded that the hon. Gentleman and his friends are the right people to hand out any lectures about the level of public funding and public support for some of these important social services. His party, I understand, has something of a widening gap, or black hole, in its public sector finance policies after some of the recent announcements and U-turns by his right hon. and hon. Friends.

Of course, the hon. Gentleman will be aware—again, because of his interest in the subject—that the Government are making record resources available to finance social services. The present comprehensive spending review provided nearly £3 billion-worth of additional expenditure during this period. There will be more to come. He will have to wait for those announcements, like everyone else, but the general financial situation is a positive one for local authorities and social services, with record resources going into those sectors.

I was referring to two controversial areas that have caused legitimate concern. On staffing, I have already stated our intention to base trained nurse staffing levels on assessment of need rather than fixed ratios. That should be of considerable help to many small nursing home providers.

On room sizes, it is important to state that 10 sq m is a reasonable norm, long established and widely observed. However, to balance consistency with discretion and to try to respond to some of the concerns that many hon. Members have expressed, I am considering criteria within which some flexibility can be exercised on that standard, to allow rooms smaller than 10 sq m to remain in use. I hope shortly to be in a position to provide the House, especially hon. Members who have an interest in the matter, with a fuller explanation of what the minimum required standards will specify. However, let me make it clear that there is no intention to prevent good quality homes from continuing to operate. We want to preserve the stability of provision for residents.

Turning to the specific provisions of the amendment, the commission will have access to important information about the state of the care sector and will be able to advise the Secretary of State accordingly, but I personally do not believe that it is the commission's role to advise on standards in terms of their effect generally, or on the costs of their implementation. I believe strongly that that responsibility rests squarely with the Government. That is ultimately where it should remain.

The issue of consulting on standards was well aired in Committee. We have given clear undertakings to consult on standards and on regulations, and the latter will be laid clearly before Parliament. Draft standards will also be made available to hon. Members for consultation.

In Standing Committee last week, I extended to the hon. Member for Runnymede and Weybridge, who speaks for the Opposition on these matters, an opportunity to participate in some of the consultations on the Children (Leaving Care) Bill. I am more than happy to extend such an invitation in relation to the national minimum required standards to all the right hon. and hon. Members who speak for their parties on social services issues.

It is self-evident that no establishment or agency will be registered unless it complies with the standards, and of course the regulations; otherwise there is no point in having them. That is one other reason why the hon. Gentleman's amendment adds nothing of value or substance.

I have tried to address some of the concerns that have been raised in the debate. I do not want to go into all the nooks and crannies of the hon. Gentleman's description of proceedings in Standing Committee, but I do not think that he gave a completely accurate description of the exchange that we had on those issues.

The hon. Gentleman referred in particular to a letter that I had written him, which he said indicated that we were not going to include en suite bathrooms in the standard. There was not, and is not, any such letter. The letter dated 6 July that he mentioned referred to the door-sweep implications. I have in front of me a copy of the letter that I signed dated 6 July—I remember it clearly—and it does not refer to en suite bathrooms. My recollection is that we had an exchange on the subject in Committee. Although I do not remember the exact wording that we used, I certainly did not write to the hon. Gentleman as he has implied.

This has been a full debate. I have tried to share with the House a very important piece of information—although I am not sure that the hon. Member for Buckingham was even paying attention when I told him that we were providing for discretion on the 10 sq m standard. Perhaps he acknowledged that discretion; certainly some other Opposition Members did. Nevertheless, I hope that that discretion will send a reassuring signal for decent, good quality care home providers—whom we have no intention whatever of hounding out of the business. We need them, and we rely on them. We also want to encourage them to invest in their businesses so that they can be successful.

Mr. Hilton Dawson (Lancaster and Wyre): Does my hon. Friend accept that what he has just said is

[Mr. Hilton Dawson]

tremendously good news for providers of good-quality residential care who want to remain in business and give excellent care, particularly for older people but also for people with all types of disabilities and difficulties? Do those comments not show that the Government are listening and taking on board the views of people throughout the sector?

9 pm

Mr. Hutton: I am pretty well bound to agree with my hon. Friend on all those points, and I am glad that he feels that way.

We are trying not only to respond to the concerns quite reasonably expressed by the industry, but to meet the legitimate needs of our constituents. It is important that their voices are heard and their interests considered in addressing all the issues. That is the balance that the Government are trying to strike, and I strongly urge my right hon. and hon. Friends to reject this group of amendments, except Government amendment No. 61.

Mr. Hammond: This has been a useful and wide-ranging debate. I am certainly glad that the Minister said that he himself had found it useful.

When I said that I had received a letter from the Minister about door-sweeps and en suite bathrooms, I was working from memory. I do not have the letter with me, and I apologise to him if I misquoted it. However, I am rather more alarmed than I was if he has not ruled out the inclusion of en suite bathrooms, as that once again raises the prospect of home owners who have installed them having to rip them out to meet a future standard.

Mr. Hutton: I am grateful to the hon. Gentleman for giving way on this important point. We are certainly looking to find ways of incorporating en suite bathrooms in the room size standard that we intend to develop.

Mr. Hammond: I take that to mean that the Minister has not written to me to say that he is excluding en suite bathrooms, but that that is what he plans to do.

I was disappointed that the Minister could not accept our amendments Nos. 38 and 39. He read out a great list of titles that could not be used under the Medical Act 1983. However, I did not hear him read out the title "consultant", which is the one causing particular concern. On amendment No. 39, the Minister said that financial viability was an essential attribute for a care home or an establishment, but he did not explain how it would be possible for an establishment in receivership to meet that criterion.

The debate has focused mainly on new clause 4—or rather, it has focused primarily on the standards that will be promulgated, rather than on the new clause itself. The Minister has told us that he is now investigating ways of offering us a flexible response that will allow homes with rooms smaller than 10 sq m to remain in operation. I am grateful to him for sharing that information with the House. He also said that he hoped to be able to give us more detail soon. We shall, of course, wait with bated breath.

New clause 4 itself is about the methodology for preparing and approving the statements of minimum standards, rather than the detail of the standards themselves. It is clear from this debate that our new clause 4 is an improvement on clause 23, which it would replace, and that it would allow proper parliamentary scrutiny of this very important sphere of legislation. I commend the new clause to my right. hon. and hon. Friends.

Question put, That the clause be read a Second time:—

The House divided: Ayes 159, Noes 299.

Division No. 265] **[9.3 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, Rt Hon James
Ashdown, Rt Hon Paddy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Baker, Norman
Baldry, Tony
Ballard, Jackie
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brady, Graham
Brake, Tom
Brand, Dr Peter
Brazier, Julian
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Bruce, Malcolm *(Gordon)*
Burnett, John
Burns, Simon
Burstow, Paul
Butterfill, John
Campbell, Rt Hon Menzies
(NE Fife)
Chapman, Sir Sydney
(Chipping Barnet)
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clifton-Brown, Geoffrey
Collins, Tim
Cotter, Brian
Cran, James
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Evans, Nigel
Faber, David
Fabricant, Michael
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick
Gidley, Sandra
Gill, Christopher
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hancock, Mike
Hawkins, Nick
Hayes, John
Heald, Oliver
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Key, Robert
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Livsey, Richard
Lloyd, Rt Hon Sir Peter *(Fareham)*
Llwyd, Elfyn
Loughton, Tim
Lyell, Rt Hon Sir Nicholas
McIntosh, Miss Anne
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Major, Rt Hon John
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
Mawhinney, Rt Hon Sir Brian
May, Mrs Theresa
Michie, Mrs Ray *(Argyll & Bute)*
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prior, David
Randall, John
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Sanders, Adrian

Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Smith, Sir Robert *(W Ab'd'ns)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. Keith Simpson and
Mr. Peter Luff.

NOES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Hilary *(Leeds C)*
Bennett, Andrew F
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brinton, Mrs Helen
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Butler, Mrs Christine
Caborn, Rt Hon Richard
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Campbell-Savours, Dale
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clwyd, Ann
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corston, Jean
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cryer, Mrs Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cunningham, Rt Hon Dr Jack *(Copeland)*
Cunningham, Jim *(Cov'try S)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davis, Rt Hon Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff
Etherington, Bill
Field, Rt Hon Frank
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
George, Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Mrs Linda
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Gunnell, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, Rt Hon Ms Harriet
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, Ms Patricia
Hill, Keith
Hodge, Ms Margaret
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hopkins, Kelvin
Hoyle, Lindsay
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Rt Hon Barry *(Alyn)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby & Kenilworth)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Levitt, Tom
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCafferty, Ms Chris
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Milburn, Rt Hon Alan
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Mountford, Kali
Mowlam, Rt Hon Marjorie
Mudie, George
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Osborne, Ms Sandra
Pearson, Ian
Pendry, Tom
Perham, Ms Linda
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Powell, Sir Raymond
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quinn, Lawrie
Rapson, Syd
Raynsford, Nick
Reid, Rt Hon Dr John *(Hamilton N)*
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Ross, Ernie *(Dundee W)*
Rowlands, Ted
Roy, Frank
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Salter, Martin
Sarwar, Mohammad
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Sheldon, Rt Hon Robert
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Miss Geraldine *(Morecambe & Lunesdale)*

Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Ms Helen
Spellar, John
Squire, Ms Rachel
Steinberg, Gerry
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr Howard
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wray, James
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Greg Pope and
Mr. Tony McNulty.

Question accordingly negatived.

New Clause 6

National Adoption Register

'(1) There shall be established and maintained by the Commission in accordance with this section a list (referred to in this Act as "the National Adoption Register") recording all those persons suitable and willing to undertake the adoption of children in England and Wales.

(2) The Secretary of State shall by regulations make provision for persons to apply to be entered in the National Adoption Register.

(3) The Secretary of State shall by regulations make provisions for criteria to be set by which applications pursuant to the regulations mentioned in (2) above shall be assessed by the Commission.

(4) The regulations in subsection (3) shall provide that any person who a local authority had determined within the period of five years prior to this section coming into force to be fit and proper to undertake adoption of children in England and Wales shall be entered in the National Adoption Register.

(5) The regulations mentioned in (2) shall make provision for a person applying to be listed in the National Adoption Register to appeal against any decision to refuse to so list him.'.—*[Mrs. Spelman.]*

Brought up, and read the First time.

Mrs. Caroline Spelman (Meriden): I beg to move, That the clause be read a Second time.

We are most grateful that the new clause was included in the revised selection list. It provides us with an ideal opportunity to return to unfinished business that we began in Committee. Since then, important developments have taken place on adoption. The debate will allow us to contrast and compare the aims of our new clause and the Government's proposals. We could not engage in such a debate in Committee, although the Minister gave us heavy hints as to the imminent announcement of a national register.

The new clause provides for an adoption register of parents qualified to adopt, to be held by the National Care Standards Commission, according to nationally established criteria set by the Secretary of State. The provisions on adoption and fostering in this wide-ranging Bill offer us an opportunity to help to amend the law on adoption.

Hon. Members on both sides of the House probably agree that some amendment of the law is necessary. At present, the adoption process is too slow. Families need more support both during the adoption process and in the longer term. Help is needed when an adopted child enters a family, but difficulties can arise much later. Children adopted at the age of five or six might still manifest problems as they enter the troubled teenage years. That period is difficult enough, but it is even harder for young people who have to cope with the disruption to their life of being adopted when they were younger.

Mr. Michael Fabricant (Lichfield): Does my hon. Friend agree that part of the problem is getting adopted in the first place? Children who need to be adopted are available only to potential adoptive parents in a particular county or region. Will the provision of a national adoption register under the new clause ensure matching, throughout England and Wales, of parents who want to adopt and children who are available for adoption?

Mrs. Spelman: My hon. Friend exactly understands one of the main aims of the new clause. It would remove the lottery aspect of the process—in which the family wanting to adopt is constrained by the immediate geographical region and by the variation in eligibility criteria under different local authorities. The new clause would do away with that. At present, adoption is a postcode lottery.

My hon. Friend touched on another important aim of the new clause. It would address the problem that 54,000 children languish in care—[*Interruption.*]

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I apologise for interrupting the hon. Lady. The conversation below the Gangway should cease. We are holding a debate.

Mrs. Spelman: Thank you, Mr. Deputy Speaker.

We have a poor track record because so many children are in care—54,000. On average, it takes four years for a child to be adopted. It is obviously detrimental for children who have already been damaged by being parted from their birth family to languish in care. Often, they move between various foster parents before they find security and stability in an adoptive family.

The new clause would impress on local authorities the urgent need to draw up plans for the children in their care. Contributing to the national register would increase opportunities for matching, which is restricted by geographical constraints on local authorities. As my hon. Friend the Member for Lichfield (Mr. Fabricant) pointed out, the creation of the national register would provide much better opportunities to obtain a good match.

Mr. Dawson: Does the hon. Lady accept that the views that she has expressed are accepted by hon. Members on both sides of the House? In fact, the proposal for a national register for adoption was included in the adoption consultation paper, which was published last week. As legislation is not required to do what she wants to do, is the new clause necessary? Can we not just accept that the whole House wants to do what is already in the consultation paper and therefore move on to the important clauses in the Bill?

Mr. Forth: What a silly man.

Mr. Deputy Speaker: Order.

Mrs. Spelman: If consultation papers had such a powerful effect, many more of the Government's good intentions might have had some force in law. It is because we doubt that the Government have enough time to enact a provision that has power and effect that we have sought more urgently to use a Bill that is going through the House to implement the measures for a national register on which we all agree.

There are subtle differences between the Government's proposals in the consultation document for changing the process for adoption and our proposals, even though our aims are the same. It is worth while promoting the new clause to explain those differences.

We believe that the Government's proposal for how and where the register should be held suggests that there will be a lack of independence. The National Care Standards Commission is independent and an ideal body to hold such a national register. We are not satisfied that a register held by some local authorities, which simply draw together their data, is sufficiently independent—and independence will be important.

In the Government's document on adoption, the Prime Minister suggested that a new taskforce should be set up and that it should be called the new adoption and permanency taskforce. However, as I said to the hon. Member for Lancaster and Wyre (Mr. Dawson), how much power and force does a consultative document have? We have also grown sceptical about the power and force of taskforces; they are not always all that they are cracked up to be.

We have a chance with this Bill to make progress and to proceed to implement the ideas that we have in common. I would describe our new clause as a bird in the hand, and a bird in the hand is worth two in the bush. The new clause offers us an opportunity here and now to make the changes.

Two other aspects of the new clause need to be assessed against the Prime Minister's proposals for adoption. Our subsection (4) would recognise that the parents who have already gone through the mill and qualified as adoptive parents on the existing criteria and within the past five years should not have to go through the whole rigmarole again. That is important. People with friends who have had to go through the adoption process know that it is traumatic. It is long drawn out and involves a series of personal and far-reaching interviews. I do not dispute the importance of the interviews, but everyone will agree that it would be hard on people if they had to go through that process all over again.

Dr. Brand: I will be interested to know whether the commission's role under the new clause would purely be to hold a register. Would it also have a role in determining the quality of vetting that took place before prospective adopters could go on to the register?

9.30 pm

Mrs. Spelman: The hon. Gentleman's intervention is helpful. He served on the Standing Committee, so he will recall that part of the Bill is devoted to the question of raising the status of social work and the General Social Care Council. As much of what he described as the vetting procedure will be carried out by qualified social care workers, the Bill will have the advantage of bringing about a rise in the status of that profession.

The hon. Gentleman asked specifically how we envisaged the role of the commission. We envisage principally that it would hold the national register, which would draw together all the adoptive parents registered with local authorities throughout Britain. However, if the vetting procedure is to work and be fair for adoptive parents and children, the cornerstone would be the national criteria set by the Secretary of State. Together, those two elements would make the vetting procedure fairer than the present system. The procedure would be carried out by qualified social workers, which would improve the position.

Another important difference between the proposal in our new clause and the consultative proposals in the adoption document concerns the appeals procedure. Proposed subsection (5) of the new clause would create a proper appeals procedure involving the independence of the commission. The Prime Minister's review of proposals to introduce an appeals mechanism for potential adopters is rather unclear about that. We feel strongly that the appeals procedure needs to involve an independent body. Page 5 of the Government document states:

> appeals mechanisms for potential adopters should be put in place in all Local Authorities.

We are concerned about having an appeals procedure in a local authority, as potential adoptive parents who have been refused have to make an appeal to the body that refused them. The appeals procedure will be stronger and better if the appeal can be made to an independent body, which is in marked contrast to what is the consultative document.

Mr. Dawson: I am sure that the hon. Lady accepts that adoption is first and foremost a service for children rather than for would-be adopters.

Mrs. Spelman: I do not dispute that it is first and foremost for the children. However, quite a few parents feel that, at the moment, the system does not deal with them altogether fairly, especially when they compare the grounds on which they were rejected by their local authority with the grounds on which their friends may have been accepted in another local authority. That has fundamentally undermined the confidence of potential adopters in an appeals procedure which is limited in all local authorities. There is therefore an important distinction to be made between the Government's proposals and what we would like to achieve in the new clause. I am bound to say that I believe that our proposal is better and would have more support from adoptive parents.

It is important to grasp the nettle, as the Bill creates the opportunity to do something about adoption law. There is no question but that the time is ripe for reform. It is no secret that the previous Government had a draft adoption Bill ready in the last parliamentary Session, but ran out

[Mrs. Spelman]

of time to introduce it. Even if the Government were to introduce legislation in the next parliamentary Session, that might not be a full Session so, to stop history repeating itself, we urge the Government to seize this legislative opportunity to introduce the national register which they said clearly in the consultative document they would like to accomplish.

As the hon. Member for Lancaster and Wyre says, most important are the children. Once displaced from their birth parents, rather like war children, what they most need is security and permanence; they do not need to be moved from pillar to post in the care system. A Department of Health local authority circular, reference No. LAC(98)20, states:

> Many local authorities achieve high standards in the provision of children's services . . . However, recent Social Services Inspectorate reports involving a number of local authorities demonstrate a lack of consistency and co-ordination in England in the overall quality of their adoption services.

We believe that that reveals the need to hold the list at national level and to have nationally set criteria. The information revealed in the Department's own document should lead Health Ministers to draw the same conclusions that we have drawn.

The poor rate of adoption from the care sector reflects the poor level of therapeutic help available to displaced children. By involving the NCSC in a fresh approach to national adoption law, the new clause would create the opportunity to tackle the lack of such care provided during the process, both before and after adoption is complete. There is no doubt that a child who comes into care has already experienced some damage for which therapeutic help is needed; as the child moves into a transitional state—perhaps a foster home—more help may be required; and, as the child enters the adoptive family, yet more help will be needed.

However, there are other groups in the critical triangle who also need such help. Often, the complaint is made that the adopting family receives inadequate support once a child has been adopted. The extremely high failure rate—it is estimated that 20 per cent. of all adoptions break down—must be attributed in part to the lack of therapeutic help provided to the child and the adopting family.

Mr. Julian Brazier (Canterbury): I entirely agree with my hon. Friend's point and I am sure she is right about the causes, but may I point out that 20 per cent. is not an especially high rate of adoption breakdown? The fact that 80 per cent. of adoptions succeed, often with no support of any sort being received and despite the fact that nearly all the children involved have experienced some sort of trauma, demonstrates what a successful institution adoption is.

Mrs. Spelman: By referring to the 20 per cent. breakdown rate, I was not implying that adoption was anything but an excellent solution for many displaced children. However, I hope that the strategic role assigned to the NCSC by the new clause will ensure that the breakdown rate is even lower.

One more piece of the jigsaw could usefully be addressed by the NCSC: providing help to the relinquishing family. They are rather left out of the equation, which leads to the complex triangle between the child to be adopted, the adopting parents and the relinquishing family becoming unstable. Some adoption breakdowns are rooted in a poor process of relinquishment.

Mr. Dawson: Will the hon. Lady give way?

Mrs. Spelman: I know that the hon. Gentleman cares passionately about the subject, but I should like to make some progress before giving way again.

There is no doubt that one of the advantages of having a national register would be improvement in the matching process. I carried out a little research into authorities local to me to find how practice can vary across the country. That is pertinent to the debate, because it is a problem that the new clause and the national register would address. I examined three local authorities which contrast in terms of size, socio-economic mix and other features. I would like to applaud their efforts, but I am using them to illustrate the extent of variation in practice between local authorities.

I shall take the example of the Coventry adoption service. It allows prospective parents from the city and the rural hinterland of north Warwickshire to adopt children under 12 months from its care. Most people start with a wish to adopt babies, but very few are available. That trend has developed over the past 20 years, with the increasing amount of birth control and support for younger women who choose to manage single handed with a small child. Coventry placed only two babies last year.

For children older than 12 months, the adoption team prefers adoption by parents who live within 50 miles of Coventry. However, adoption outside that radius is permitted, subject to the usual statutory checks by social services or by voluntary agencies such as the National Care Homes Association and Barnardos. Regional adoption is seen as the best option by the local authority because parents living further afield would face practical difficulties in attending Coventry's preparation groups in the run-up to adoption.

Our new clause is designed to address a practical point. There are cost constraints on local authorities, and that is one of the reasons why they tend to focus on a tight radius. The authority is thinking about the costs that will have to be met by prospective adoptive parents, and we should not forget the cost to social workers, who have to travel from their headquarters to interview parents. When those journeys are further afield, that adds significantly to the costs of a social services department. That will need to be addressed if we are to have an optimum matching process that allows a countrywide national register to be held and for the best match to be found.

Mr. Fabricant: Does my hon. Friend agree that speed is sometimes of the essence? Did she see a recent television programme that showed potential adopters, who said that they had been on the register for two years, but that after those two years of waiting they began to question whether they wanted to adopt, and came off the register? Sometimes it is a good thing that people can be matched early. That maximises the number of families that are prepared to adopt.

Mrs. Spelman: My hon. Friend makes an important and sensitive point. A couple may discover that they cannot have children quite late in life and quite close to the upper age limit, above which they are not able to adopt. The waiting process can be a time of terrible anxiety and uncertainty. Despite initial enthusiasm to adopt, some couples decide in the face of that sort of pressure that they cannot see the thing through to the end. It is hoped that, through the creation of a national register and much improved opportunities for matching and by setting national criteria that are clear and apply throughout the country, the process will become much quicker. The loss of confidence in the process and people giving up on it might become less common occurrences.

I shall give some contrasting examples. Another large local authority near to my constituency is Birmingham. It faces a particular challenge because a quarter of the children in its care are of dual parentage. For that reason, Birmingham focuses particularly on other large conurbations for non-white parents. That is another practical problem that would be overcome by introducing a national register. The capacity for an authority such as Birmingham, with many children of mixed ethnic origin, to find the optimum match would be made more easy.

I contrast that with a small authority, not to criticise that authority but to illustrate some of the problems and some of the reasons for the variation in eligibility criteria that would be resolved by the new clause. My constituency lies in the Solihull local authority. One of its difficulties is the matching process. Its age limit is children under two years of age. That is in contrast to the flanking local authorities. The age limit for parents is not applied in Birmingham and Coventry, but it is 35 in Solihull. Sometimes discretion can rightly be used, but that is Solihull's publicised upper age limit. Therefore, my constituents might well ask themselves why they should be subject to such an age limit when neighbours just over the border in other local authorities are not.

Solihull tries to match children with parents from the same race as a first choice, if necessary placing them with parents outside the borough to achieve its aim. It simply has to because it is so small. That highlights the problem that local authorities are so different in their composition, which has led to the variation in criteria.

9.45 pm

Some local authorities have restrictions on inter-country adoption. I had a constituency case where a couple particularly wanted to adopt from China. They had seen that moving documentary called "The Dying Rooms", which no doubt other hon. Members will have seen, about young Chinese girls left to die because in their society a baby boy is more revered than a baby girl. My constituent's response was to seek with total determination to adopt from China, but they were refused because of restrictions on inter-country adoption.

I am not clear whether that is the key factor that contributes to another rather harsh statistic, but I have my misgivings. It is significant that, if we look at the number of inter-country adoptions by a comparable developed European country with a similar sized population, such as France, we find that there were 3,666 inter-country adoptions last year, compared with 250 in the United Kingdom. That marked contrast must, in part, be explained by some of the criteria set by our local authorities in terms of allowing children to be adopted from certain other countries. I have direct experience of some restrictions on inter-country adoption in my local authority, which may be contributing to the low rate of inter-country adoption. That reinforces the importance of the need for nationally set criteria.

The new clause is all about making the adoption process easier and more effective, and, at its heart, helping children who languish in care—all to often for far too long for lack of a better process—to find permanency in a family that really wants to adopt them.

Mr. David Tredinnick (Bosworth): It may assist my hon. Friend if I recount my experience of helping a family adopt a Romanian child during the last Parliament when I was much involved with eastern Europe. A child was successfully adopted and the family are very happy, but the parents, who were British nationals, suffered great anguish and heartache because the law was unclear at both ends. They sought to take a child from an orphanage who had little future—we all know about Romanian orphanages—to give that child a life over here, but at one point they were extremely worried that they might be arrested. I shared their considerable heartache and I commend what my hon. Friend is trying to do in the new clause.

Mrs. Spelman: My hon. Friend underlines what we are talking about here, which is that there is a lot of heartache in the adoption process, not only for those who are unsuccessful in adopting, but often for those who succeed, but who find the process a lot more difficult than they thought, and also, often, for the children involved who may never fully recover from the damage caused by being parted from the family that has relinquished them. That is why we must proceed with sensitivity but also with haste, in order to address some of the real problems that could in part be corrected by the new clause.

The new clause would be fairer both to the child and to the parents, given that the state has so obviously failed to fulfil its role as a corporate parent, as is shown by the statistics relating to children in care. We are dealing almost simultaneously with the Children (Leaving Care) Bill, and many of us have served on the Standing Committees considering both these Bills.

Those of us who have served on both Committees are all too aware that 80 per cent. of children leaving care end up homeless, 75 per cent. have no educational qualifications and—this particularly affects me when I think about it and put myself in the girls' shoes—one in seven of the girls leaving care is pregnant or a mother by the age of 16. We cannot hold our heads up high when we think about the role that the state has played as a corporate parent to those children in care.

For all those reasons, we strongly advocate a reform of adoption law so that it is possible for more of those children to leave care and to be adopted in a family—a family that is there not just till the child reaches the age of 16 or 18 or some other fixed limit, but in which, as in any family, a child is for life. That is a strong reason for reforming adoption law.

The Government's proposals do not get to grips with the problem of variation in eligibility. Local authorities such as mine, which have an upper age limit of 35 or 40 for parents, are getting into difficult territory. Women are delaying the age at which they have their first child. There are various social reasons for that—women are looking

[Mrs. Spelman]

for equal employment opportunity, and will often wait for a considerable time before stopping to have a family. They may not realise that their fertility has declined during that time, and they may find, too late, when they have passed the age limits for adoption, that not only can they not conceive, but adoption is no longer open to them.

We strongly contend that there are parents over the age limits who offer good adoption opportunities for children in care, especially for children aged five, six, seven or eight and possibly children in their teens. Not enough consideration is given to the adoption prospects of children in their teenage years. It may well be right for them to be adopted by slightly older parents with more experience of slightly older children.

Mr. Tredinnick: To support of her argument, will my hon. Friend remind the House that medical science is progressing so quickly that ladies can give birth much later in life? There have been newspaper reports recently of women up to the age of 60 giving birth. Does that not make my hon. Friend's case for raising the age limit?

Mrs. Spelman: I should like to be able to agree with my hon. Friend, but the Prime Minister's wife had my sympathy when she gave birth at 45. There is no question that managing a very small baby as one gets older is more difficult. My father, who is almost 92, may have found me quite wearing when I was born.

The child must be the focus. A child coming from care with considerable luggage from the experience of being displaced may benefit from going into a family where the parents are older than 35 or 40, and joining a family in which the other children are of a similar age to the adopted child and the parents are experienced in dealing with children of that age.

In Northern Ireland, there is an active programme to promote the adoption of children in their teenage years and older parents are actively sought. That experience shows that variable and arbitrary criteria can sometimes be obstructive in the adoption process.

Mr. Michael Jabez Foster (Hastings and Rye): Is there not a risk that having the one-size-fits-all option of a national register may result in the individuals to whom the hon. Lady is referring falling outside it? The flexibility that authorities offer at present may give hope to individuals that they may not have if there is only one option.

Mrs. Spelman: Two points arise from that intervention. First, there must be full consultation on the criteria that the Secretary of State will set. We should agree on that as a basic principle. The criteria must also be simple, straightforward and easy to understand. Secondly, we need discretion, such as that exercised by my local authority. Children are individuals; they are not an homogeneous mass. Those who have been in care have individual problems that need specific assessment.

The great thing about a national register and matching process would be that a child with highly specific needs would be far more likely to find the best match from a bigger pool of parents. The Government and the Opposition do not disagree on that, and the Government's consultative document states that they want a national register.

Behind the new clause lies a sense of urgency. We should like to change the law sooner rather than later. In Standing Committee, we heard the Minister's reasons for resisting an amendment—to a different part of the Bill—that was intended to achieve the same as new clause 6. He resisted it first because the Government were about to make an announcement on adoption, as they have since done. He suggested that we should not debate the matter further until the Government's proposals were on the table, after which we could have the fruitful discussion that we are holding now.

Secondly, the Minister argued that the Government could achieve a national register more quickly than would be achieved by an amendment to the Care Standards Bill. He said that the care standards commission would not be constituted until 2002 and that annual returns from local authorities, from which the national register would be drawn up, would not be supplied to it until 2003. I should like to revisit that point. The Government have produced only a consultative document, and I should feel much more confident if the Minister were to say that the Government would introduce a Bill early in the next session.

I am offering a risk-benefit analysis along the lines of my bird-in-the-hand analogy. If the Government should lose the next general election—always a possibility—and given that it is tipped to happen next May, some of the legislative programme announced in the next Queen's Speech would be likely to fall. That is not an unrealistic scenario. To allow the national register to come into existence, debate would have to begin early in the next session.

We are almost splitting hairs in saying that the legislation would come into force in 2001 while the care standards commission—the bird in the hand—will start in 2002. I cannot see why local authorities could not be urged to supply annual returns in time for when the care standards commission opens shop in 2002. Why lose another 12 months? Local authorities have the information, and we simply seek to legislate for that register to be held by an independent body.

Mr. Dawson: I am grateful to the hon. Lady, who has given way three times, but it is not clear from her remarks that anything that she wants to achieve requires legislation.

Mrs. Spelman *rose—*

It being Ten o'clock, the debate stood adjourned.

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business),

That, at this day's sitting, the Care Standards Bill *[Lords]* may be proceeded with, though opposed, until any hour.—*[Mr. Jamieson.]*

Question agreed to.

As amended in the Standing Committee, again considered.

Question again proposed, That the clause be read a Second time.

Mrs. Spelman: The hon. Member for Lancaster and Wyre has a background in social work and in Committee he contributed many points that informed our work. As relatively new Members, perhaps we can agree that we may not be world experts on the legislative process. However, in my experience consultative documents do not necessarily receive the force of the law that they need to achieve change such as that which we have described. For that reason, we have tabled the new clause.

I hope that the Minister will give legislative effect to the consultative proposals. The hon. Member for Lancaster and Wyre nods, implying that he has the same hope. Obviously, I would like them to be finessed in the way that I have described, particularly on the point of the appeals procedure, which as proposed in the document is not sufficiently independent to inspire parents with confidence. Indeed, they do not have confidence in the process at present because it is far too in-house.

I look forward to hearing what the Minister has to say. We need to move swiftly and, given that the reform has been a while in gestation, the difference between 2001 and 2002 does not strike me as huge. The important point is whether we are to have a Bill that will bring it into force.

Mr. Ian Bruce: The answer to the hon. Member for Lancaster and Wyre (Mr. Dawson) is simple. If the Minister does not need fresh legislation, it does not matter whether the new clause is included in the Bill. The Secretary of State could implement the reform under several pieces of legislation, but he needs the new clause to make progress if he does not have such a power at present.

Mrs. Spelman: I thank my hon. Friend for that intervention. He has much more experience of the legislative process than I, having been a Member for longer, so he knows exactly how to set out the choice—either/or. However, because this issue is sensitive and important, we do not want to be fobbed off. We need cast iron assurances that the reform will come into effect, as do all the parents who are frustrated by this tardy and haphazard process, which would be so much better were our new clause accepted.

Mr. Brazier: I am grateful for the opportunity to speak to the excellent new clause 6, which was tabled by my hon. Friend the Member for Meriden (Mrs. Spelman). It is set against the background of the positive Government document to which she referred several times, part of which concerns establishing a national register. Our new clause deals with that matter.

At this late hour, the House will be relieved to hear that I shall be brief. However, before dealing quickly with four detailed aspects, I remind hon. Members of the importance of establishing a national register and national standards. There are 54,000 children in care, of whom only slightly more than 2,000 were adopted last year. My hon. Friend gave some horrifying facts about the fate of many of those children. Up to a quarter of the girls become pregnant in care and we hear one sorry story after another. That is not to say that care workers and many devoted and loving foster parents do not do a good job, but in most cases adoption offers the best prospects for children in care because it provides permanence.

The case for a national register is overwhelming, and the best evidence of that is the performance league table for individual local authorities. The top three councils have adoption rates of between 10.5 per cent. and 14 per cent. of the children in their care, but more than 20 councils have rates of less than 1.5 per cent.

I wish to focus on one local authority that would benefit from a national register and some national standards. It happens to be a Labour council, but I do not mention it in a party political way. I should stress that the second best authority in the country, Middlesbrough, is a Labour council. Islington—left to itself, without a national register or national standards—has a miserable adoption rate of well under 2 per cent. of the children in its care.

The Voice—a very good Afro-Caribbean newspaper—has a lot of good advertisements on adoption, including one recently placed by Islington council. It contained a description of a little boy who needed a two-parent adoptive family who could reflect and promote his ethnic and religious identity as closely as possible. I do not wish to reflect at length on the views of some black members of an adoption group to which I belong, the Adoption Forum, about the good experiences that they had with white parents.

However, for a council to specify that it wants to match the religious identity and racial background of a little boy of less than two years old, and to imply that it is willing to hang on to that child—apparently indefinitely, as the council's poor figures indicate—if it cannot get that match shows how badly we need national standards and a national register.

I do not want to go over the general argument any further, except to say that there can be only a national solution to a situation where local performance is so patchy, varying from a few good councils to a large number that perform so badly.

My hon. Friend the Member for Meriden has mentioned the need for a proper appeals procedure. There is a complicated process, whereby someone who has not been certified by one local authority to get on a list could be considered by another local authority. I prefer the provision in the new clause which makes it clear that there is an independent appeal outside the local authority system.

Independent management of the list is important. It would be quite wrong if the list were to be managed by the local authorities themselves. It would be wrong also if it were to be taken over by the British Agencies for Adoption and Fostering, because although it has an important role to play—given to it by the Government—the list will not be seen as independent by adopters or older children hoping for adoption if it is controlled by the local authorities.

I was pleased to see in the back of the Government's consultation document that a large number of other groups—including the Adoption Forum, Adoption UK, which represents over 3,000 adoptive parents, and the National Organisation for Counselling Adoptees and their Parents, which represents many ex-adopted children—are being consulted. I believe that the association shares that view.

It is critical that the measure is centrally funded. If the national register were set up and local authorities—some of which, such as Kent, are in difficulty with their social services funds—found that it became another service to pay for, there would be a danger that they would not use it. Also, the use of the register ought to be compulsory. I suspect that that is the Government's intention, but it is not clearly stated.

The present position is terrible in many local authority areas. The new clause gives us an opportunity to press the Government to get on with provisions that the preliminary consultation paper suggests already exist in outline, or at least constitute—in part—their intentions. It is

[Mr. Brazier]

disappointing—all the more reason for the new clause—that the next step will be another consultation paper, or at any rate a White Paper, some time before the end of the year, followed by another consultation period. I urge the Government to act as soon as possible.

Dr. Brand: I congratulate the hon. Member for Meriden (Mrs. Spelman) on making such a strong case for a national register for prospective adoptive parents. I also congratulate her on explaining that we are not just talking about a database for adoptive parents; the register would have to play an active role. However, I hope that the hon. Lady does not assume—as others appeared to—that being on the register would confer entitlement to a child for those who could find one. There is still much hard work to be done to ensure that prospective adoptive parents are suitable to adopt prospective adopted children.

Mr. Fabricant: Of course I agree with the hon. Gentleman about that, but does he agree that—as I said earlier—speed is of the essence? Of course the safeguards of which he speaks should exist, but the new clause would help to speed up the process and to secure a better match, as it were.

Dr. Brand: Undue delay is never useful, but, in the context of adoption, speed is also dangerous. I have a problem with subsection (4) of the new clause, which confers an automatic right if, five years ago, someone said that certain people were suitable adoptive parents.

Things change with time; attitudes change with time. I would be worried about prospective adoptive parents who changed their minds after two years: I would be a bit concerned about how committed they had been to the adoption in the first place.

The hon. Member for Meriden wants an agency that does not fit in with the National Care Standards Commission. The commission is a regulator and an inspector, not a deliverer of services. Adoption is very much an active process. It is not just about regulation; it is about ensuring that things are done properly.

Mrs. Spelman: I think that there are two misunderstandings of what I said. The first concerns the five-year period. Obviously, someone who no longer met the eligibility criteria that had been set nationally would not still be eligible. Secondly, I did not mention an agency.

Dr. Brand: The commission is to set up the national adoption register, and run it. That worries me. I do not believe that the commission, which we discussed during—I think—22 Committee sittings, has ever been seen as a service deliverer. When I say "service deliverer", I mean a deliverer of personal social services, which is what we are talking about in the context of adoption.

I support the hon. Lady's plea for appropriate and speedy action, but let me gently say to her that the problem has not arisen over the past few years. Many of us have discussed it over the past 20 or 30 years. Moreover, the extra complications that the new clause would cause in regard to inter-country adoption pose a significant problem. It would not be possible to develop a national policy to deal with it on the spur of the moment.

10.15 pm

Therefore, I say with great regret that, although we recognise the need to look at a much better package for adoption—mainly to look after the interests of adopted children and the support structures that they and their adoptive parents will need after adoption—I cannot support new clause 6. I do not think that that activity sits happily with—

Mr. Brazier: The hon. Gentleman queries the role of the particular organisation concerned. Does he none the less accept that it is critical that the register be handled by an organisation that is independent of the local authorities themselves?

Dr. Brand: That is a valuable contribution. The hon. Gentleman is right. We are repeating our argument over standards in residential homes. There should be criteria that should not be breached by anyone if they want to become adoptive parents, but then there should be an assessment to see whether those criteria fit the particular child. That creates enormous complexity. We get add-ons to the basic criteria, which will have to be put somewhere on the register to see whether a match can be done.

It is like being a blood donor. A person may be group O, but there may be sub-groups that make that person unsuitable for giving blood to a particular patient. There is complexity in relation to adoption. There is an on-going activity which does not sit happily with the commission as we have discussed it. Therefore, unhappily, neither I nor my colleagues will be able to support the new clause.

Mr. Fabricant: Despite the contribution from the hon. Member for Isle of Wight (Dr. Brand), I cannot help but think there is a degree of unanimity of support for the general thrust—

Dr. Brand: For the objective.

Mr. Fabricant:—for the objective of new clause 6. We must all accept that the present position will not do. The Utting report discussed the regulation of private fostering and was highly critical of the present arrangements. It concluded that private fostering as well as general fostering was an area where children were not being safeguarded properly. It summarised the position by saying that the present arrangements were unworkable.

The tragedy is that there are 54,000 children in care, yet there is a mismatch between the 54,000 children in care, most of whom would be better looked after in foster homes, and the number of people seeking to foster children. *[Interruption.]* The children are in foster homes, but they would like to be adopted by private families; I thank hon. Members for correcting me. My point is that there is a mismatch between the number of children who are in foster homes—in care—who should be adopted and the number of private families. A private family can offer a better environment for bringing up children. Again, I do not believe that there is any argument about that in the House.

Just as I think that all parties in the House would say that, where there is a mismatch between the number of people who are seeking a job and the availability of jobs, there should be mobility of labour, so I believe that there should be a mobility of children. It is wrong that there should be the mismatch of which I have spoken.

As my hon. Friend the Member for Meriden (Mrs. Spelman) pointed out, there is a huge variation between those areas where potential parents cannot be aged over 35 and those where the age limit is 40. That is not the only criterion that is different. In many different areas, many different criteria are used.

The hon. Member for Lancaster and Wyre (Mr. Dawson) said that he supported the general motive of the new clause, yet he asked what the point was of adding it to the Bill because it is in the Prime Minister's review of adoption. However, as my hon. Friend the Member for Meriden said, good intentions are not enough. Indeed, as my hon. Friend the Member for South Dorset (Mr. Bruce) asked, if the Government believe that a national register is a good idea in principle, why do they object to new clause 6?

In an intervention on my hon. Friend the Member for Meriden, I made the point that there have been cases in which, after two or three years of waiting on a list, prospective parents have changed their minds about adopting. They have simply been discouraged by authorities saying, "You may or may not be suitable to adopt." People have second thoughts about adopting, as was shown in a recent television programme. Like other hon. Members, I have also seen such cases in my own constituency.

Mr. Ian Bruce: The Government rightly received an enormous amount of good publicity for their announcement that they would establish a national register, and we thought that that announcement was reality rather than spin. Is it not extraordinary that, now that a clause to do exactly that is being presented to them, they say, "No, we don't want to do it yet"? Are they not simply spinning, rather than getting on and doing something?

Mr. Fabricant: As I should like to think of this as a harmonious, cross-party debate, I shall not enter the debate on spin. Nevertheless, I do have to ask why Ministers are not keen to accept new clause 6. Undoubtedly, the Minister will eventually give us those reasons. However, even if the Government are not happy with the details of new clause 6, surely the new clause's principle could be included in the Bill. There is a vacuum in any such provision, resulting in 54,000 children being left in care.

My hon. Friend the Member for Meriden described the position of the United Kingdom in relation to other countries on the inter-country movement of children. As we heard, only about 250 children from abroad have been adopted in the United Kingdom. My hon. Friend the Member for Bosworth (Mr. Tredinnick) described such a case in his own constituency.

I have a similar case in my constituency, involving a family in Burntwood who want to adopt a young child from Romania. They are having great problems in adopting the child not only because of the different adoption criteria of different local authorities, but because the immigration authorities have said that the child has overstayed his leave to remain in the United Kingdom, thereby forcing the family to race against the clock in their attempt to adopt. The child may be sent back to Romania—not to go into care, but to be returned to the home, with quite dreadful conditions, from which he was only recently extricated.

As my hon. Friend the Member for Meriden said, a national register has two advantages, the first of which would be central funding. Surely our duty of care to children in care applies equally to all children who will affected by the Bill—in this case, to children in England and Wales. There should not be regional variations in the exercise of that duty, and a centrally funded national register would ensure that each area has equal resources.

The second advantage would be central standards. I must confess that I had some sympathy with the hon. Member for Isle of Wight when he expressed reservations about new clause 6(4). He argued that people who had been included on an adoption register up to five years previously might no longer be suitable to adopt. I suggest to my hon. Friend the Member for Meriden that if new clause 6 is accepted, one of the tasks for the commission that maintains the national register would be very quickly to inspect the families hoping to adopt who had been put on a local authority register more than two or three years previously. Those families circumstances may have changed in the intervening period.

At present there is too much variation. There are about 80 independent fostering agencies and about 35 voluntary adoption agencies with a total of 60 branches. The situation is dire. There are 54,000 children in care, and that is 54,000 children too many. If there were 54,000 children in care with hardly anyone seeking to adopt, at least the position would be understandable, but that is not the case. There are more than 10,000 families seeking to adopt children. If new clause 6 means that some, if not all, of those 54,000 children in care can be adopted into a stable family environment, it should be adopted by the House tonight.

Mr. Collins: I was struck by the comments of the hon. Member for Isle of Wight (Dr. Brand), who produced a number of superficially cogent reasons why he felt that although the objective was shared by all hon. Members, new clause 6 was not the best means of securing it. In many respects the debate so far has established that with adoption, the best is often the enemy of the good.

Although the hon. Gentleman may be right that to say at some time in the future there might be a superior legislative vehicle, this is the only one available in the current parliamentary Session; it may well be the only legislative vehicle available before the next general election. So, despite the fact that the hon. Gentleman's arguments seem to have some force, if the alternative is to wait not just months, but possibly years for any legislation on the matter, accepting new clause 6, possibly with an undertaking to amend or improve it in another place, would be a sensible means of making progress.

The same argument applies to the important points made by the hon. Member for Lancaster and Wyre (Mr. Dawson), who acknowledged that the new clause embodied an important objective, but asked why we had to have this debate. It is important to recognise that we are dealing with a subject that should be properly debated and fully discussed.

In that context, I would like to put on record something on which hon. Members on both sides of the House are united, but which has not been properly expressed tonight. Although there is a general preference and presumption in favour of adoption over local authority care, that does not mean that any right hon. or hon. Member is belittling

[Mr. Collins]

the enormous contribution made by people who work in local authority care, many of whom do an immensely good job, work extremely hard and should be rewarded and applauded for the sacrifices that they make. However tonight's debate concludes, many children—particularly those who are in care—will be looked after by local authority care workers for a long time. In the overwhelming majority of cases, they will be looked after extremely well. It is important that that should be put on record in the overall context of adoption.

Mr. Dawson: I agree with everything that the hon. Gentleman has said. Does he accept that a large proportion of children and young people in care still have good relationships with their natural families and often return to them shortly after being taken into care? Therefore, a large proportion of young people in care are not available for adoption, which in any case would not be appropriate for them.

Mr. Collins: The hon. Gentleman makes an important point. It is essential to recognise that although there is cross-party agreement that adoption should be made easier and more widespread, there will always be a continuing role for local authority care, for the reasons that the hon. Gentleman mentioned, among others.

10.30 pm

The hon. Gentleman spoke about cases in which adoption is rarely, if ever, the best outcome. However, it is important to stress that in most other cases adoption offers the best prospect of giving children permanent and secure homes in a genuine family atmosphere. Moreover, there is a long-term aspect. Children's need for emotional, financial or practical support does not end at 16 or 18. It may be easier for them to receive that from adoptive parents than from local authorities, which, given the calls on resources, tend to concentrate their efforts on younger children.

Most children would benefit if a national adoption register, as provided for in new clause 6, were established. As the hon. Gentleman said, the child's interests must come first. However, there is often no conflict between the interests of the child and those potential adoptive parents. Both sides are seeking to create a loving family atmosphere from which all involved can benefit. I know that the hon. Gentleman did not mean to imply it, but it is important to accept that there is not necessarily a conflict of interests in such cases.

The House seems to agree about the principle of a national adoption register. What should be its characteristics? I agree with the hon. Member for Isle of Wight (Dr. Brand) that such a register has taken a long time to arrive, having been promised by Governments of all political colours. I hope that we will move forward with it, and I welcome the conclusions in the consultative paper that suggest that the Government are persuaded of the need for the register.

The register must set out clear standards that are openly arrived at and clearly understood. Implicit within new clause 6 is the question of the extent to which criteria for inclusion in the register are widely explained, so that people understand them. They should be published, on the internet and elsewhere, so that people will be able to understand why they have or have not been included. Understanding is limited at present by the different approaches adopted by local authorities.

New clause 6 offers potential adoptive parents two possible routes by which they may get on to a register. Under new clause 6(4), they can apply to their local authority.

Mr. Fabricant: Does my hon. Friend share my concern—which I am ashamed to say was also expressed by the hon. Member for Isle of Wight (Dr. Brand)—that people considered suitable by a local authority five years ago may not now be considered suitable?

Mr. Collins: I take the point, which was made originally by the hon. Member for Isle of Wight. I understand why some time period should be specified, and I can see why five years was chosen, although I am not sure that that is the right length of time. However, a much shorter period would require quite a lot of bureaucracy, as what would amount to a rolling review would have to be instituted.

In addition, a proper notification mechanism would be needed for people on the register who are no longer considered suitable. The reasons for such a change may be more or less dramatic, but we need a clear procedure by which the local authority, or other public body that acquired the relevant information, could notify the holders of the national register and get the person concerned removed as fast as possible.

The time involved would have to be more than a year, but I agree with my hon. Friend the Member for Lichfield (Mr. Fabricant) that five years may not be ideal. However, as I said earlier, the best can sometimes be the enemy of the good. Even though I would not die in the trench for every word of new clause 6, I would rather have it than not have any such provision at all.

I was talking earlier about the two routes by which a potential adoptive parent could register interest and be approved. The first is the existing route through the local authority. The second, which is set out under the procedures covered by subsections (2) and (3) of new clause 6, would allow people to apply directly to the holders of the national adoption register for inclusion there and then. Potential adoptive parents who, for whatever reason—perhaps no more than a simple personality clash—feel that they have incurred the displeasure of their local authority, or rather, the small number of decision makers in their local authority, and who, for good reasons or ill, have lost confidence in their local authority, could have a second bite of the cherry. This should not be a way of enabling clearly unsuitable candidates to exploit a loophole and get on to a register. However, borderline candidates, or those who had a problem at the start of their application process, would know more clearly the reason for the decision that was reached, even if the final answer was still no. They would know that their case had been properly aired by people who were not headquartered in their local area.

Proposed subsection (5) of new clause 6 would allow appeals to be made. In her excellent speech introducing the new clause, my hon. Friend the Member for Meriden (Mrs. Spelman) explained why it would be desirable to have an appeal mechanism independent of the local authorities. She explained that that is a slightly different approach from that set out by the Government in their consultation paper, because it would involve something more than a simple aggregate of local authorities across England and Wales. That is an important point, which I hope that the Minister will address in his remarks.

Whether the body holding the register should be, as the Government propose, an aggregate of the local authorities, or whether it should be, as is proposed in new clause 6, the National Care Standards Commission or another body, the appeals mechanism must be seen to be independent of the holding body. It would not be in the spirit of new clause 6 if the appeals mechanism set up by the National Care Standards Commission to allow its decisions to be appealed against, were part of the commission. "Independent" must mean independent of the commission as well as of local authorities.

The objective of new clause 6 is very important. It is clear from what has been said, and from the many powerful examples cited by my hon. Friends and others, that, unfortunately, we have a postcode lottery. Potential adoptive parents and children are treated very differently according to where they are resident at any given time. That is difficult to justify, and although inherent in any system of local discretion and local authority control is the possibility of differentiation, the differences described in the debate are on such a scale as to be difficult to justify. The principle of a national register must be right, and it must be right that we put such a register on the statute book as soon as possible.

I was intrigued by the earlier remarks of the hon. Member for Lancaster and Wyre. He said that he believed that it would be possible for progress to be made on the Government's report without legislation. He seemed to be saying that he thought that it would be possible for a register to be set up without any statutory framework. The hon. Gentleman is nodding vigorously, so I must be paraphrasing his remarks accurately. I should be very interested to hear whether the Minister confirms that, and if so, whether the Government intend to proceed with establishing a register in advance of legislation. If they intend to do so, would such a register be made statutory sooner rather than later, or do they foresee an indefinite period during which the register would operate with no statutory backing? That could raise difficulties when controversial decisions—in a minority of cases, I hope—were appealed against in the courts. If the register had no statutory backing, the Government would be creating a rod for their own back.

Mr. Fabricant: Does my hon. Friend agree that if such a register had no statutory backing, local authorities would have no statutory obligation to provide information for it? Just as there is a patchwork of criteria across local authorities for people who are allowed to adopt, so there might be differences in the degree of co-operation authorities would be prepared to offer with such a register if it had no statutory backing.

Mr. Collins: I take my hon. Friend's point. The vast majority of local authorities would want to co-operate, whatever their political control. However, we are dealing with a disparate range of local authorities and, without statutory backing, there is less chance of receiving 100 per cent. co-operation from 100 per cent. of them, if only because local authority officers—who, as we know from our constituency work, are often greatly burdened with responsibilities and the other requirements that are pressed on them—tell us that they are barely able to keep up with their statutory duties.

Those officers certainly would not be able to undertake duties that were, in effect, voluntary. Some of them might downgrade their co-operation with the register—although not in a deliberate attempt at sabotage. They would tell the elected councillors that they must carry out Parliament's statutory requirements. Only when they had done that would they be able to undertake other activities. Those activities might well be desirable, but they would not have the time or resources to undertake them.

Early statutory backing for a national register is important. The new clause offers an appropriate mechanism for debating it. I hope that the Government will look with favour on the provision—ideally this evening. Ministers listened constructively when we debated the measure in Committee, so I hope that in that spirit, they might reflect on the new clause and offer us some thoughts on it at a later stage.

It is important to acknowledge that if we place the welfare of the child at the centre of our objectives—as we should—the best means to advance that welfare will be to ensure that the child, or those who make decisions on the child's behalf, have access to the widest possible pool of potential adoptive parents. That cannot happen when the pool in any given area is confined by the local authority. Only if it is national can the pool be as large as it should. That is why I hope that, whatever the fate of the new clause, we move as swiftly as possible towards the establishment of a national adoption register.

Mr. Ian Bruce: I speak to the new clause from two aspects of my personal experience. First, I am the joint chairman of the all-party group on street children. I see that one of the other joint chairmen, the hon. Member for Newcastle-under-Lyme (Mrs. Golding), is leaving the Chamber. She is probably going for a rest. Secondly, my wife and I were short-term foster parents for several years. Both those experiences are relevant to our discussion of the new clause.

Whenever the all-party group makes overseas visits in connection with its work on street children, we meet British people who have taken an enormous amount of time and trouble to adopt children from the country in question—however difficult it is to reach. When we ask them why they have done so, the answer always comes back to the fact that, in the UK, they were barred for being too old or the wrong colour or whatever. There is an enormous latent demand from parents who want to adopt children.

We often say that the primary purpose of any adoption must be the benefit of the child—that is a given. However, if an adoption is not to the benefit of the parents as well, there cannot be a proper match. No childless couple or individual adopts a child other than to fulfil a need. There is a natural human desire to have children and to bring them up. My wife and I have been lucky enough to have four children, and bringing them up—however well or badly we have done it—is our greatest achievement. We must take account of the couples who want to adopt children, because they are likely to provide the best homes for them.

10.45 pm

I wish to describe the experience that my wife and I

[Mr. Ian Bruce]

had when we decided we wanted to become short-term foster parents. At the time when my first son was born, we lived in Scotland. My wife had given up work and we thought that we could do short-term fostering in our house while we brought up our young children. We therefore made inquiries but, after six months, a decision had still not be made as to whether we were a suitable couple to become short-term foster parents.

We moved, so we started the process again in West Yorkshire when that was a county authority dealing with fostering. We met wonderful people who were clearly concerned about children, but we never met anyone who seemed to have any common sense. I am grateful that our social worker friend, the hon. Member for Lancaster and Wyre (Mr. Dawson), is smiling at that. We had meetings, but then everything would go quiet for three months. We would ring up to find out what was happening about the fostering and someone would say, "I've been terribly busy, so I'll come and see you again." We would have another meeting and another three months would go by.

Social workers investigated my work and our family. The strange thing is that in the time they took to decide whether we were a suitable couple—it was more than a year—my wife became pregnant with our second child and I lost my job. By the time our background had been investigated and the social workers had decided we were suitable, our circumstances had completely changed. The process was daft.

We should not accept people who walk in off the street as short-term foster parents, but we must get on with the process of carrying out the investigations. One of the problems is that the social workers who are responsible for the children with difficulties who might be suitable for short or long-term fostering and adoption—that is sometimes the ideal route—are so swamped with social problems that they have no time to consider whether the right type of parents are available to adopt the children. Even more important, areas with social problems are not likely to be the areas where the mass of the potential adoptive parents live. There is a mismatch between the areas affected by social problems and the areas where the more stable families who are better able to look after children live.

That mismatch takes place between different local authorities, and a national register would at least start to address that problem. If we had more time, the new clause could have gone much further in describing how we could establish the register. However, such a register might kick-start the process so that it works properly.

Another problem in the adoption process is the fault of Parliament. Every time a child is abused in the system—unfortunately, an awful lot of that abuse has happened in children's homes—we pile on social workers rules and regulations that make them so incredibly scared and careful that they cannot take a step without making yet another check. They cannot lose their job for refusing to approve someone as an adoptive parent, but they might be criticised in a judicial inquiry set up by this place if they make a mistake.

We know that if we leave children in children's homes, and do not give them permanent families, they are at enormous risk. I do not know how many children have been abused by their adoptive parents, but I suspect that the number is tiny: I cannot recollect a case that has been in all the newspapers. We would remember such a case and comment on the fact that adopted children were being abused. That does not seem to be happening.

Mr. Brazier: The councils with the worst records on abuse in children's homes and among foster carers—Lambeth council has been the source of recent, well-publicised examples of the latter—are the same councils that are exceptionally poor at putting children out for adoption. My hon. Friend is therefore entirely right to say that the endless checking of politically correct minutiae does not keep abuse at bay.

Mr. Bruce: I am grateful to my hon. Friend, who is much more knowledgeable about such cases than I am.

This may sound too political, but when the Government want a good headline, they announce that they will do something about this problem. I made speeches similar to this when the Conservative party was in power because I wanted the system to work better. The Government could do something rather than just talking about it, and they could benefit their political careers—if that is a requirement for getting something done, that is fine. However, it is not acceptable that the Government should brush the new clause under the carpet and say that this would be a good thing to put in their manifesto and act on in the next Parliament; action should be taken now. Let us not have any delay.

Sir Nicholas Lyell (North-East Bedfordshire): I am glad to have the opportunity to make a short contribution to the debate. I apologise to my hon. Friend the Member for Meriden (Mrs. Spelman) and to the House for the fact that I was unable to hear the whole of her speech. I strongly support new clause 6, and this is a good opportunity for the House to consider it. The House is particularly lucky to have the Minister of State to reply to the debate, because he has been at the forefront of the Government's efforts to introduce and speed up change in adoption. He has chaired the performance and innovation unit's steering committee, which has looked into the matter.

Those of us who believe that the new clause should have a fair wind find a good deal of support from a pretty powerful source because page 4 of the adoption report contains an introduction by the Prime Minister. He says:

> It is clear from the PIU report that there are some things we can get on with quickly. Over the next few months we will therefore: develop and implement proposals for a National Adoption Register . . .

The question is how one implements that, and my hon. Friend the Member for Meriden is absolutely right to table the new clause to find out whether the policy can be implemented in this Bill.

I think that Members on both sides of the House agree that the changes and welcome innovations in adoption law have been a long time coming. We know that there is pressure on legislative time in any Parliament, but it is exceptionally heavy in the current Parliament—the Government have packed this Session with Bills. I say that not to be controversial but to emphasise that when there is a parliamentary vehicle available for a purpose, it should not lightly be set aside.

We have heard what the Prime Minister has said on the subject and we know that it will be considered over the next few months. The consultation document issued this month allows for a proper consultation period—not one that is unduly short, as others have been, but one lasting three months, with receipt of consultation responses expected by 6 October. I doubt that the House will return after the long recess before that date; in addition, those who are expert in the subject will know what to expect in the way of responses to the consultation and will have time to assimilate them.

With all that in mind, I would argue that it is not impractical, in parliamentary terms, to include in the Bill a statutory framework for a national adoption register; nor would it be inconsistent with the Government's manner of legislating—which we sometimes deplore, but which might be appropriate in this case—if the new clause were accepted as the vehicle and, provided that the principles were set down in the primary legislation, modified to some extent to enable the details of a national adoption register to be dealt with in secondary legislation.

I hope that I have established that there are perfectly sensible reasons to accept the new clause now, before the Bill is returned to the other place in the normal course of events. The Bill came from the other place on 5 April without the issues addressed in new clause 6 having been debated, because it was only in February that the Prime Minister had made his—welcome—announcement of a personal initiative to take a grip on adoption. The Prime Minister has been subject to great pressure in recent weeks—rightly so, most Conservatives would think—but on this subject we can find common ground with him. He has spoken a lot of good sense and we are glad to lend our constructive support to his efforts.

Mr. Bruce: My right hon. and learned Friend says that the new clause, if accepted, could subsequently be altered in the other place. I note that it begins by saying that a register:

shall be established

but, if the Government are reluctant, they could modify it in the Lords and replace "shall" with "may". That would give the Government a permissive power, but not force them to act.

Sir Nicholas Lyell: My hon. Friend makes a fair point. I have suggested that the modification might be achieved through secondary legislation, but the method and timing would be a matter for the Government of the day. The fact is that our purpose could be achieved legislatively without difficulty.

Having dealt with the framework, I turn to the substance of the matter and the argument in favour of establishing a national register. The whole House would agree that to set out to be approved as a prospective adoptive parent is a daunting pilgrimage. Two features of adoption stick out starkly. The demand for children to adopt where those children are very young, or not so young but have been taken into care, substantially exceeds the supply of children to be adopted. By contrast, although, happily, there is a significant pool of parents who are willing to adopt children from care—many are parents who have fostered children, like my hon. Friend the Member for South Dorset (Mr. Bruce) has done, and are willing to move on to adoption—that pool could valuably be increased. A national adoption register would provide a good method of encouraging people to consider adopting from children in care.

11 pm

Let us not exaggerate the number of children in care who are available to be adopted. The consultation document shows that there were some 55,300 children in care in 1998, but obviously by no means all of those would be candidates for adoption—the figure would probably be 1,000 or 2,000. I might be being unduly pessimistic, but I think that about 2,000 children from that pool of 55,000 have been adopted over the years. Perhaps the Minister can tell us over how many years how many children have been adopted from the pool of children in care.

Another interesting fact in the consultative report is that the United States is a little bit ahead of us in this area. Britain can be proud of being second in the world in the proportion of children adopted from the pool of children in care. We achieve some 4 per cent. The United States achieves some 7 per cent.—about 1,500 children. I am not sure if it is 1,500 children a year or at any one time—no doubt the Minister will elucidate—but it is getting on for double the number of children.

Also striking is the average age of children who are adopted in the United States. In Britain, the average age is one year and two months. In the United States—this is highly significant for children in care—the mean age is six years and nine months. In other words, there are pools of parents in the United States who are willing to take on the tremendously important, and in a way significantly more difficult, role of adopting such children.

The process of encouraging that must be taken gently over a number of years, but the national register will provide a sensible way of getting started on that desirable route. It will provide parents who may hitherto have been daunted with an opportunity to talk through the problems with professionals. The fact that it is done with professionals on a national basis, and in circumstances where an immediate pressing desire for adoption is rather less acute than in some other cases, will enable it to be done well. There will be an opportunity for both the potential parents and the authorities to reflect, for the potential parents to be assessed, for a conclusion to be reached, and, hopefully, for a significant number to be included in the register.

Those who are included in the register will be able to find a suitable child to adopt whom they may well have fostered on an interim basis in the meantime, providing a better life for a small but none the less significant proportion of those 55,000 children who are in care. Of course, one hopes that a significant proportion of those children will go back to their own parents in due course, but there are many who do not have that opportunity. The national register will enable many hundreds, perhaps a few thousand, to find a happier home, and that is something on which all hon. Members will agree.

Mr. Hutton: I thank all hon. Members who have taken part in the debate. On the occasions when we can agree on a sensible way forward, we should not be shy in saying so, and the national adoption register commands a substantial measure of support in the House as a sensible way in which to proceed. The right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell), whom I thank for his kind comments about me, displayed the mastery of a brief which we lawyers like to display.

[Mr. Hutton]

As a former Attorney-General, he showed himself in his finest colours tonight in his mastery of the intricacies of the performance and innovation unit report.

I shall try to confine my remarks to the substance of the new clause, which calls for the establishment of a national adoption register under the auspices of the National Care Standards Commission. I shall explain to the House the Government's commitment to establishing a national adoption register, as several hon. Members have asked me to do in detail. I shall also explain why new clause 6 is probably not the most sensible way to go about it.

Having undertaken the review and received the recommendations of the PIU, which prepared the report, the Government decided to take a number of steps. We are committed to the establishment of a national adoption register for England and Wales. Let me make it clear to Opposition Members who raised the issue that, as stated in the PIU report, we intend to tender for the operation of the national adoption register. Later this year, we will invite applications to operate the register. We hope to get the register up and running some time next year.

The PIU report raises the question whether we need any legislative underpinning for the national adoption register. We are consulting on that. If legislation is required to establish the register, we will include those proposals in the legislation that we plan for next year. However, it is desirable that we should go ahead now with the establishment of a national adoption register, and that is what we intend to do.

The hon. Member for Westmorland and Lonsdale (Mr. Collins) asked how we would do that. We have an opportunity to use the powers in section 7 of the Local Authority Social Services Act 1970 to issue statutory guidance to local authorities, if that is the mechanism for making sure that the register remains an accurate register of children and approved prospective adopters.

The Government are going ahead with establishing the register. We want to do it quickly, and we are grateful for the support expressed by hon. Members for the register.

What is wrong with new clause 6? Why should we not incorporate it in the Bill? There are three or four problems with the new clause. First, it deals only with local authority approved adoptive parents. It is not clear how the register proposed by the hon. Member for Meriden (Mrs. Spelman) would work in relation to adopters approved by voluntary adoption agencies. Many hon. Members expressed their support in principle for the work that VAAs do. The new clause would exclude adoptive parents who had been approved by VAAs. That is not a sensible way forward.

Secondly, and more problematically, the new clause does not provide for the inclusion of children available for adoption. If the purpose of the register is to match prospective adoptive parents with children, the hon. Lady's solution clearly will not achieve that, because there is no provision in the new clause for children to be recorded on the database that she wants the National Care Standards Commission to operate.

If those problems were not sufficient to persuade the House not to support the new clause, the other difficulty—which is the same difficulty that we encountered when the hon. Lady moved a similar new clause in the Standing Committee—is that the establishment of the commission will take about two years. We intend to establish the commission from next April. Presumably, the national adoption register would come into operation some time after that.

Given the support that I have heard tonight for such a register, I do not believe that many hon. Members, having studied the proposals moved by the hon. Lady, would want us to hang around for that length of time before we establish the register. We should get on and do it as soon as possible. That is what we shall do. We believe that we can do that and operate the register using the powers that we have. It is essentially an administrative arrangement. If we need to underpin it with primary legislation, we will do so next year. Despite the positive and welcome comments in support of the register that we heard tonight—

Mr. Ian Bruce: Will the Minister give way?

Mr. Hutton: I am not giving way. It is probably best that the House gives its blessing to the Government's proposals and that we get on with establishing the register. If we need to return to the matter in primary legislation, we will do that next year.

Mrs. Spelman: When we prepared the new clause, the Government had not made their proposals. We have learned a great deal more since then. We accept what the Minister says about the Government introducing legislation early in the next Session. That is entirely in the spirit of consensus in which the debate on the new clause has been conducted. If the Government introduce the legislation early in the legislative programme next year, we will certainly support it—*[Interruption.]* I hope that the Minister is listening to the kind offer that I am making—as we are all agreed that we want to establish a national adoption register. When we make nice offers, it is important that they should be received.

The point about legislative underpinning is an important one. I am grateful to my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) for making it. I should hate it if we looked back in a year's time to realise that we had missed an opportunity. We accept that section 7 of the Local Government Bill may provide powers to make local authorities make the changes happen.

Having made those points, and given that we accept the Minister's points about inadequacies in our drafting—we do not have the resources at our disposal that the Government have—we will withdraw the new clause and look forward to seeing a legislative proposal early in the next session. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 7

ALTERNATIVE AND COMPLEMENTARY THERAPIES

'.—(1) A person is an alternative or complementary therapist if he is providing or offering for gain or reward services purporting or claiming to alleviate, cure, suppress or improve any condition which is customarily addressed by services of a type provided by health authorities, special health authorities, National Health Service trusts, primary care trusts or by local authorities in the exercise of their social services functions, and who is not required to be registered under section 11 or section 42.

(2) The Commission shall maintain a register of alternative or complementary therapists.

(3) The Secretary of State shall provide by regulations the method by which—

(a) applications for registration shall be made; and

(b) applications for registration shall be determined.

(4) The Secretary of State may by regulations make such provision as he deems necessary to protect the public in respect of—

(a) the description of the services provided by the alternative or complementary therapist;

(b) the claims that may be made in respect of those services;

(c) the techniques which may or (as the case may be) may not be employed in delivery of such services; and

(d) any other matters relating to such services as the Secretary of State may specify.'.—*[Mrs. Spelman.]*

Brought up, and read the First time.

Mrs. Spelman: I beg to move, That the clause be read a Second time.

One of the most intriguing things about this wide-ranging Bill is the opportunities that it provides for mini-debates on quite different subjects. We shall see the advantages of that this evening as Members have the chance to discuss their particular interests, as in the previous debate on adoption and in this one on alternative and complementary therapies.

In Committee, we tabled an amendment on alternative and complementary therapies. The Under-Secretary resisted it. First, she said, complementary and alternative medicine is, by definition, evolving and cannot be clearly defined. Secondly, she said that it was neither practical nor justifiable to regulate an ill-defined sector. Having read and considered *Hansard*, I have moved the new clause because I believe that those arguments are not sufficiently robust.

In Committee, the Minister said:

> Services that were considered outlandish several years ago are now almost considered to be part of conventional health care.—[*Official Report, Standing Committee G*, 6 June 2000; c. 81.]

Within the huge bracket of alternative and complementary medicine, some therapies have been around for a very long time. Acupuncture has existed for at least 2,000 years, but, at the other end of the spectrum, new therapies such as reflexology were probably unheard of by most people as recently as 10 years ago.

Therapies quickly become established. Alternative medicine is growing rapidly. The medical care research unit at Sheffield university estimates that 40 per cent. of general practitioners provide access to some sort of complementary medicine. Already, there is a close interleaving between traditional and complementary medicine. Acupuncture, which I have already said is one of the oldest complementary therapies, is provided by 73 per cent. of primary care groups. Osteopathy, which is also well established, is provided by 43 per cent., homeopathy by 38 per cent. and chiropractic—which I have had good reason to use—by 23 per cent.

Those therapies are well established and widely used. Members of the public will often consider alternative and complementary therapies when they feel that they have made no progress down the conventional medical route and are prepared to pay their own money to solve the problem or salve the pain that they are experiencing. We all have good anecdotal evidence from friends and relations of success with complementary and alternative medicines.

11.15 pm

The Bill offers an opportunity to help to provide a regulatory framework for complementary medicine, some branches of which are long established. There has been no over-arching regulatory framework because different techniques are used and different training courses apply. For example, chiropractors go through undergraduate training to gain a BSc honours degree, but I understand that, in the eyes of those who practise acupuncture, a 24-hour training course will suffice for a certificate of basic competence.

However, the diversity of qualifications should not deter us from drawing alternative and complementary therapies into the Bill. Social care is to be regulated and a distinction made between social care workers and social care assistants who have different qualifications. Therefore, within the logic and principle of the Bill, it is possible to regulate care workers with different qualifications and the different titles resulting from them. I see no logical objection to trying to regulate alternative and complementary medicine.

The availability of alternative and complementary therapies is increasing and people are becoming better informed about fresh approaches to established medical conditions. They avidly read the features pages of the broadsheet newspapers and, if conventional medicine has found no solution, often present their GPs with new findings on long-standing problems. A large number of new practitioners have set up in response to increasing demand. Therefore, it seems logical to provide through legislation adequate protection for the public and regulation that recognises the importance and status of the complementary therapies.

In Committee, my hon. Friend the Member for Runnymede and Weybridge (Mr. Hammond) pointed out the need to protect the public from the possibility of misleading diagnoses by people who are not properly qualified or who might provide the wrong treatment. He gave an example that drew attention to the potential for serious abuse, given that a lot of therapies are provided one to one. Intimate touching may be part of a therapy and that could put the individual receiving treatment in a risky situation. His constituency example is probably not an isolated case and it should cause us, as legislators, to think about whether to take it as a warning and whether to provide protection for both parties.

In Committee, the Minister gave her reasons for resisting our amendment on alternative and complementary therapies, saying that the original clause 39 would provide adequate scope to cover the issue. The clause referred to services similar to those provided conventionally through health authorities and NHS trusts and also covered the

[Mrs. Spelman]

example that I gave earlier: 40 per cent. of GPs refer patients to complementary medicine. There are many members of the general public who, without going to a GP, seek treatment from complementary and alternative therapies. In reflecting on the reasons for rejecting our amendment, I am not satisfied that there is adequate protection.

I am sure that my hon. Friend the Member for Bosworth (Mr. Tredinnick) will seek to catch your eye, Mr. Deputy Speaker, because he has an interest in this area. On 6 April, in Westminster Hall, my hon. Friend made some interesting observations about aspects of complementary medicine that are already regulated; homeopathic doctors, since 1950, and osteopathy, since 1993, were examples. Already, some alternative and complementary therapies have a degree of regulation and protection. It is not unreasonable to look for an extension to cover some of the others.

The therapies are new and evolving; reflexology, for example, has been around for about 10 years and is now well understood by the public. I cannot see the argument that it is too new to be the subject of some protective legislation, similar to other alternative therapies.

Mr. Swayne: My hon. Friend makes a powerful case that the Bill provides the opportunity for such regulation, but not all of us are persuaded that, because the opportunity to regulate exists, it should be taken up. There are those of us on the Opposition Benches who are not entirely disposed to regulation for its own sake. If my hon. Friend could outline some of the regulations that she thinks might be made under the new clause, it would give us a greater sense of confidence in what she is spelling out.

Mrs. Spelman: I understand exactly where my hon. Friend is coming from. Ours is not a party that seeks to legislate unnecessarily; in fact, it is committed to trying to remove as much unnecessary legislation as possible. However, I referred earlier to a genuine constituency case, in which there has been a claim of serious abuse in a situation where an alternative therapy was being provided. A therapist was providing one-on-one treatment to someone who, in good faith, placed their trust in the practitioner as they would with a medical practitioner. Undoubtedly, members of the public would expect that trust not to be abused. However, it is claimed that it was. We must take that seriously, as it is likely that other examples exist. I can see the potential risk that that represents.

Mr. Burns: Does my hon. Friend agree that, as well as giving protection and peace of mind to the patient, the measure will give protection to the practitioner?

Mrs. Spelman: My hon. Friend makes exactly the point that I tried to make earlier; the new clause cuts both ways. It provides protection for the person seeking help through the therapy, but it also provides important protection—a title, in due course—for the practitioner, and sets out the necessary qualifications to assume the title. That helps to raise the status of that profession, and is entirely consistent with legislation introduced for the professions allied to medicine.

There are some difficulties in getting what was envisaged in the Health Act 1999 to work, and there are a lot of difficulties in devising the right structure for a diverse group of professions allied to medicine. None the less, the practitioners of those professions recognise the advantage that the measure gives to them; the protection of a title and a clear definition of their therapy and skills.

I do not think that the new clause falls into the category of onerous and unnecessary regulation. On the contrary, there is a need to protect patients who place themselves in a position of potential risk, trusting the professional in whose hands they have placed themselves not to abuse that trust. As I have said, we have examples of such abuse. I feel comfortable about promoting a new clause that would benefit both patients and practitioners of the new therapies.

We intend to remain entirely within the guiding principles of the Bill, which are extensive. The Bill proposes the establishment of a commission to regulate diverse types of care. It seeks to remedy some of the abuses that have occurred, in regard to which there is a consensus that additional protection should be provided. I am thinking particularly of children's homes. It also creates an opportunity for complementary and alternative medicines—some of which have been around for a long time—to be included in the legislation. I believe that failure to include them would constitute yet another inconsistency of the type that we have tried so hard to address from the outset of our debates on the Bill. The most notable inconsistency is the Government's willingness to regulate public and private care homes uniformly, along with their rejection of the application of the same principle to private and public hospitals.

I fear that, unless the new clause is accepted, practitioners in professions allied to medicine—and those seeking therapy from them—will be protected in terms of title and the definition of the qualifications necessary for practice, but complementary and alternative therapists will be out in the cold. Here is a legislative opportunity to put that right. It is not superfluous, and it is supported by the Institute for Complementary Medicine, which was pleased to observe an attempt to fill what it sees as a gap in the law. I therefore feel confident in asking the Minister to look at the matter again, and to reconsider her reasons for objecting to our original amendment. I hope that, following that reconsideration, she will have a change of heart.

Mr. Tredinnick: I welcome the new clause. I have been closely involved in complementary and alternative medicine in three Parliaments, as an officer of the all-party parliamentary group for alternative and complementary medicine. The new clause reflects the new-found importance of such medicine and its new-found status in this country.

There are three main reasons why we should welcome new clause 7. First, more and more people in Britain are using complementary and alternative medicine: it is no longer something for minority groups. It is now very much part of the nation's way of life and as such, it requires more attention. That is illustrated here by the fact that acupressure is now available in the House of Commons gym. There is a practitioner there, and some of us will have read in his leaflet the statement from an unnamed Member that it is the only way in which he or she can find any relief from stress. I think that I see the

Minister smiling, which is always encouraging. Perhaps she will let the new clause go through on the nod. I am sure that Conservative Members would welcome that.

11.30 pm

Mr. Swayne: Will my hon. Friend let us know what acupressure is and precisely how the service that is provided in the gym will be augmented or enhanced by the regulation consequent upon the new clause, particularly as it seems to be so successful without the new clause?

Mr. Tredinnick: I am grateful to my hon. Friend for trying to help me along. Of course, I am just setting out, but all I say to him is that, if he had a headache, the practitioner might apply two thumbs either side of his head and produce a remarkable effect. *[Interruption.]* I shall give way to the hon. Member for Stroud (Mr. Drew) if he wants to contribute, albeit briefly, although if he does so, he may find that he is not promoted very quickly; I guess that the Government Whips will not approve.

I recommend that my hon. Friend the Member for New Forest, West (Mr. Swayne) tries that acupressure method. It is an illustration of how one can become more relaxed. I am not suggesting that he is not relaxed. In fact, I have always seen him as one of my more relaxed colleagues in the House and I always enjoy sitting next to him. Indeed, I could say, as a new ager might say leaving the Glastonbury festival, "I can feel the vibe sometimes." It is very relaxing being near my hon. Friend. However, we must not get too sidetracked. I would not want you, Mr. Deputy Speaker, to call me to order so early on.

I give another illustration of how complementary and alternative medicine has been received in the House. Recently, we had an exhibition in the Upper Waiting Hall, which was well supported by colleagues. Several Members from both Houses availed themselves of the treatments that were available. Colleagues do not normally bare their feet in public in the Upper Waiting Hall without good reason. Many colleagues, including me, queued up for the reflexology that was available on that occasion. *[Interruption.]* They did not include my hon. Friend the Member for West Chelmsford (Mr. Burns). I thought that he was nodding. Perhaps he hoped to have the treatment, but did not get it, or perhaps he is astonished at my suggestion.

The group provided treatment in the House. Whereas in the past, some of those treatments would have been seen as absolute quackery—if one discussed them with one's doctor, one would perhaps have been struck off the patients list—they are now the type of treatment that people expect to be available, and they have been available in the House of Commons.

The second reason why the new clause is relevant to the Bill is the greater use of complementary and alternative medicine in the national health service generally. The greater use of CAM in the health service started with fundholding GPs and has been taken up, with varying degrees of success, by primary care groups and, perhaps, primary care trusts. More and more people are using complementary and alternative medicine, and we now have greater use of complementary and alternative medicine in the NHS. Thirdly, we are looking at a new style of health provision overall—what is termed integrated health care: the combined use of conventional and complementary medicines.

My hon. Friend the Member for Meriden (Mrs. Spelman) touched on the exponential growth in the use and acceptance of complementary and alternative medicine. She gave some examples from the Sheffield study of the use of CAM by doctors. I could add to what she said. It has been established by a survey that 75 per cent. of the population want complementary and alternative medicine to be available on the NHS, and that between 20 and 25 per cent. of the population already use one form or another of complementary and alternative medicine. I need hardly tell colleagues that the fact that complementary and alternative medicine is a key interest for one quarter of the British population has profound political implications.

My hon. Friend the Member for Meriden also mentioned newspapers' interest in complementary and alternative medicine. The tabloid newspapers—such as the *Daily Mail* and the *Daily Express*, but also the others—have regular features on complementary and alternative medicine. The articles are not just one column long; they are usually four pages long. The Sunday newspapers, too, often have features on complementary and alternative medicine.

I have always felt that, in a sense, public opinion is ahead of the House on the subject of complementary and alternative medicine; unfortunately, we have often been behind on it.

Mr. Burns: How is it possible to judge successful treatment outcomes in alternative medicine compared with outcomes in more conventional medicine?

Mr. Tredinnick: There are many different complementary and alternative medicines, and outcomes are judged in different ways. The evaluations, too, are very different. One of the targets of the complementary and alternative medicine disciplines is to develop greater transparency, greater understanding of what works and—this is the subject of new clause 7—better, more effective regulation of complementary and alternative medicine providers. One of the points that I hope to develop later in my speech is that we are gradually establishing some order in the mass of those different disciplines.

The issue is important because of the great interest in complementary and alternative medicine. The United Kingdom population is voting with its feet on the issue. One can barely walk down a high street in Britain without coming across a health food shop selling complementary and alternative medicine products. One cannot go into a conventional chemist, such as Boots, without finding a whole range of homoeopathic preparations by one of the well-known providers, such as Nelsons. One can find Bach flower remedies and vitamins of every description on the high street. People are not mugs—they would not buy those things if they did not work. The fact is that there is great interest in and great demand for complementary and alternative medicine.

The concept of integrated health care is here to stay. Not only the Government but the Opposition have been addressing the issue of integrated health care. Way back in 1987, the all-party parliamentary group for alternative and complementary medicine set integrated health care as one of its principal targets. Undoubtedly, some of our distinguished colleagues, who are no longer with us, had vision and could see the issue's importance. It was only

[Mr. Tredinnick]

10 years later that a watershed report on the issue was published by the Foundation for Integrated Medicine—which is the group that was established by the Prince of Wales, and has subsequently done much with the King's Fund to produce ideas on regulation that are acceptable both to conventional practitioners and to complementary practitioners.

The report—entitled "Integrated Healthcare: A Way Forward for the Next Five Years?"—was launched, at the Queen Elizabeth II conference centre, by the then Secretary of State for Health, the right hon. Member for Holborn and St. Pancras (Mr. Dobson). He not only spoke in favour of the report, but gave some money for research in complementary and alternative medicine. The report gave the medical profession a benchmark to work by. The very fact that those who ran the royal colleges and many highly respected medical practitioners were involved in the report has given it great credibility. The report has been fundamental in the acceptance and development of complementary and alternative medicine.

Earlier this week, at its request, I met the Royal Pharmaceutical Society of Great Britain, the offices of which are just over Lambeth bridge. I never thought of the society as being particularly interested in complementary and alternative medicine. However, it is the professional and regulatory body for all of Britain's pharmacists.

Professor William Dawson, who invited me to the society's offices, wrote:

> We believe that there should be greater integration of complementary medicine into health care and that practitioners of orthodox and complementary medicine need to be encouraged to work together in all areas of practice.

When I met the professor and his team, he made it perfectly clear that he wanted pharmacists to act as a bridge between conventional and complementary medicine, and that he had every intention of facilitating better understanding of alternative therapies. It is instructive to us all and most encouraging that such an important society should be going down that track.

The next point in my argument supporting the new clause relates to the increased use of complementary and alternative medicine in the national health service. The person who really got the ball rolling—not in the last Parliament, but the one before—was the then hon. Member for Loughborough, now my right hon. Friend the Member for Charnwood (Mr. Dorrell), who as Under-Secretary, following meetings with the parliamentary group and others, produced a health service directive to the effect that if conventional practitioners took clinical responsibility for the actions of complementary therapists, they could engage their services and pay them out of the national health service budget. That was a significant breakthrough in the use of complementary and alternative medicine in the health service. When right hon. Friend became Secretary of State, he always kept a wary eye on that issue, supported by the then hon. Member for Bolton, West, Tom Sackville.

Let me say to the Under-Secretary of State for Health, the hon. Member for Birmingham, Edgbaston (Ms Stuart), that there has been a progression in the thinking in the Department of Health—a gradual move towards integration of the use of complementary and alternative medicine in the national health service and integration of conventional and complementary therapies in mainstream medicine. That is our starting point.

The major development that followed my right hon. Friend's initiative was the introduction of GP fundholders, who were instrumental in spreading dramatically the use of complementary and alternative medicine. Under the arrangements that many of my hon. Friends will remember—and others who were not in the House at the time may not remember so fondly—a small number of doctors could get together and become GP fundholders. Therefore, doctors who were strongly in favour of complementary and alternative medicine could become fundholders and allocate a proportion of their budget to those therapies.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The hon. Gentleman is straying from the new clause. Whether or not doctors support complementary medicine is neither here nor there. The new clause deals with registration and the hon. Gentleman must relate his comments to that.

Mr. Tredinnick: I am most grateful, Mr. Deputy Speaker. You are absolutely right to draw my attention to the new clause. I was talking about a type of registration, however, because those doctors could not practise unless they were registered as fundholders. The fact that they registered as fundholders provides the building block for some of the remarks that I want to make about the new clause, and I cannot make those points unless I refer to GP fundholders and primary care groups.

Another reason why we need the new clause relates to the primary care group system introduced by the present Government. New clause 7 deals with the registration of complementary and alternative medicine. However, there has been a real problem with primary care groups since the switch from fundholding. The reason for that is that the new boards are much larger and many of the health care professionals on them are not sympathetic to complementary therapies. Demand for complementary medicine has therefore dipped since primary care groups were introduced.

11.45 pm

A positive aspect of the Government's approach to the matter has been the initiation of trials using NHS funds. For example, the acupuncture trial was funded by the NHS executive in collaboration with the Foundation for Traditional Chinese Medicine. Such trials are very important in relation to registration. A stamp of approval from the NHS means that the treatments would be more acceptable to people.

The Minister knows that I have been saying for many years that there is not enough money for research. If registers and better regulation are to be introduced, more research into complementary and alternative medical therapies is needed.

My hon. Friend the Member for West Chelmsford is always helpful, and he asked earlier how we can know whether alternative therapies are effective. One way is through trials, and we need more of them. However, this is the same old chicken and egg problem: the Department asks where the evidence is, and the complementary and alternative practitioners ask for money so that they can provide it.

Mr. Swayne: Will my hon. Friend give way?

Mr. Tredinnick: I see that I have stimulated my hon. Friend, without acupressure. I have not even had to put my thumbs to his temples.

Mr. Swayne: My hon. Friend says that the techniques are effective. I do not doubt that, but why should the Secretary of State be given the power to determine whether they are used? That power would be afforded to him in this awful new clause.

Mr. Tredinnick: My hon. Friend is emitting a different vibration. I do not pretend to be the most sensitive person, but I have noted the change in feeling on this Back Bench.

Mr. Bercow: My intervention will be comparatively prosaic, but new clause 7(3) confers on the Secretary of State the right to determine by regulation the method of application for registration and the means of its determination. I return to my usual hobbyhorse: does my hon. Friend agree that the regulations should be subject to the affirmative procedure of the House, and that they should not be left to the administrative fiat of a Secretary of State?

Mr. Tredinnick: My hon. Friend tempts me. I am Chairman of the Joint Committee on Statutory Instruments and of the House of Commons Select Committee on Statutory Instruments, and I have a great interest in affirmative and negative resolution procedures. I agree that an affirmative resolution procedure would be desirable in this case.

I have to declare another interest. I hesitate to answer his query in any other than a very friendly way, as my hon. Friend the Member for Buckingham (Mr. Bercow) is due to speak in my constituency on Friday. It is therefore especially important that I do not upset him, for fear that he will not make the kindly opening remarks that colleagues occasionally make about each other. That might not be helpful in the run-up to the general election, whose date was let out of the bag by the Minister of State, Foreign and Commonwealth Office, the hon. Member for Leicester, East (Mr. Vaz).

Let us be serious about this: my hon. Friend the Member for New Forest, West and other colleagues are on the right track about how the regulation works. I want to address that in a moment—*[Interruption.]* The Minister appears to be imitating my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath) when he occasionally enjoys a joke. Was it something that my hon. Friend the Member for New Forest, West did? Or was it something that I said?

To consider regulation and registration, we must, as my hon. Friend the Member for West Chelmsford said, deal with how complementary therapies interrelate and how they relate to conventional medicine. One of the difficulties of regulation is that complementary and alternative practitioners and patients tend not just to use one therapy, but to move between therapies until they find the one that works for a given ailment.

I should like to illustrate this with the true story of a child whose severely broken leg was repaired, with great skill, by a great surgeon. The child's parents wanted to do everything possible to help his leg repair. To support the surgeon's work, and with his agreement, they looked to complementary therapies to speed up the repair of the leg. To start with, they relieved some of the boy's aches and pains with the homoeopathic medicine arnica and used symphytum to help heal the wound, because the leg had been pinned. To encourage the bone to repair faster, they looked to traditional Chinese and ayurvedic medicine, which teach that one of the first things to do with a broken bone is to use frankincense and myrrh, which were, as we know, potent in biblical times. However, I am told by experts in traditional Chinese medicine that frankincense and myrrh bind bones. They are resins which help bone binding and encourage the healing process.

Another aspect that had to be addressed was the child's moods. They were helped using certain aromatherapy oils, such as lavender and mandarin.

Mr. Deputy Speaker: Order. I have to say that this is very interesting. I have listened to the hon. Gentleman speak in Adjournment debates, and I know that this is a favourite subject of his. However, alternative medicine is not specifically what we are debating in the new clause; we are debating registration. I cannot allow the hon. Gentleman to go into detail about the great things that alternative medicine does for people—perhaps another time.

Mr. Tredinnick: I am grateful to you for guiding me back on to the rails, Mr. Deputy Speaker. I will not pursue that line further, other than to say that, in the registration of practitioners and the way in which we regulate, we must bear in mind that there is often no clear distinction between the various therapies because they are used in combination. That is a fundamental issue which relates to the new clause that I wish to deal with in a moment.

Before I do that—and I hope it is in order—I wish to refer to the Select Committee in the other place. I think that I am allowed to call it the House of Lords, nowadays. You would have called me to order, Mr. Deputy Speaker, if I had called it anything other than the other place not long ago, and I am nervous because I do not want to be told that I am out of order.

In any event, the Select Committee on Science and Technology in the other place is currently considering complementary and alternative medicine and will soon produce its report. One of the issues that the Committee had to address was what is complementary or alternative medicine. That is germane to this debate on registration and regulation. What exactly are we regulating?

In 1976, I damaged my back in an accident and turned to a chiropractor, but I did not tell my GP. If I had done so, I would certainly have been ruled out of order. He would have told me that he would not treat me any more. That is how serious such matters were—it would have been the equivalent of suspension. However, under subsequent legislation—including the Osteopaths Act 1993 promoted by my hon. Friend the Member for North-East Cambridgeshire (Mr. Moss)—such therapies are regulated by statute. A person falsely claiming to be an osteopath commits a criminal offence and could incur a heavy penalty.

Mr. Swayne: There is more than one way to skin a cat. My hon. Friend points out that some years ago the doctor

[Mr. Swayne]

avoided competition by refusing to treat him. However, have we not strung together those alternative professions under statutory regulation by the medical profession?

Mr. Tredinnick: My hon. Friend may be treading on politically incorrect ground by talking about stringing things together with catgut. As I am afraid of being called to order, I shall not pursue that point, if he will forgive me.

I have lost my place in my speech. When that happened to me some years ago, one of my hon. Friends helpfully intervened to remind me of what I had been saying. None of my hon. Friends is rising to do that. It is a bitter disappointment.

Mr. Burns: My hon. Friend was talking about his back.

Mr. Tredinnick: I am most grateful to my hon. Friend.

The serious point is that osteopaths and chiropractors are no longer considered to be beyond the pale; they have been integrated into conventional medicine. It is now debatable whether osteopaths are complementary practitioners at all. Furthermore, some therapies that were not even included in the list being considered for regulation by the House of Lords Select Committee—for example, crystal therapy, which is believed by some people to be beneficial—will probably enter mainstream medicine in the future.

After those brief introductory remarks, I shall turn to the body of my speech—*[Laughter.]* That is an old line, but it always works—especially when it is late and the House is exhausted. I definitely support new clause 7. We have heard about joined-up government; I am trying to achieve some joined-up opposition, so I point out to my hon. Friend the Member for Meriden that the new clause may need some fine tuning.

Many alternative and complementary therapists provide their services not only through the NHS, but in prisons and other places free of charge. To classify such a therapist automatically as someone who is

> providing or offering for gain or reward services purporting or claiming to alleviate, cure, suppress or improve any condition

is not wholly accurate. I hope that the new clause is accepted on the nod, but that point may need to be addressed in another place.

12 midnight

I strongly support the proposal for a register of alternative and complementary therapists. There are about 50,000 complementary medical practitioners in the United Kingdom and it would definitely be appropriate to have some form of register.

I now come to the points of my hon. Friend the Member for New Forest, West about the style of regulation. I do not think that we should have a register that merely says that certain people are complementary practitioners. That would be impractical, misleading, dangerous and counter-productive. We have to draw on the way in which regulation has come about. That generally means that groups have bound together and agreed some form of self-regulation. They have then gone on to NVQ status—

Mr. Bercow: National vocational qualification.

Mr. Tredinnick: I am grateful to my hon. Friend.

The groups move from voluntary to statutory regulation and they can achieve that through the legislation that the Government, to their credit, introduced in the previous Session. They can achieve statutory regulation in a gradual way by binding together.

We will face major problems if we try to have one register. At the moment, there are 120 organisations representing alternative and complementary practitioners. The way forward is for the different groups in a particular discipline—for example, aromatherapy has four or five governing bodies—to work together progressively. That is what the chiropractors did. They were at loggerheads with each other and unfortunately they are at loggerheads again, but they at least came together to achieve regulation. The only practical way to proceed is to persuade organisations to work progressively towards statutory regulation. I want a register to be in place to denote the therapies in which the practitioners are qualified. It is not right to have just a general register.

Practitioners often face few formal obligations to meet a level of standards. It is possible for people to break away from one organisation to join another if they so wish. That is not good for public safety. We should move to 10 separate registers and perhaps then move to five separate registers, but the disciplines must be clearly delineated.

Self-regulation is the best and most appropriate form of regulation for complementary medical therapies. As I said, osteopathists and chiropractors have taken that approach, and I could have talked about the national occupational standards that homoeopathy, reflexology, hydrotherapy and aromatherapy have achieved. Each profession is developing at a different pace.

One of my colleagues touched on the issue of insurance, which is one of the ways in which practitioners become regulated. Insurance companies will not insure them unless they reach certain standards. More could be done to consider the way in which insurance companies are used.

I am slightly concerned at any proposal that will give the Secretary of State the power to decide the techniques that may or may not be employed in the delivery of services—although I was nearly called to order when I tried to develop that argument. Many services and disciplines overlap, which can create problems because it is a complex matter.

For example, the National Institute for Clinical Excellence does not have the machinery to assess homoeopathic medicines at, let us say, 1M. It has no chance because all its equipment will say that there is nothing in them. However, a homoeopathic medicine functioning at 1M is working at a level higher than the physical body. Bach flower remedies and Australian bushfire essences cannot be detected using conventional measures, so we need to think of new ways of assessing those medicines.

Mr. Swayne: Am I correct in my analysis that although he began by saying that he welcomed the new clause, my hon. Friend has, after detaining the House for half an hour, come around to opposing it, as I do?

Mr. Tredinnick: I would hate to be accused of having the two faces of Janus, the Greek god who faced in opposite directions. I welcome the new clause, and the fact that my hon. Friend the Member for Meriden has tabled it in the proceedings on this Bill is a great milestone. Maintaining a register of alternative and complementary therapists is a good idea. However, I am slightly nervous about the Stalinist imposition of these measures through statutory instruments subject to the negative procedure.

This is a complex matter, and my hon. Friend the Member for New Forest, West has, in a sense, helped me. On the continent, draconian sanctions are in place against some therapists. Such sanctions are unnecessary. We would be better sticking to statutory regulation, but there should be flexibility in that.

The Under-Secretary of State for Health said that a complementary practitioner had been found to have acted improperly. What about all the doctors who have acted improperly? That is not a valid argument at all. There are policemen who act improperly. Normal mathematical distribution means that there are such people in every walk of life.

I say to my hon. Friend the Member for Meriden that I welcome the tabling and consideration of the new clause, and I say to the Under-Secretary that it requires careful consideration and a measured reply. I commend the new clause to the House.

Mr. Bercow *rose—*

Mr. Tredinnick: I give way to my hon. Friend.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I thought that the hon. Gentleman had concluded his speech.

Mr. Tredinnick: I had not sat down, Mr. Deputy Speaker.

Mr. Deputy Speaker: Will the hon. Gentleman advise the Chair what he is seeking to do? It seems that he has finished his speech but is trying to give way to the hon. Member for Buckingham (Mr. Bercow).

Mr. Tredinnick: Out of courtesy to you, Mr. Deputy Speaker, I was not on my feet when you were on yours. I must admit that I had been about to sit down, but my hon. Friend wanted to intervene, and I felt that it would be a discourtesy on my part not to let him do so.

Mr. Bercow: I am grateful to my hon. Friend, whose courtesy and generosity are unsurpassed in the House. As the new clause requires the Secretary of State to determine the regulations, how does my hon. Friend think the experience of the right hon. Member for Darlington (Mr. Milburn) at John Marlay school, Stokesley comprehensive school, Newcastle university and Lancaster university, and as a senior business development officer in north Tyneside, has equipped him to determine regulations on alternative medicine and complementary therapy?

Mr. Tredinnick: My hon. Friend is helpful and raises an important point. It has long been a contentious issue between those in complementary and alternative medicine and Ministers in the Ministry of Agriculture, Fisheries and Food and the Department of Health that the committees that adjudicate on such medicine are not staffed by those who understand the disciplines. In fairness to the Government, I acknowledge that the issue has been addressed, and new committees have been set up. My hon. Friend has made a valuable point, and I now intend to conclude my speech.

Dr. Brand: I am glad that the previous speech did not end prematurely.

I have absolutely no doubt that alternative and complementary therapies make an enormous contribution to people's feeling of health and well-being.

The definition set out in new clause 7(1) would catch almost any activity, because the national health service and all the other bodies set out in that subsection treat conditions such as feeling unhappy, feeling unwell, feeling unfit and not getting enough sleep, all of which are amenable to alternative and complementary therapies, just as they are amenable to food, wine, other drink—in moderation—and going to the hairdressers. There might be a need to ensure consumer protection in relation to the wide range of interventions to which we all submit ourselves—hairdressers should be just as much at risk of having their collars felt if they do something wrong as those who are in the business of tickling people's feet—but market forces could determine what is effective and what is not, and what is appreciated and what is not. The real problem is some of the claims made by some therapists.

Within my practice for the past 10 years—preceding fundholding—acupuncture, manipulative therapies, homoeopathy and hydrotherapy have been available to our patients. That has been achieved through clever arrangements with the private sector, whereby we sent them the odd patient who paid and they then saw our NHS patients. That arrangement worked extremely well.

Mr. Swayne: The hon. Gentleman is a physician. He is discussing complementary therapies, which are also competing therapies. Does he admit that if such therapies are to be regulated, that must be achieved without the influence of their competitors—physicians such as himself—affecting that regulation?

Dr. Brand: That is very difficult intervention to answer. I do not regard looking after people as a competitive event. I am always delighted when someone else can do it better than I can, because it means that they will have the hassle, not me—and the same is probably true of most of my colleagues. I am not sure that the hon. Gentleman has made a valid point.

The Prince of Wales's think tank produced an excellent paper, "Integrated Medicine", and I was present at its initial launch at St. James's Palace. The only therapies mentioned during that event, and those that formed the substance of the opus itself, were acupuncture, manipulative medicine, homoeopathy and hydrotherapy. That is not surprising, given that those four disciplines are well established: a body of work has been produced that shows that they have an effect and that, when handled responsibly, they are safe—in fact, far safer that some of the things that bog-standard medicine gets up to.

Incidentally, as the hon. Member for Bosworth (Mr. Tredinnick) says, acupuncturists, osteopaths and chiropractors are all adopting the PAMs—professions allied to medicine—route, whereby they become

[Dr. Brand]

registered and gain protection of title. They tend to be insured, and the insurance company will ensure that they have a certain competence.

My problem is with the phrasing of new clause 7, because its definition of an alternative or complementary therapist is someone who is

> providing or offering for gain or reward services purporting or claiming to alleviate, cure

and so on. That basically means that anyone who says "I can make you better" becomes an alternative or complementary therapeutic specialist, and subsection (2) provides that the commission "shall maintain" such a person on a register—there is no condition attached. If I said that a Mars bar a day helped you work, rest and play, that would constitute a claim to offer better health, so I would be able to go to the commission and say that I wanted to be registered as a Mars bar therapist. The commission could do nothing about that. Under the new clause, it would have to register me. Subsection (3) states:

> applications for registration shall be made,

so presumably the Secretary of State has an option whether I make the claim by post or turn up in person to demonstrate the size of my Mars bar.

12.15 am

We have a well-meaning attempt to introduce a measure of consumer protection where people are at risk of being ripped off or emotionally and physically abused, which does happen, with little sanction other than in criminal law or under trading standards. There should be a more established way in which some of the alternative therapies could be recognised as mainstream. We have already seen that with some of the manipulative interventions, and I have no doubt that others will follow suit.

We have had an in-depth and entertaining debate, which has taken us into the next day, but the new clause does not meet the requirements of the Bill, and I shall be surprised if the hon. Member for Meriden (Mrs. Spelman) pursues it.

Mr. Swayne: I shall confine myself exclusively to the new clause and avoid the wide-ranging analysis of the complementary therapies that my hon. Friend the Member for Bosworth (Mr. Tredinnick) drew to our attention. I mean no criticism—I found his exposition fascinating—I simply do not have the breadth of knowledge to comment on the areas on which he touched.

I am not hostile to these therapies. The key issue is whether the therapies will be improved by being regulated under the new clause. I took my son to an osteopath after a diagnosis that he needed grommets, and his head was manipulated. The hearing test was subsequently repeated by a conventional ear, nose and throat consultant, and—lo and behold—grommets were no longer necessary. So I have every confidence that many of these therapies work. The issue is entirely whether they will be assisted by the new clause.

My hon. Friend was eloquent in pointing out how these therapies have grown in status and extent during recent years. But that has happened without the benefit of the new clause, by which he laid so much store. I do not see by what process the new clause would make matters so much better. When he told us of the acupressure available in the Palace of Westminster, I asked what it was and how it would be changed by and benefit from the regulations specified in the new clause. Interestingly, he answered only the first part of the question. He told me what it was; he did not go on to expand on how it would be improved or changed by the regulation to which he drew attention.

Mr. Tredinnick: I should have said that this type of acupressure adjusts the meridians, which are the energy lines in the body. According to traditional Chinese medicine there are a number of meridians. They are like different pulses. A traditional Chinese medical practitioner would take a range of different pulses. Through the massage of the feet—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman is going into far too much detail, and away from the substance of the new clause. I cannot permit further discussion down that line.

Mr. Swayne: My hon. Friend has helped us enormously. The new clause provides an overarching regulatory framework for all those therapies. He has just described a therapy that does not lend itself in any way to the regulation of technique or of description, as specified in the new clause. The description that we have just heard is testimony to the fact that the therapies cover a wide range. We were told earlier of crystal therapy, whatever that might be.

The idea that such vastly disparate therapies could be covered by the same regulatory framework, as specified in the clause, is manifest nonsense. They are a consequence of very different life styles and religious backgrounds. I do not believe that they lend themselves to regulation in any way.

If we attend to the clause in some depth—I promise to be brief, as I see that some hon. Members are enjoining me to be so—we see that subsection (1) outlines the therapies that will be covered by the new provision. As the hon. Member for Isle of Wight (Dr. Brand) pointed out, it is extremely widely drawn. That subsection would encompass the healing ministry of evangelical priests. They would be included as healing practitioners.

Of course, alternative or complementary medicine derives part of its attraction from being precisely that: alternative. Much of its attraction might be jeopardised by bringing it into the medical establishment by such overarching regulation as is outlined in the new clause.

Subsection (3) states:

> The Secretary of state shall provide by regulations the method by which—
>
> (a) applications for registration shall be made—

that seems innocuous enough and entirely proper, but it continues:

> (b) applications for registration shall be determined.

The Secretary of State will determine how applications for registration are to be determined—by what test, criteria or validity. We have just heard my hon. Friend's exposition about energies, crystals and all the rest. How on earth is the Secretary of State to draw up regulations to govern such things?

Subsection (4)(a) refers to

the description of the services provided by the alternative or complementary therapist.

The description that we heard was alternative enough. I listened to an exposition of what the osteopath had done to my child. I accept entirely that what he did worked, and that, as the Prime Minister says, what is right is what works—but the description was utter mumbo-jumbo. One might as well try to regulate witchcraft.

The fact is that the descriptions defy regulation. It is nonsense to provide the Secretary of State with a power to determine what the description should be and what is acceptable.

Mr. Tredinnick: May I ask my hon. Friend to put away his box of matches for a moment? I support what he said earlier about grommets. There is a well-documented case of a child being given one dose of a homoeopathic medicine and having the problem solved.

Mr. Swayne: I understand that. I do not dispute for a moment the effectiveness of alternative treatments. I know that they are effective. I have had experience of them in my own family, What I question is whether the Secretary of State is competent to regulate them in his capacity under the clause. The point is absolutely clear. Subsection (4)(c) refers to

the techniques which may or may not (as the case may be) be employed in delivery of such services.

It is not up to the Secretary of State to determine how therapies should be applied. In fact, having given his exposition on the therapies, my hon. Friend hit the nail on the head. He said that he supported the new clause, but came round at the end to saying, extremely lucidly, that regulation should not be as described in the clause, but should be self-regulation. That is what he said, and it is entirely proper.

Therapists should regulate themselves. I do not believe that an acupressurist could in any way regulate an acupuncturist. They are clearly separate therapies with quite different philosophies. They do not lend themselves to the sort of regulation outlined in the new clause.

Subsection (4)(d) contains an absolutely extraordinary provision, allowing for

any other matters relating to such services as the Secretary of State may specify.

If I were the Minister, I should leap at that with alacrity. Just think of the power being ceded to Ministers. I look to my own Front-Bench spokesmen for some explanation of the justification for giving Ministers such enormous powers.

Mr. Bercow: They will be the Ministers next year.

Mr. Swayne: Indeed, they will be in a position to exercise that extraordinary power, but I should like to know about their plans for doing so.

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): This has been a most interesting debate. At times, I felt in need of a dose of Bach rescue remedy, which I am sure is available not far from here.

New clause 7 seeks to give the National Care Standards Commission the responsibility to maintain a register of complementary or alternative therapists. As has been amply illustrated, it would require the Secretary of State to make regulations providing for the method of registering and determining applications. It would further require the Secretary of State to make regulations as to the descriptions, claims and techniques used by therapists, and any other matters pertaining to them that he may specify.

We do not think the new clause necessary. We recognise that developments are moving apace in the provision of treatment and care services; in the range of settings in which they are provided; and in the equipment, techniques and technology through which they are delivered. We also recognise the need to ensure that the door is open to extend the range of services to be regulated in future, if and when necessary.

For that reason, the Bill already contains clause 42, which demonstrates the Government's forward-thinking approach to the regulation of social care and independent health care. It shows that we are building a new regulatory system that will last because it will have the flexibility to move with the times. Clause 42 provides for regulations to be made to bring further health care services within the new regulatory system, if or when considered appropriate at some time in the future. The clause must indicate the parameters of what that means. It has been drafted to refer to health care services that would include those that the hon. Member for Runnymede and Weybridge (Mr. Hammond) seeks to bring within the National Care Standards Commission's remit under new clause 7.

Independent health care services and establishments that will come within the new regulatory system from the outset are described in clause 2. Those services and establishments are those that we consider, having taken account of the consultation exercise held last year, to have the most pressing need to be regulated. They do not include complementary or alternative therapies. Bearing in mind the flexibilities in clause 42 to extend the regulatory scope of the National Care Standards Commission in future, we see no pressing reason to include such services in the Bill. Provision already exists to allow movement in that direction.

Mr. Hammond: Does the Minister acknowledge that the scope of private sector provision that can be regulated would be determined wholly by what the NHS chose to make available, or not to make available?

12.30 am

Ms Stuart: Some alternative therapies are already available in the NHS, but we simply do not think that the new clause is necessary.

The Government issued guidelines on professional self-regulation in complementary and alternative therapy that encouraged the formation of a single lead body to take forward self-regulation in each therapy. Steady progress is being made, particularly among the more popular therapies, and therapist registers are maintained by the lead bodies for each field. In addition to professional self-regulation, all practitioners of complementary and alternative medicines are subject to a range of general legislation that regulates the claims that they can make publicly, health and safety and the prescribing of medical products.

The new clause would give the National Care Standards Commission the responsibility to maintain a register of alternative and complementary therapists and to regulate

[Ms Stuart]

them. As I have explained, the consultation that we undertook on the regulation of independent health care indicated no pressing need for such measures. The Science and Technology Committee in the other place is currently conducting an inquiry into complementary and alternative medicine, and regulation of the professions is a major theme. In its hearings so far, the Committee has shown no sympathy for the idea of a single body to regulate all therapies. For that reason, the new clause is neither necessary nor appropriate and I ask the House to reject it.

Mrs. Spelman: I have, of course, listened to the observations made on all sides, and I would not pretend to have tabled a perfectly drafted measure. I have a residual concern: when tabloid newspaper headlines refer to one or perhaps more proven cases of abuse involving a therapist, the Government may regret dismissing so lightly the risk faced by the significant number of patients who seek alternative therapies without going through the NHS or the gateway of a GP. Clause 42, which refers to provision through the NHS or primary care trusts, does not cover such circumstances.

We have tried to warn the Government of the risks of leaving a wide range of therapies completely unregulated. I draw to the Minister's attention the example of hypnosis. Members of the public will be left exposed, and an opportunity to raise the status of some long-standing therapies has been missed. However, in the interests of making progress, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 8

OLDER PERSONS' COMMISSIONER

'.— (1) There shall be an office of the Older Persons' Commissioner.

(2) Schedule (*The Older Persons' Commissioner*) shall have effect with respect to the Older Persons' Commissioner (referred to in this Act as "the Older Persons' Commissioner").'.—*[Mr. Burstow.]*

Brought up, and read the First time.

Mr. Burstow: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: New clause 9—*Review and monitoring of arrangements*—

'.—(1) The Older Persons' Commissioner may review, and monitor the operation of, arrangements falling within subsection (2), (3) or (4) for the purpose of ascertaining whether, and to what extent, the arrangements are effective in safeguarding and promoting the rights and welfare of older persons to whom this Part applies.

(2) The arrangements falling within this subsection are the arrangements made by the providers of regulated services in England or Wales, or by the Secretary of State or the Assembly, for dealing with complaints or representations in respect of such services made by or on behalf of older people to whom this Part applies.

(3) The arrangements falling within this subsection are arrangements made by the providers of regulated services in England or Wales, or by the Secretary of State or the Assembly, for ensuring that proper action is taken in response to any disclosure of information which may tend to show—

(a) that a criminal offence has been committed;

(b) that a person has failed to comply with any legal obligation to which he is subject;

(c) that the health and safety of any person has been endangered; or

(d) that information tending to show that any matter falling within one of the preceding paragraphs has been deliberately concealed,

in the course of or in connection with the provision of such services.

(4) The arrangements falling within this subsection are arrangements made (whether by providers of regulated services in England or Wales, by the Secretary of State or the Assembly or by any other person) for making persons available—

(a) to represent the views and wishes of older people to whom this Part applies; or

(b) to provide such older people with advice and support of any prescribed kind.

(5) Regulations may confer power on the Older Persons' Commissioner to require prescribed persons to provide any information which the Older Persons' Commissioner considers it necessary or expedient to have for the purposes of his functions under this section.'.

New clause 10—*Examination of cases*—

'.—(1) Regulations may make provision for the examination by the Older Persons' Commissioner of the cases of particular older people to whom this Part applies.

(2) The regulations may include provision about—

(a) the types of case which may be examined;

(b) the circumstances in which an examination may be made;

(c) the procedure for conducting an examination, including provision about the representation of parties;

(d) the publication of reports following an examination.

(3) The regulations may make provision for—

(a) requiring persons to provide the Older Persons' Commissioner with information; or

(b) requiring persons who hold or are accountable for information to provide the Older Persons' Commissioner with explanations or other assistance,

for the purpose of an examination or for the purposes of determining whether any recommendation made in a report following an examination has been complied with.

(4) For the purposes mentioned in subsection (3), the Older Persons' Commissioner shall have the same powers as the High Court in respect of—

(a) the attendance and examination of witnesses (including the administration of oaths and affirmations and the examination of witnesses abroad); and

(b) the provision of information.

(5) No person shall be compelled for the purposes mentioned in subsection (3) to give any evidence or provide any information which he could not be compelled to give or provide in civil proceedings before the High Court.

(6) The regulations may make provision for the payment by the Older Persons' Commissioner of sums in respect of expenses or allowances to persons who attend or provide information for the purposes mentioned in subsection (3).'.

New clause 11—*Obstruction etc.*—

'.—(1) The Older Persons' Commissioner may certify an offence to the High Court where—

(a) a person, without lawful excuse, obstructs him or any member of his staff in the exercise of any of his functions under regulations made by virtue of section (*Review and monitoring of arrangements*) (5) or (*Examination of cases*); or

(b) a person is guilty of any act or omission in relation to an examination under regulations made by virtue of section (*Examination of cases*) which, if that examination were proceedings in the High Court, would constitute contempt of court.

(2) Where an offence is so certified the High Court may inquire into the matter; and after hearing—

(a) any witnesses who may be produced against or on behalf of the person charged with the offence; and

(b) any statement that may be offered in defence,

the High Court may deal with the person charged with the offence in any manner in which it could deal with him if he had committed the same offence in relation to the High Court.'.

New clause 12—*Further functions*—

'.—(1) Regulations may confer power on the Older Persons' Commissioner to assist an older person to whom this Part applies—

(a) in making a complaint or representation to or in respect of a provider of regulated services in England or Wales; or

(b) in any prescribed proceedings,

and in this subsection "proceedings" includes a procedure of any kind and any prospective proceedings.

(2) For the purposes of subsection (1), assistance includes—

(a) financial assistance; and

(b) arranging for representation, or the giving of advice or assistance, by any person,

and the regulations may provide for assistance to be given on conditions, including (in the case of financial assistance) conditions requiring repayment in circumstances specified in the regulations.

(3) The Older Persons' Commissioner may, in connection with his functions under this Part, give advice and information to any person.

(4) Regulations may, in connection with the Older Persons' Commissioner's functions under this Part, confer further functions on him.

(5) The regulations may, in particular, include provision about the making of reports on any matter connected with any of his functions.

(6) Apart from identifying any person investigated, a report by the Older Persons' Commissioner shall not—

(a) mention the name of any person, or

(b) include any particulars which, in the opinion of the Older Persons' Commissioner, are likely to identify any person and can be omitted without impairing the effectiveness of the report,

unless, after taking account of the public interest (as well as the interests of any person who made a complaint and other persons), the Older Persons' Commissioner considers it necessary for the report to mention his name or include such particulars.

(7) For the purposes of the law of defamation, the publication of any matter by the Older Persons' Commissioner in a report is absolutely privileged.'.

New clause 13—*Restrictions*—

'.—(1) This Part does not authorise the Older Persons' Commissioner to enquire into or report on any matter so far as it is the subject of legal proceedings before, or has been determined by, a court or tribunal.

(2) This Part does not authorise the Commissioner to exercise any function which by virtue of an enactment is also exercisable by a prescribed person'.

New clause 14—*Interpretations*—

'.—(1) This Part applies to an older person to or in respect of whom regulated services in England or Wales are provided.

(2) In this Part, "regulated services in England or Wales" means services of a description provided by or in Part II undertakings for the time being provided in respect of older people, so far as provided in England or Wales.

(3) For the purposes of this Part, in the case of the services mentioned in subsection (2) the person who carries on the Part II undertaking is to be treated as the provider of the services.

(4) For the purposes of this section, an establishment or agency, and an undertaking of any other description, is a Part II undertaking if the provider of the services in question is for the time being required to be registered under that Part.

(5) Where the activities of an undertaking are carried on from two or more branches, each of those branches shall be treated as a separate undertaking for the purposes of this Part.

(6) Regulations may provide—

(a) for this Part to be treated as having applied to an older person at any time before the commencement of this Part if regulated services in England or Wales were at that time provided to or in respect of him;

(b) for references in this Part to older people to whom this Part applies to include references to persons who, at any prescribed time, were such older people.

(7) In this Part—

"information" includes information recorded in any form;

"regulations" means regulations made by the Secretary of State or the Assembly.'.

Amendment No. 10, in clause 117, page 78, line 27, at end insert—

'( ) The provision which, by virtue of subsection (6), may be made by regulations under the Part of this Act which relates to the Older Persons' Commissioner includes provision amending or repealing any enactment or instrument.'.

Amendment No. 11, in clause 120, page 81, line 31, at end insert—

'Older Persons' Commissioner	*Section (Older Persons' Commissioner)'.*

New schedule 2:—*'The Older Persons' Commissioner*—

Status

1.—(1) The Older Persons' Commissioner is to be a corporation sole.

(2) The Older Persons' Commissioner is not to be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown; and the Older Persons' Commissioner's property is not to be regarded as property of, or property held on behalf of, the Crown.

Appointment and tenure of office

2. Regulations may make provision—

(a) as to the appointment of the Older Persons' Commissioner (including any conditions to be fulfilled for appointment);

(b) as to the filling of vacancies in the office of Commissioner;

(c) as to the tenure of office of the Older Persons' Commissioner (including the circumstances in which he ceases to hold office or may be removed or suspended from office).

Remuneration

3. The Secretary of State shall—

(a) pay the Commissioner such remuneration and allowances; and

(b) pay, or make provision for the payment of, such pension or gratuities to or in respect of him,

as may be provided for under the terms of his appointment.

Staff

4.—(1) The Commissioner may appoint any staff he considers necessary for assisting him in the exercise of his functions, one of whom shall be appointed as deputy Commissioner.

(2) During any vacancy in the office of Commissioner or at any time when the Commissioner is for any reason unable to act, the deputy Commissioner shall exercise his functions (and any property or rights vested in the Commissioner may accordingly be dealt with by the deputy as if vested in him).

(3) Without prejudice to sub-paragraph (2), any member of the Commissioner's staff may, so far as authorised by him, exercise any of his functions.

General powers

5.—(1) Subject to any directions given by the Secretary of State, the Commissioner may do anything which appears to him to be necessary or expedient for the purpose of, or in connection with, the exercise of his functions.

(2) That includes, in particular—

(a) co-operating with other public authorities in the United Kingdom;

(b) acquiring and disposing of land and other property; and

(c) entering into contracts.

Reports

8. Regulations may provide for the Commissioner to make periodic or other reports to the Secretary of State and the Assembly relating to the exercise of his functions and may require the reports to be published in the manner required by the regulations.

Accounts

9.—(1) The Older Persons' Commissioner must keep accounts in such form as the Secretary of State may determine.

(2) The Older Persons' Commissioner must prepare annual accounts in respect of each financial year in such form as the Secretary of State may determine.

(3) The Older Persons' Commissioner must send copies of the annual accounts to the Secretary of State and the Comptroller and Auditor General within such period after the end of the financial year to which the accounts relate as the Secretary of State may determine.

(4) The Comptroller and Auditor General must examine, certify and report on the annual accounts and must lay copies of the accounts and of his report before Parliament.

(5) In this paragraph "financial year", in relation to the Older Persons' Commissioner, means—

(a) the period beginning with the date on which the Older Persons' Commissioner is established and ending with the next 31st March following that date; and

(b) each successive period of twelve months ending with 31st March.

Payments

13. The Secretary of State may make payments to the Older Persons' Commissioner of such amounts, at such times and on such conditions (if any) as it considers appropriate.

General

14. In the House of Commons Disqualification Act 1975, in Part III of Schedule 1 (certain disqualifying offices), the following entries are inserted at the appropriate places—

"Older Persons' Commissioner."

"Member of the staff of the Older Persons' Commissioner."

15. In the Northern Ireland Assembly Disqualification Act 1975, the same entries as are set out in paragraph 14 are inserted at the appropriate places in Part III of Schedule 1.

16.—(1) Regulations may provide that the office of Older Persons' Commissioner shall be added to the list of "Offices" in Schedule 1 to the Superannuation Act 1972 (offices etc. to which section 1 of that Act applies).

(2) The Secretary of State shall pay to the Minister for the Civil Service, at such times as he may direct, such sums as he may determine in respect of any increase attributable to provision made under sub-paragraph (1) in the sums payable out of money provided by Parliament under the Superannuation Act 1972.'.

Amendment No. 12, in schedule 5, page 107, line 40, at end insert—*'Older Persons' Commissioner'*—

.—(1) The Part of this Act which relates to the Older Persons' Commissioner has effect, in relation to times before the commencement of any other relevant provision of this Act, as if references—

(a) to regulated services in England and Wales; and

(b) to the provider of such services,

were or included references to services which would be regulated services in England or Wales, or (as the case may be) to the person who would be the provider, if that provision were in force.

(2) Sub-paragraph (1) has effect subject to any provision made under sections 117 or 118.'

Mr. Burstow: The new clause introduces the proposition that the Government should establish an independent commissioner for the rights of older people, who would have a number of duties. I want to explain our concerns and why we thought it necessary to table the measure.

A piece of work published earlier this year by Action on Elder Abuse caused me to think that we needed a commissioner to advocate the rights of older people. That body, which is connected with Age Concern and a number of other organisations of and for older people, was established in 1994. In 1995, it set up a pilot helpline to give older people and their carers, friends and relatives the opportunity to report confidentially issues of abuse and other concerns. The service was rolled out nationally in 1998.

The report found that it was necessary to undertake a detailed analysis of two years' worth of calls to the freephone service to see what the trends were. Some 3,919 calls were analysed, of which some 1,564 were about incidents of abuse. As a country and a House, we have acknowledged and taken the necessary steps to start to address child abuse, but there is still too much of a taboo around the subject of the abuse of elders.

Action on Elder Abuse looked at how it would be appropriate to define such a subject. In 1994, a number of definitions were to hand. The definition that it alighted on—in the article "Listening is not enough"—is

> A single or repeated act or lack of appropriate action occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person.

That definition was signed up to by Action on Elder Abuse in 1995. The analysis bears some reflection. The organisation started by looking at the main types of abuse, of which there are five. The first is physical abuse: hitting, slapping, pushing, restraining and over-medication, the last of which has been a particular concern of Members on both sides of the House for some time.

The second is psychological abuse: shouting, swearing, frightening, ignoring, blaming or humiliating.

The third is financial abuse, whether it be the illegal or unauthorised use of a person's property, money, pension book or other valuables.

The fourth is the sexual abuse of any person forced to take part in sexual activity without their consent.

The fifth is simple neglect; a person is deprived of food, heat, clothing, comfort or medication.

When the definitions are applied, a number of things emerge. It was found that three in four of the callers felt that abuse had occurred. Some 42 per cent. of the calls concerned alleged abuse in sheltered accommodation; 5 per cent. concerned abuse in hospital, 10 per cent., abuse in residential homes; 11 per cent., abuse in nursing homes; and 66 per cent. were concerned with abuse in a person's own home. The survey found that psychological abuse was twice as likely to occur as physical or financial abuse.

The findings of the research are disturbing, showing that abuse is taking place in a range of care settings. The number of people in a formal care setting is small and, given the substantial number of calls expressing concerns about those care settings, it is right to ask the Government to help older people, their relatives and others by providing a mechanism to flag up those concerns.

A director of older person's rights would be able to give a clear focus to the work of the National Care Standards Commission, and beyond it. He would be able to look across all care settings and establish a highly visible position to which people could turn in confidence, in the secure knowledge that their rights would be respected and their needs met.

I hope that such a post will be established in this country—even if it is not established by the Bill—and that a position will be created that has influence over policy makers at a national and local level; that has influence over practitioners; that ensures that there is compliance with minimum standards; and, crucially, that promotes respect for older people and their dignity.

Often when Ministers respond to such amendments, one of the lines of approach is that the amendments are technically defective. In this instance we have relied heavily on parliamentary counsel, because the new clauses and amendments bear a passing resemblance to proposals tabled by the Government to give effect to their commitment to establishing a commissioner dealing with the rights of children in Wales. I hope that Ministers will not deploy the same argument this evening. I hope that they will address the central concern about the need to raise the profile of issues affecting older people, in the context of abuse.

I accept that the Bill already deals with some of the matters to which I refer, but I believe that the new clause is a necessary additional step which would go a long way towards dealing with many of the worries that I—along with other Members and a number of outside organisations—have about the rights of older people and discrimination against them.

Mrs. Spelman: I shall be brief, because the hour is late. *[Interruption.]* I am keen to ensure that all the remaining groups of amendments are given proper attention, and I am mindful of the fact that other Ministers are involved in those.

I entirely appreciate the needs described by the hon. Member for Sutton and Cheam (Mr. Burstow). They have been well expressed to all Members in publications by recognised voluntary organisations with real expertise, such as Help the Aged and Age Concern. Some of those publications have been excellent, describing in detail the problems experienced by older people. Probably the most moving is Age Concern's document "Turning your back on us", which deals with discrimination in the health service. However, I think the real question asked by the voluntary organisations is, "What is the most effective way of tackling the problem?"

I must tell the hon. Member that I am not persuaded that the best solution is the establishment of an older persons' commissioner. Very professional charities working with the elderly point out that we as politicians must beware any suggestion of tokenism. In a letter to me, Help the Aged expressed its fear that the creation of a Minister for older people—which has happened in Germany—would be a nine-day wonder in practice, and that the existence of one designated person to deal with such matters would make it too easy to compartmentalise. The absence of any real resources or power for that person would make it difficult to get things done.

Established voluntary organisations say that the problems of the elderly should be dealt with in departments where there is power to change the way in which things are done. In particular, they would like the national health service to stamp out all age discrimination in the service.

Mr. Burstow: Will the hon. Lady give way?

Mrs. Spelman: The hon. Gentleman has had his turn. Will he let me develop my argument a little?

In some very good work, the all-party parliamentary group on ageing and older people explicitly calls for NHS powers to be reinforced. The group says that it should be illegal for treatment to be refused to older people simply on the ground that they are older.

Mr. Burstow: I am listening closely to what the hon. Lady is saying. She has prayed in aid a number of the national charities that work for and on behalf of older people. Does she acknowledge that a number of them are, in coalition, campaigning for an entity—a commission, I think—to deal with age discrimination? Indeed, earlier today we considered, and voted on, a ten-minute Bill drafted by that coalition.

12.45 am

Mrs. Spelman: I think that we must be careful not to put words into the mouths of those voluntary organisations. Help the Aged has not specifically lobbied for an older persons' commissioner. That is not the conclusion reached by Age Concern in its document "Turning your back on us." I come back to my basic thesis. The important thing is to look at the powers that the Government have, to look at the way in which perhaps practice is slipping away from those existing powers and to bring it back to the basic principle of eradicating discrimination against older people simply on the ground of their age.

[Mrs. Spelman]

Help the Aged said specifically to me that it is anti the idea of a Minister for older persons because such special Ministers tend not to have the power and resources that are needed to get something done, so that is why I cannot support the specific outcome that the hon. Gentleman wants, although I identify with him on the need to do something about the problems.

I wish to see a vast improvement in the complaints procedure. The hon. Gentleman outlined a large number of complaints by older people about the way in which they are treated, but we need to look at the vehicles that they have to make complaints. Through an age summit that we organised in February, I have learned much about the problem that older people have in making complaints about the care that they receive. They are afraid that they may receive even worse care if they complain about it. Many older people are of a generation that was not encouraged to complain. For them, it is counter-intuitive to complain about the service, which is essentially free to them; they feel that they should not complain.

There is a strong case for advocacy for those older people. We would support that. However, although we agree with the extent of the problem, believe that the Departments have the powers to address some of those problems and want an improved complaints procedure, we cannot support that expression of the solution of the problem—an older persons' commissioner.

The hon. Gentleman sees a need for an older persons' commissioner—an older persons' rights director—and tries to make a parallel; his amendments mirror closely what is envisaged in the Bill for a children's commissioner. There is one important distinction between children and older persons in that respect: older persons have the vote; they have the right to vote. They are one in four of the electorate and the figure is rising. That is an important power, which they can exercise, making the Government of the day accountable for the treatment that older persons have received.

That is a logical argument for making a distinction between the two groups that we are seeking to protect. It is not that we do not believe that older people need protection. We believe that better and more effective tools can be used to address the problems that have been outlined.

Mr. Swayne: The hon. Member for Sutton and Cheam (Mr. Burstow) did well to remind us of the ten-minute Bill that was presented and given leave to be brought in earlier today. I would save the House's time if, instead of repeating them, I asked Members to read the exchanges on that Bill. The hon. Gentleman has drawn attention to a series of problems, which can be summarised as being due to ignorance, carelessness or indifference and wickedness. If a commissioner were created, I am not sure what leverage he would have over those human problems—problems of the human condition.

I believe that it is our responsibility here to defend the rights and interests of elderly people; we should not place our confidence in some commissioner to do it for us. Surely the purpose of the Bill is to lay down the conditions and standards by which elderly people in care should be treated, and not to hand that over following some knee-jerk reaction, saying, "If we had a commissioner, he would do all that for us."

The way in which the hon. Member jumped from the problem to the solution was not very persuasive. I did not detect in his comments any particular logic demonstrating that a commissioner would solve the problems that he described.

Mr. Burns: Does my hon. Friend think that, if we had had an old persons' commissioner 12 months ago, the commissioner could have secured for pensioners more than the measly 75p pension increase that they received in April? Do you think that an older persons' commissioner, if we had one—

Mr. Deputy Speaker: Order. May I tell the hon. Gentleman, who has some experience of the House, that he is now committing several misdemeanours—in the way in which he is addressing his hon. Friend, and in turning his back to the occupant of the Chair, whom he should be addressing?

Mr. Burns: I apologise, Mr. Deputy Speaker.

Does my hon. Friend the Member for New Forest, West (Mr. Swayne) think that, if we had had a commissioner, the commissioner would have been able to persuade the Government to act more swiftly on the conclusions of the royal commission on long-term care about how to help the elderly?

Mr. Swayne: I shall not follow my hon. Friend down that road, as I am sure that you would rule me out of order if I did, Mr. Deputy Speaker. I am convinced that the commissioner would deal not with wider political rights, but with treatment standards for the elderly as defined in the Bill. I suspect that my hon. Friend is right that, in the matters that he mentioned, such a commissioner would have made no difference whatsoever.

Nevertheless, the proposal hits the nail on the head. Some people say, "If only there were a commissioner, he would deal with the problem." Such thinking leads to hon. Members being negligent in assuming our proper responsibility. I believe that we have been negligent in accepting our responsibility. What have we done? In this Bill—rather than simply attending to the problems to which the hon. Member for Sutton and Cheam has drawn our attention and which we all already know exist—we should have formulated solutions to those problems and established the procedures by which they might be remedied. We have not done that at all: the Bill is an empty box.

All that we have done is effectively to give Ministers the power to take action later. The consequent regulations will not even be debated in the House before they are implemented. We are being asked simply to hand over the problem to Ministers, just as the hon. Member is asking us to hand it over to a commissioner. I believe that the new clause demonstrates the House's negligence in its responsibilities.

Ms Stuart: This has been an interesting debate, covering a wide range of issues related to care services for older people. Although the new clauses, amendments and new schedule in this group relate to a proposed commissioner for older people, such a proposal cannot be seen in isolation.

Older people form by far the majority of people receiving the care services that are dealt with by the Bill. There are literally millions of older people—a sizeable proportion of the population aged over 65—who rely on care services of one type or another to help them get the best out of life and to remain independent and active. Good-quality care services can make the crucial difference for older people between active participation in society in later years, and social exclusion and marginalisation. Therefore, the Government need no persuading of the importance of health and social care services for older people.

The hon. Member for Sutton and Cheam (Mr. Burstow) will not be surprised to hear me say that the Government do not intend to accept his new clauses and amendments. However, he and other hon. Members must not infer from that that the Government are not interested in the quality of care provided for older people, because nothing could be further from the truth.

We should not kid ourselves that creating an older persons' commissioner will determine whether the rights and interests of older people are protected. The health and social care services provided to older people throughout this country—their quality, accessibility, suitability, and the enhancement that they make to quality of life—depend on much more than the setting up of a new statutory post. I believe that the Government can claim with justice to be making greater improvements in the care services for older people than have been delivered by any previous Government.

The hon. Gentleman's new clauses talk about safeguards against abuse for older people. The Government have put in place a substantial programme of action to bring about improvements in the procedures for safeguarding older people from abuse, mistreatment and poor care standards.

Part I will set up the National Care Standards Commission as a powerful new watchdog against abuse and poor standards. The commission will work to new national minimum standards. We have already debated extensively the fact that national minimum standards for older people in care homes are being set for the first time, applying equally to all care homes, whether public, private or voluntary.

In future, care home providers will be clear about what standards they have to meet, and older people and their carers will be clear about the standards that they can expect. These will be aimed at promoting better quality care and helping to prevent abuse by grounding practice in the principles of dignity, choice, privacy and respect. The standards will guarantee residents access to an effective complaints procedure and ensure that vulnerable people are cared for by reliable and trustworthy staff who have been carefully recruited and properly trained to do their jobs.

The standards will also ensure that older people in care homes have the right to choose the way in which they live their lives—for example, when they get up or go to bed, what they would like to eat, and so on.

For the first time, older people living in their own homes will also be protected. The Bill introduces as part of the National Care Standards Commission's responsibilities a regulatory framework for personal home care services. In future, all domiciliary care agencies will be registered and inspected annually. That will provide a greater assurance to the hundreds of thousands of older people for whom care in their own home is a lifeline and a means of staying independent.

Elsewhere in the Bill, part VII establishes for the first time a protection of vulnerable adults list that will identify people who have abused vulnerable adults, and ensure they do not have a second chance to harm vulnerable older people; and the establishment of a General Social Care Council will mean that better training and professional standards will apply to the care staff who work daily with older people.

In addition, looking beyond the provisions of the Bill, we have published new guidance, called "No Secrets", on preventing abuse of vulnerable adults. "No Secrets" deals with developing and implementing multi-agency policies and procedures to protect vulnerable adults, including older people, from abuse. Local multi-agency codes of practice will be developed and implemented by 31 October 2001.

Improving the care provided for older people is not just about preventing abuse. It is about making sure that services are up to standard, that the right services are available to meet people's needs, that there is no age discrimination in health or social care services and that health, housing and social care services work together to meet older people's needs rather than letting them fall through the gaps.

We are taking action across all those areas through a range of initiatives, including the long-term care charter; the development of intermediate care services to build a new bridge of care between hospital and home; the extension of direct payments to people aged over 65; the national strategy for carers; and the national service framework for older people.

I could continue in the same vein, but I will not test your patience, Mr. Deputy Speaker. The point that I am making is that the Government are taking real steps to drive up the standards of care services for older people. That is what older people want, and that is what the Government's priority should be. I do not think that it would be the best use either of the Government's energies or of public money to set up a commissioner concerned with older people's care services.

We believe that the new initiatives that we are developing and those already in place are the most effective way of advancing our commitment to better protect older people from harm and abuse, and to improve the quality of the care that they receive. We cannot sensibly consider the addition of an expensive national office before the new arrangements have even had a chance to work.

For those reasons, we believe that available resources should be spent first and foremost on raising the quality of care provided to older people in our society. I very much hope the hon. Gentleman will not press his amendments.

Mr. Burstow: Let me respond briefly to the interesting exchange that we have had on this group of amendments. We have sought to raise a number of concerns. We have concentrated on concerns about elder abuse, but other contributors to the debate have broadened the discussion to include the wider context of age discrimination. If the scope of the Bill had permitted it, we would have wanted

[Mr. Burstow]

a broader remit for the proposed commissioner, so that the concerns of a number of the relevant charities about age discrimination could be addressed.

1 am

The ageist assumptions still prevalent in our society need to be challenged, as does the taboo about abuse of elders. As a society, we have decided to confront discrimination based on sex and gender, and we have decided to tackle racism. The House has decided also that we should do something about disability, and it is time that we decided to do something about age. The commissioner proposed in the new clause would have achieved that.

However, given the hour of the night and the contents of the debate, the best thing to do seems to be to withdraw the new clause, and return to the matter at a later stage.

I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

CHILDREN'S HOMES

Ms Stuart: I beg to move amendment No. 46, in page 2, leave out from beginning of line 7 to "or" in line 9.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following: Government amendments Nos. 47 to 49.

Amendment No. 33, in clause 2, page 3, line 5, leave out "services are" and insert—

'a substantial part of the services provided are services'.

Amendment No. 34, in page 3, line 11, leave out "any" and insert "a substantial part".

Government amendment No. 50.

Amendment No. 97, in clause 3, page 3, line 41, at end insert—

'; or

'(d) it is a sheltered housing development in which residents live in defined self-contained units and are supplied with nursing or personal care on a variable basis according to their needs'.

Government amendment No. 51.

Amendment No. 98, in clause 4, page 4, line 20, at end insert—

'( ) "Healthcare agency" means, subject to subsection (6), any undertaking which consists of or includes arranging the provision of direct medical services performed by nurses to people in their own homes, or any undertaking which consists of or includes arranging the provision of any personal or medical care performed by occupational therapists, speech therapists or physiotherapists to people in their own homes.'.

Government amendment No. 52.

Amendment No. 99, in page 4, line 42, after second "agency,", insert "a healthcare agency,".

Government amendments Nos. 80, 81 and 85 to 93.

Ms Stuart: I do not intend to detain the House, as these amendments are all tabled in response to concerns raised by the hon. Member for Runnymede and Weybridge (Mr. Hammond) in Committee. I shall speak first to amendments No. 46 and Nos. 85 to 93.

In discussion on clause 1 in Committee, I undertook to consider whether it was necessary to exempt homes provided under section 82(5) of the Children Act 1989. That section allows the Secretary of State to arrange for the provision, equipment and maintenance of homes for the accommodation of children in need of particular facilities and services which are, in the opinion of the Secretary of State, unlikely to be available in community homes. This section of the Children Act 1989 replaced section 64 of the Children and Young Persons Act 1969.

The two youth treatment centres—the St. Charles centre in Brentwood, Essex, and Glenthorne in Birmingham—were established in the late 1970s under the 1969 Act. No homes have been established under section 82(5) of the 1989 Act.

In 1995, the St. Charles centre was closed, and Glenthorne will close on 13 July. I have taken the view that local authorities, the health service and specialist facilities in the private sector are better placed to care for the type of children placed in Glenthorne. I have therefore concluded that it is no longer appropriate for my Department to run such a child care facility and that we should withdraw from providing such a service.

Although there is no current intention of using section 82(5) of the 1989 Act to establish any more of these homes, its use cannot be ruled out at some point in the future. In those circumstances, it is my view that these homes should be regulated as children's homes by the National Care Standards Commission, and Government amendment No. 46 amends clause 1 accordingly. Government amendments Nos. 85 to 93 are consequential to bringing these homes within the regulatory framework.

I turn now to Government amendment No. 48. The Bill provides for independent schools that accommodate children for more than 295 days a year to be registered as children's homes. The reason for this dual registration is that, where children do not normally return home to their families during the holidays, they need the added protection that is provided by registration as a children's home.

Government amendment No. 48 will bring all boarding schools—that is, those in the voluntary and state sectors as well as the independent sector—into the dual regulation provision. It is important that children who spend more than 295 days a year in a boarding school, regardless of whether it is independent or not, should receive the added protection of being in a children's home.

In our Committee deliberations, the hon. Member for Runnymede and Weybridge tabled a number of probing amendments to find out exactly how we planned to use the power to except establishments and agencies from the definitions, contained in clauses 1, 3 and 4, of children's homes, care homes, domiciliary care agencies, residential family centres, fostering agencies and nurses agencies.

The hon. Member was concerned that we should not use the powers to exempt individual establishments or agencies from the requirement to register with the commission. I explained in Committee that it was certainly never our intention to exempt individual establishments or agencies from the definitions. We only ever intended to use the powers to except types of establishment or agency. However, I am happy to put the matter beyond doubt, and I have therefore tabled these amendments to clauses 1, 3 and 4 today.

On amendments Nos. 49, 50, 80 and 81, there was much debate in Committee on the language used in the Bill to describe people with learning disabilities. It was felt appropriate that mental disorder should be defined in the Bill as an illness. It is quite right that "illness" is defined in what is now clause 120 in such a way as to include mental disorder, and that "mental disorder" is defined as including

"arrested or incomplete development of mind

which covers learning disabilities.

On reflection, I agree with the hon. Member for Runnymede and Weybridge and other members of the Committee who spoke eloquently on the subject. I have therefore tabled amendment No. 80 to remove mental disorder from the definition of illness in clause 120. I have also tabled consequential amendments to the definition of a hospital in clause 2 and a care home in clause 3. The amendments separate mental disorder from illness and list it separately in its own right.

The last amendment in the group includes mental disorder in the definition of disability in clause 120. At the same time, we have taken the opportunity to update the language in these provisions to provide a more acceptable definition of "disabled".

I am grateful to members of the Committee for drawing our attention to these issues, as I believe that it has helped us improve the Bill in these important respects.

Mr. Hammond: I am grateful to the Minister for going through the list of Government amendments. All of them—unusually, in my experience—are in response to amendments that we tabled or points that we raised in Committee which the Government were prepared to accept in principle while wanting to come back with their own drafting.

I do not wish to do what the Minister has done and read out the purpose of each amendment. However, I have one or two points to make. On amendment No. 46, I am grateful to the Minister for taking our suggestion on board and giving effect to it in the Bill. Similarly, on amendments Nos. 47, 51 and 52, we have always taken the view that it would be iniquitous for Ministers to use these powers to exempt individual establishments or agencies. The Minister of State made it clear that that was not the intention, but the Bill did not make that clear beyond doubt. I am grateful to the Government for agreeing to amend the Bill to make that incontrovertible.

I am also pleased to see amendment No. 48. We tabled a similar amendment in Committee, which the Government rejected. It is good to know that Ministers occasionally go away, think again and then reintroduce the same amendment that they rejected in Committee. We are interested in strengthening the legislation, making sure that it is workable, and in reinforcing and underlining the principle of uniformity in treatment across the different sectors. Therefore, I shall not carp about the fact that it is not my amendment that will be accepted but the Minister's, which is in exactly the same form. I am just glad that we got there in the end.

Amendments Nos. 49, 50, 80 and 81 deal, as the Minister said, with the rather tortuous language in relation to learning disabilities. The Minister of State said in Committee, that while he sympathised with the problems, he suspected that there might be some real technical difficulties because of the legacy of the language used in previous legislation and the way in which social care Bills have tended to build on each other. However, I am very pleased that the draftsmen have found a way round this. I think that the Minister was in the Committee when this was discussed, and she will agree that members on both sides felt genuinely uncomfortable that people with a learning disability were being defined as having an illness. In the early part of the 21st century, we should not characterise that condition as an illness. I am grateful to the Minister and her colleagues for addressing the problem.

My hon. Friend the Member for Meriden (Mrs. Spelman) and I tabled amendments Nos. 33 and 34. They address a simple, but potentially important, problem that could arise from clause 2. They would revise the definition of an independent clinic and an independent medical agency. The Bill provides that any establishment or agency that carries out any NHS work will be excluded from the definition "independent medical agency" or "independent clinic".

The problem arises because of the dual system of monitoring—the Commission for Health Improvement in the NHS and the National Care Standards Commission in the private sector, which has rather more teeth because it is able to deregister establishments or agencies when necessary. It cannot be right that, by performing a nominal service in pursuance of the National Health Service Act 1977, an establishment or an agency can move along the spectrum so as to be regulated under a different system.

The measure refers to

any . . . services provided . . . in pursuance of the National Health Service 1977 Act.

The amendment would change the word "any" to "a substantial part". The test would change. That establishment or agency would move from being regulated by the NCSC to regulation by CHIMP only when a substantial part of its services were being provided to the NHS. For example, if an independent medical agency provided out of hours services to a single GP for a small group of NHS patients, it would not be wholly excluded from NCSC control.

It seems common sense to us that the occasional provision of minor services to the NHS, at the margin, should not change the status of an establishment, any more than—as the Minister might argue—a hospital or NHS establishment that provided the occasional paid service to a private patient should be moved from the CHIMP to the NCSC system. Whether or not the Minister is minded to accept the amendments, I hope that she will acknowledge that there is a problem and will tell us whether she sees any other way to address it.

Amendment No. 97 would establish conclusively that the definition of "care home" cannot include units in a sheltered housing development. That issue has been raised again because some doubts, hesitations and concerns remain outside this place as to whether the Bill offers a proper and precise definition.

The issue is relevant because of the way in which the social security system determines the eligibility of individuals for housing benefit. If a sheltered housing development, where people occupied separate and individual units, was classed as part of a care home

[Mr. Hammond]

because it was located on a site where services were offered to occupants—perhaps on an ad hoc or à la carte basis—there could be a danger that such people would not be eligible for housing benefit. Organisations outside the House have again raised that issue and I hope that the Minister will tell us whether she will accept this amendment. It would simply make clear in the Bill something that the Minister of State said in Committee was the Government's intention.

1.15 am

I wish to say something about amendments Nos. 98 and 99 which were tabled by the hon. Member for Sutton and Cheam (Mr. Burstow) and his colleagues. They deal with nurse-led care provided in the home not by an agency, but by the direct supply of a nurse-led service. The hon. Gentleman has done the House a service in raising this issue because a problems needs to be addressed. A well-publicised case in Essex illustrates the problems of a nurse—in that case a nurse in the NHS—working in the homes of individuals. There is a clear need to ensure that nurse-led services are properly regulated.

The Minister may accept the hon. Gentleman's amendments. However, if she chooses not to do so, she must tell the House how the Government envisage regulation of direct nurse-led care. I hope that she will not resort to telling the House that the Secretary of State's powers under clause 42 could be used to widen the scope of the Bill. We take the view that it is not satisfactory, when a Bill is not yet on the statute book, for a Minister to suggest that the use of regulatory powers to extend its scope is an adequate alternative to sending the Bill back in good order to the other place for further consideration.

Mr. Burstow *rose—*

Hon. Members: No, no.

Mr. Burstow: I rise with encouragement from some Labour Members. I wish to speak briefly to amendment No. 97 and then consider the amendments that were tabled by me and my hon. Friend the Member for Isle of Wight (Dr. Brand).

The Government amendments are all very welcome. They address several concerns that were raised by the hon. Member for Runnymede and Weybridge (Mr. Hammond) in Committee. The hon. Gentleman, in describing amendment No. 97, rightly alighted on another issue that we explored in Committee when we considered clause 100, which also deals with definitions. Through amendments that I and my hon. Friend tabled, we examined the issues relating to definitions. One of the points that came up then was that the definitions of personal care that were in the Bill at that stage called into question whether sheltered accommodation, sheltered housing and extra supported housing schemes would suddenly find themselves bracketed with care homes.

The Minister gave us assurances in Committee that seemed to imply that the only way to deal with the issue was almost to do away with a single definition of personal care and introduce a multiplicity of definitions. That gave me grave cause for concern in terms of the tenor of Government statements about their long-awaited response to the royal commission on long-term care.

Amendments Nos. 98 and 99 return us to a debate that we had in the Committee's third sitting when I and my hon. Friends sought to clarify the definition of medical agencies. The Minister offered reassurances that led us to withdraw two amendments that sought to probe the Government's intentions on that matter. However, we have since consulted further and we feel that there is a gap in the definitions through which some providers may pass, unregistered and unregulated. The hon. Member for Runnymede and Weybridge described a recent case that goes to the heart of the matter.

We are trying to ensure that health care services at home which are not based in clinics or hospitals will be covered by the regulatory framework that the Bill will put in place. Some may be covered by the term "independent medical agency" as defined in clause 2(5), but that definition is inadequate. Although in Committee the Minister assured us that the definition of "nurses agencies" would cover all our concerns, the Bill deals with them only in their role as staffing bureaux, and not as direct health service providers.

Health services provided in the home by nurses without the need for supervision by a doctor can be extremely complex; for example, home blood transfusions and chemotherapy are two of the important services now being provided in that way. Professions allied to medicine, such as occupational therapy and physiotherapy, are understandably and rightly providing services in the home, and they do not appear to be included in the Bill's regulatory framework. None of those examples fits the definitions in the Bill.

A health care staffing agency provides temporary and permanent staff, and there is confusion about that. We hope that the Minister will be able to clear that up in her response. Historically, nursing agencies have provided a mix of health and social care services, and that is why, in the other place, nursing agencies were included in the Bill in an amendment. As things stand, however, it is possible that direct health care provided at home, which is not covered by the provisions on nursing agencies, will be left unregulated. Those services will be covered only if they are provided by a nurse under the control of the patient. We therefore tabled amendments Nos. 98 and 99 to flag up the concerns felt by several people who are involved in providing such services and who are anxious that they will not be covered by the regulatory framework.

Dr. Brand: Does my hon. Friend agree that a good example of such services are those provided by independent midwives? They may well deliberately work without the support of a medical practitioner, and patients' only protection is the opportunity to complain to a regulatory authority, which deals with professional standards rather than the care provided.

Mr. Burstow: My hon. Friend is absolutely right to use independent midwives as an example of the problem that we are flagging up. We hope that the Government will accept that there is cause for concern and that the problem needs to be addressed. As my hon. Friend said, patients' only recourse in respect of such practitioners is through the professional body that registers them.

The Government have accepted that there needs to be one agency for the registration of people, such as social workers, and another separate agency for the regulation and registration of agencies and establishments. We think that the same rule should apply in this case.

Doctors will be regulated by the Bill, but nurses who work on their own will not necessarily be regulated. My hon. Friend gave another example of a practitioner who works alone. Nurses and care assistants do not appear to be caught within the regulatory framework, and professions allied to medicine also appear to be outwith the Bill's scope.

We hope that the Minister will accept that our concern is real and that, even if the precise wording of our amendments is unacceptable to the Government on technical grounds, they will find a vehicle in the other place to enable them to close the loophole.

Ms Stuart: I shall respond first to amendment No. 97, which is intended to ensure that sheltered housing schemes are not required to register as care homes. I am aware that concerns have been raised about whether sheltered housing or supported accommodation will be registrable as a care home, so I want to reassure hon. Members that we do not intend to extend the requirement to register to new types of accommodation that have not previously been regulated.

Clause 3 defines a care home as one providing accommodation together with nursing or personal care for persons who are or have been ill; persons who are disabled or infirm; or persons who are or have been dependent on alcohol or drugs. The Registered Homes Act 1984 included the provision of board within its definition of a residential care home, but the Bill omits it from its definition of a care home, so as to ensure that providers who, to all intents and purposes, run care homes, but are currently able to avoid registration by operating pay-as-you-eat schemes, are required to register.

There is no clear definition of what constitutes sheltered housing and little consistency in the use of the term in the field. I assure the House that it is not the Government's intention to require schemes in which people live in their own homes and receive personal or nursing care to register as care homes. The great majority of such sheltered housing schemes involve care being provided to people in their own homes, and a person's own home, whether that person is a tenant or the owner, will not be registrable as a care home.

Mr. Burstow: I want to check one point. We are dealing with a Government Bill, yet the Minister is telling us that it sets out no clear definition. Surely the Government have it in their power to provide a clear definition?

Ms Stuart: I was attempting to explain the parameters of registration. A fear had been expressed that we would extend the requirement, so I was making clear our intentions.

Mr. Hammond: We are not suggesting that the Minister would deliberately attempt to extend the requirement. The intention behind the amendment is to ensure that she does not inadvertently do so.

Ms Stuart: I am grateful for the hon. Gentleman's concern to ensure that we do not make mistakes. I assure him that we shall do everything in our power to ensure that there is no unintentional extension. I can add little to what I have already put on the record in connection with amendment No. 97.

Amendments Nos. 33 and 34 deal with clause 2, which, as currently drafted, contains a provision designed to ensure that independent clinics and independent medical agencies, which are mainly small organisations, are properly regulated, but not over-burdened by regulatory or review bodies. The amendments would change that, and I am surprised that such an approach has been adopted. Clause 2 provides that independent clinics, such as privately run walk-in medi-centres, and independent medical agencies, such as organisations that arrange for doctors to provide call-out services for private patients, will be regulated by the National Care Standards Commission only where they do not provide services to NHS patients. That is because services for NHS patients come within the remit of the arrangements that the NHS has in place to provide quality assurance. I have no intention of going into the arguments about whether the NHS and the independent sector should be regulated by the Commission for Health Improvement or by the National Care Standards Commission.

Clause 2 as it stands draws a clear demarcation of the National Care Standards Commission's role as regards independent clinics and independent medical agencies. Such establishments and undertakings will be regulated by the commission to the extent that they are wholly engaged in providing non-NHS services.

Mr. Hammond: The Minister is right, but our point is that, under the Bill as drafted, a private establishment that provides a service to a thousand private patients and one NHS patient pursuant to the National Health Service Act 1977 will cease to be regulated by the National Care Standards Commission. That strikes me as perverse and illogical.

1.30 am

Ms Stuart: I would be surprised if that theoretical example occurred in practice to any great extent. During our long discussions about how the regulatory scheme should work, we tried to establish a system which has the flexibility to enable providers to use the NHS and the private sector. The proposed amendments would change the balance which we felt was the right one. Where an independent clinic or an independent medical agency provided services for NHS patients, except where those services were a substantial part of its overall services, it would not only be regulated by the National Care Standards Commission, but would, to some extent, come under the NHS arrangements, for example, within the remit of CHIMP by dint of CHIMP's role in improving quality in the NHS.

Mr. Hammond: Is not that exactly what will happen in the case of an independent acute hospital that treats NHS patients?

Ms Stuart: It is a matter of horses for courses. The regulations should be relative to the size of the organisations. We consider that we have struck the right balance. We could discuss that further into the small hours, but we feel strongly that we have struck the right balance.

We would not welcome the change introduced by the amendments. We envisage that independent clinics and independent medical agencies will, in the main, be small businesses. Therefore, it is important that regulatory requirements strike the right balance, and they should not be over-regulated.

Dr. Brand: I should like to pursue the point made by the hon. Member for Runnymede and Weybridge (Mr. Hammond). Earlier, I referred to the provision of alternative medicines, where, not infrequently, one can persuade an alternative practitioner to accept someone as an NHS patient, as pro bono work, in exchange for the odd referral of paying patients. Such an establishment or sole practitioner would be providing a service to NHS patients, under the Minister's definition. It may be a significant part of their clinical work load, although perhaps not of their financial turnover. Under those circumstances, would such a clinic have to register?

Ms Stuart: If the clinic or medical practitioners are providing NHS services, they will be supervised by the NHS; if they provide medical services, they will come under the commission. I may be missing the point. However, we consider that we have struck the right balance when an organisation provides independent and NHS services.

I also have doubts about the practicality of the proposed amendments. The extent to which they would apply to independent clinics and independent medical agencies—placing them inside or outwith the regulatory ambit of the National Care Standards Commission—would hinge on an assessment of whether a substantial part of their services were for NHS patients. Who is to say what "substantial" might mean in that context? The amendments would cause confusion all round. They would place an unnecessary burden on independent clinics and independent medical agencies, something which I thought the Opposition were keen not to do. They do not improve the current balanced provision in clause 2.

Amendments Nos. 98 and 99 would require health care agencies to be regulated by the commission. I am unable to accept the amendments. The National Care Standards Commission will have a big programme of work when it takes on its regulatory functions. Not only will it be regulating those services that health and local authority inspection units regulate at the moment, but it will be regulating new services such as local authority homes, small children's homes and private doctors. To allow it to carry out that work successfully, we must ensure that it is not overburdened when it is first established. We have to consider which services might provide the most risk to the most vulnerable in our community.

When we consulted last year on the regulation of private and voluntary health care, there was no particular suggestion that the services that are included in the definition of "healthcare agency", such as occupational speech or physiotherapy services, should be regulated. The Bill already provides powers for the National Care Standards Commission to regulate independent medical agencies, nurses agencies and domiciliary care agencies. If any of those agencies carry out services included in the definition of "healthcare agency", they will in any case be regulated.

It is important that occupational therapists, speech therapists and physiotherapists, if they are to be state registered, are already required to register with the Council for the Professions Supplementary to Medicine. Although we do not believe that it is appropriate to regulate health care agencies at present, I cannot say whether the position might change in the future. To allow us extra flexibility, we introduced amendments in Committee to what is now clause 42, which gives us the power to bring other health or social care agencies within the regulatory framework.

We have a responsibility to ensure that the commission is not overburdened in its early years. However, if there is concern in the future about the safety of services provided by health care agencies to vulnerable people, we already have the power in the Bill to require them—

Mr. Burstow: I am grateful to the Minister for giving way. It sounds as though the argument for rejecting the amendments is based solely on a concern about the work load that the commission will face in its early years. Surely that is in the hands of the Government, in so far as the Government will draft the minimum standards against which the commission will do its work. If the standards are not introduced at an early stage, the definition may be in the Bill, but it will not be implemented.

Ms Stuart: I do not entirely agree with that interpretation. The consultation dealt with the aspects that should be addressed first. It is a matter not just of work load, but of priorities. If there is genuine concern, we have the power to extend regulation to health care agencies in the future. That is important.

Amendment agreed to.

Amendments made: No. 47, in page 2, line 11, after "is" insert "of a description".

No. 48, in page 2, line 14, leave out "An independent" and insert "A".—*[Mr. Sutcliffe.]*

Clause 2

INDEPENDENT HOSPITALS ETC.

Amendment made: No. 49, in page 2, line 40, after "illness" insert "or mental disorder".—*[Mr. Sutcliffe.]*

Clause 3

CARE HOMES

Amendments made: No. 50, in page 3, line 35, at end insert—

'( ) persons who have or have had a mental disorder;'.

No. 51, in page 3, line 42, after "is" insert "of a description".—*[Mr. Sutcliffe.]*

Clause 4

OTHER BASIC DEFINITIONS

Amendment made: No. 52, in page 4, line 26, at end insert "description of".—*[Mr. Sutcliffe.]*

Clause 10

INQUIRIES

Amendment made: No. 53, in page 7, line 22, leave out "it would be" and insert—

'there are exceptional circumstances which make it'.—*[Mr. Sutcliffe.]*

Clause 11

REQUIREMENT TO REGISTER

Mr. Hammond: I beg to move amendment No. 37, in page 7, line 36, at end insert—

'( ) Regulations shall provide that no person is required to be registered more than once with the Commission in respect of the same establishment or agency'.

Mr. Deputy Speaker (Mr. Michael J. Martin): With this it will be convenient to discuss the following: Government amendments Nos. 54 to 57.

Amendment No. 41, in clause 18, page 10, line 35, leave out "written".

Amendment No. 42, in page 10, line 37, at end add—

'( ) Representations under subsection (1) above may be made in writing or in person and an opportunity shall be afforded to a person served with a notice under section 17 to make representations in person in the manner prescribed by regulations'.

Government amendments Nos. 58 to 60.

Mr. Hammond: I see a gathering of Welsh Members who are anxious to move to the next groups of amendments, so I shall try to be brief.

Amendment No. 37 addresses the issue of multiple registration requirements. Because of the architecture of the Bill, establishments might be required to register several times, involving several sets of bureaucratic procedures and possibly the payment of several sets of fees. The amendment would insert into the Bill a provision that where a person registers in respect of an establishment, he will be required to register only once in respect of that establishment, even where it may require to be registered on different parts of the register because of what goes on in that establishment.

Amendments Nos. 41 and 42, in my name and that of my hon. Friend the Member for Meriden (Mrs. Spelman), deal with an important principle. Clause 18 provides that a person threatened with deregistration may make only written representations. There is an important issue at stake, because deregistration impinges on a person's right to practise his livelihood.

Through the amendments, we are asking for the right to be heard. I am not a lawyer, but the Minister is, so perhaps she will tell me in due course whether she agrees with me. It is a fundamental principle of our legal system that an individual has the right to be heard. In professional misconduct hearings, for example, under the requirements of employment law there is always a right to appear and to plead one's case. It is also a human rights issue, as the right to a hearing before an impartial tribunal is a fundamental part of the European convention on human rights.

No doubt the Minister will tell me that the procedure outlined in the Bill includes a right of appeal to a tribunal after the written representation has failed and deregistration is ordered. That is too late. The damage has already been done by then, and the reputation of the business is ruined. There must be an opportunity for a registered individual to be heard at first instance. That is possible under the Registered Homes Act 1984—the current legislation.

The Minister has in the past relied on a recommendation supposedly made by the report of the Longcare inquiry into a case in Buckinghamshire. That report apparently provided evidence that oral representation procedures had been abused to cause delay. No one condones abuse or delay of procedures, but it is incumbent on the Government to lay regulations ensuring that procedures are not abused. Fundamental and important rights cannot simply be removed because one or two people might be tempted to abuse them.

In any case, on careful consideration of the Longcare inquiry report, it is by no means clear that recommendation 31 supports the Minister's case. It is in fact based on an opinion given by the director of social services of Buckinghamshire on what might have happened had the county council sought to move for deregistration of the establishment in question. In fact, there was no move to deregister, so the issue of delay never arose. If the Minister carefully reads the relevant part of the report, she will find that that is the case.

The evidence on which the Government seek to remove an important right is of the flimsiest nature. I could read out details of the report, but, in view of the lateness of the hour, I shall spare the House that ordeal. None the less, I hope that the Minister will look sympathetically on my argument on an important point of principle.

Government amendments Nos. 54 to 60 are a response to a request made by the Opposition in Standing Committee to make it clear that conditions on registration could be not only varied at a later date, but removed. That means that conditional registration can be cleaned up once the conditions have been complied with. I am grateful to the Minister for taking the time and trouble to put that into the Bill.

Ms Stuart: I am grateful to the hon. Gentleman for drawing our attention to the issue covered in Government amendments Nos. 54 to 60. The Bill will be better as a result.

I come to amendments Nos. 37, 41 and 42. Amendment No. 37 adds nothing substantive to clause 11. If an undertaking is an establishment or agency required to be registered under the Bill—for instance, an independent clinic—the person carrying on or managing the clinic will be required to register only once because he or she is providing only one type of service.

Mr. Hammond: My point is that some establishments provide more than one service, such as an establishment in my constituency that provides respite care for children with cerebral palsy and day care for adults with learning difficulties. I understand that it will have to register twice.

Ms Stuart: The amendment is intended to provide that there is a need to register only once in respect of a single site or building, irrespective of the different services provided there. That is unacceptable, even if the same staff and premises are used for two different categories of establishment. It will be important to have a separate registration for each.

1.45 am

Different types of service—for example, an acute hospital and an independent clinic—provide different services and so will need to meet different regulatory requirements. Applications will need to set out different information so that the registration authority can satisfy itself that standards are being or will be met. I hope that I have made clear the need for separate applications in respect of different categories of establishment. The amendment should not be accepted.

Amendments Nos. 41 and 42 would enable representations to be made in person or in writing when an individual received a registration authority's notice of proposal. The very same amendments were tabled in Committee, but, as I do not want to repeat those debates, I simply say that the Bill will not remove people's right to make representations in person. They will still have the opportunity to appeal to the tribunal, and the Bill merely provides that the registration authority can decide whether to take enforcement action without oral representations being made.

In Committee, the hon. Member for Runnymede and Weybridge (Mr. Hammond) said that he had been furnished with the view that the Bill's provisions for making representations would not comply with the Human Rights Act 1998. That is not the case: a person will be able to appeal to the independent tribunal and there will be an oral hearing. The authority's decision would not take effect until the tribunal had decided the case, unless the provider's registration had been cancelled under clause 20—the urgent procedure for cancellation. Before that, individuals would have had the opportunity to make written representations to the registration authority before it made a decision. At that stage, a misunderstanding could be cleared up or the authority could decide to take further action.

For the reasons that I have given—abuse of the existing provisions for oral representations in the Registered Homes Act 1984 and prolonging the risk to vulnerable people—I ask the House to reject the amendment.

Mr. Hammond: The Minister's arguments on amendments Nos. 41 and 42 were unconvincing and she did not address the question of the false premise, on which the arguments made in Committee by the Minister of State, the hon. Member for Barrow and Furness (Mr. Hutton), depended. I hope that the hon. Lady takes the trouble to consider recommendation 31 of the Longcare inquiry report in detail. Perhaps she will realise that the Government are removing an important right without good cause. However, amendment No. 37—the lead amendment—is relatively minor, so I shall not press it. *[Interruption.]* If Labour Members are so insistent, we might think again about amendments Nos. 41 and 42 at the relevant point. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 13

GRANT OR REFUSAL OF REGISTRATION

Amendment made: No. 54, in page 8, line 36, after "vary" insert "or remove".—*[Mr. Mike Hall.]*

Clause 15

APPLICATIONS BY REGISTERED PERSONS

Amendments made: No. 55, in page 9, line 21, after "variation" insert "or removal".

No. 56, in page 9, line 38, after "(stating" insert ", where applicable,".—*[Mr. Mike Hall.]*

Clause 17

NOTICE OF PROPOSALS

Amendment made: No. 57, in page 10, line 26, after "vary" insert "or remove".—*[Mr. Mike Hall.]*

Clause 19

NOTICE OF DECISIONS

Amendment made: No. 58, in page 11, line 16, after "varied" insert—

', the condition which is removed'.—*[Mr. Mike Hall.]*

Clause 20

URGENT PROCEDURE FOR CANCELLATION ETC.

Amendments made: No. 59, in page 11, line 32, after "varying" insert "or removing".

No. 60, in page 11, line 37, after "variation" insert ", removal".—*[Mr. Mike Hall.]*

Clause 22

REGULATION OF ESTABLISHMENTS AND AGENCIES

Amendment made: No. 61, in page 14, line 47, at end insert—

'( ) Before making regulations under this section, except regulations which amend other regulations made under this section and do not, in the opinion of the appropriate Minister, effect any substantial change in the provision made by those regulations, the appropriate Minister shall consult any persons he considers appropriate.'—*[Mr. Mike Hall.]*

Clause 61

CODES OF PRACTICE

The Parliamentary Under-Secretary of State for Wales (Mr. David Hanson): I beg to move amendment No. 62, in page 30, line 3, leave out "Secretary of State" and insert "appropriate Minister".

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 63 to 66, 95 and 67.

Mr. Hanson: The amendments represent minor modifications to the clause that simply extend the power of direction to enable the National Assembly to direct a local authority in Wales to take account of any code of practice published by the Care Council for Wales. They will create powers parallel to those already prescribed for England. Indeed, they are essential requirements. The hon. Member for Runnymede and Weybridge (Mr. Hammond) raised those issues in Committee. We gave a positive response and have tabled the amendments.

Amendment agreed to.

Clause 66

FUNCTIONS OF THE APPROPRIATE MINISTER.

Amendments made: No. 63, in page 33, line 15, at end insert—

'(5A) Any functions of the Assembly under this section—

(a) may be delegated by the Assembly to the Welsh Council; or

(b) may be exercised by any person, or by employees of any person, authorised to do so by the Assembly'.

No. 64, in page 33, line 17, after "(5)(b)" insert "or (5A)(b)".

No. 65, in page 33, line 18, leave out "Secretary of State" and insert "appropriate Minister".

No. 66, in page 33, line 23, after "Act" insert—

'and, in respect of an authorisation given by the Assembly, references to a Minister included the Assembly'.

No. 95, in page 33, line 23, after "(5)(b)", insert "and (5A)(b)".

No. 67, in page 33, line 25, leave out subsection (7).—*[Mr. Mike Hall.]*

Clause 72

REVIEW AND MONITORING OF ARRANGEMENTS

Mr. Win Griffiths (Bridgend): I beg to move amendment No. 8, in page 35, line 23, after "may", insert—

'(a)'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following: Amendment No. 9, in page 35, line 27, at end insert—

'(b) make recommendations concerning the operation of arrangements falling within subsection (2), (3) or (4) with the purpose of improving the effectiveness of those arrangements in safeguarding and promoting the rights and welfare of children to whom this Part applies; and

(c) when he considers it necessary, or when requested so to do by the Secretary of State or the Assembly, prepare and submit, to the Secretary of State and the Assembly, proposals for amending the provisions of this Act or any other enactment or instrument as they relate to regulated children's services in Wales.'.

Government amendments Nos. 83, 84 and 94.

Mr. Griffiths: I welcome the provision for a children's commissioner in the Bill, and the way in which the Government have acted since the Waterhouse report and other reports about the abuse of youngsters in care in Wales. I also welcome the way in which the Government have worked with the National Assembly for Wales in terms of clauses 71 to 77 and schedule 2.

However, I feel that my amendments will help to fine-tune and improve the Bill and the functions of the commissioner. The burden of the clauses is to emphasise the process and the functions that the commissioner will have in relation to individual children in regulated services in Wales.

The clauses are concerned with the duty of the commissioner to review and monitor the effectiveness of arrangements for safeguarding and promoting the rights and welfare of children participating in regulated children's services; the effectiveness of information disclosure; issues relating to criminality; the effectiveness of advocacy and advisory support services to enforce the provision of certain functions with regard to information; assisting a child in making a complaint; and giving advice to any person who requests it. In schedule 2 there is a power to make periodic reports relating to the exercise of the functions of the commissioner.

What is missing is any positive note that the children's commissioner should make recommendations for the improvement of the provisions made in the Bill. In this, I claim no originality; I looked at the remit of the Equal Opportunities Commission, which could, on its own initiative or at the request of the Secretary of State, bring forward proposals to amend the Act or any other Act relating to its functions.

It would strike a positive note in the Bill if we could give the commissioner the power to take such initiatives, which would involve making a recommendation to the Secretary of State in cases of primary legislation—either this Act or Acts related to regulated children's services in Wales. However, recommendations could also be made about secondary legislation, which would be a matter for the Assembly.

In both cases, the commissioner could make recommendations, or either the Secretary of State or the Assembly could request the commissioner to consider whether there was a need to change legislation to make it more effective. I hope that the Government will feel that they can accept the amendments, as that would be a good signal to the National Assembly and people involved in regulated services for children in Wales. The commissioner would be more than a person dealing with process and functions, and would have the positive role of being able to recommend changes in legislation—for this House or the Assembly—to ensure that safeguards for children in care are kept at the highest levels.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy): I welcome the proposal for the establishment of such an important post. Hon. Members will have some idea of how important my party thinks it is from the fact that my right hon. Friend the Member for Caernarfon (Mr. Wigley) spoke about it on 17 March, and my hon. Friend the Member for Ceredigion (Mr. Thomas) did so on 18 May.

I had the privilege of moving an amendment—in fact, it was a new clause—to the Local Government (Wales) Bill back in May 1994, with the aim of establishing just such a commissioner. I argued that the commissioner should

> be responsible for the interests of children at all levels of policy and . . . ensure that current legislation is enhanced and that the current child-care agencies work together in close harmony in the best interests of children.—[*Official Report, Standing Committee A*, 24 May 1994; c. 627.]

The new clause was supported by all child care organisations in Wales and beyond, and by four royal colleges connected with health. Since then, there has been the Waterhouse inquiry. I congratulate the Government on having presented their proposals so promptly.

My new clause relating to the Local Government (Wales) Bill was supported by several Labour Members, and, indeed, by the current First Minister in the Welsh Assembly. It is interesting to note, for historical reasons, that much of the impetus for the creation of the commissioner's post has come from the Assembly, and I have no doubt that it is supported by the First Minister. I am pleased that we have taken this vital step at long last. We need a better understanding of the problems, on an inter-agency basis. "Working Together", the guidance on the Children Act 1989, demanded better inter-agency working, but it has been a while coming. Today's children, obviously, are tomorrow's society, and we owe it to future generations to do all we can to ensure the well-being of society.

I believe that we are striking a blow for our children and for the future, but, as I have said, it has been a long time coming. That is not meant as a criticism of the Government, but there has been a reluctance to recognise the concept of children's rights, as opposed to the Victorian idea that children should be seen and not heard. The establishment of a children's commissioner for Wales was a key recommendation of the recent Waterhouse inquiry into the awful abuse of children in north Wales children's homes and foster care.

I support the amendments tabled by the hon. Member for Bridgend (Mr. Griffiths). I seem to recall that he supported my new clause back in 1994; no doubt he, too, will be pleased that we have reached this stage.

We should pay regard to what the Welsh Assembly has said. It has said that it wants the commissioner to have a wide remit—not simply to deal with complaints, not even to liaise with various agencies, and not even to issue guidelines to local authorities and so on, but to take a role in the forming of policy that affects children.

On 3 July, I received a helpful letter from the Minister explaining some of the purposes of the Government's amendments and new clauses. I shall not give the details of the letter, but I hope that the commissioner will have a wide remit allowing him to deal not only with children in care, but with, for instance, circumstances in which current agencies and even the courts fail in their duties to children. I am thinking of circumstances in which a child's life is affected in any way. This may be a matter of general policy; it may involve a forum in which young people can discuss certain matters. I appreciate the whistleblowing aspect, to which the Minister's letter refers.

I hope that the commissioner will be able to formulate child-friendly policies in both the voluntary and the governmental spheres. I also hope that the establishment of this post will promote equal opportunities for the children of Wales, and that the commissioner will monitor the production of, for example, child impact statements. Much is expected of the commissioner. I hope that the office will live up to its name. I am delighted that it has been set up today, and I pay tribute to the Government for having moved so quickly.

I hope that, with the National Assembly, we shall be able to make a real go of the initiative. I am pleased that it was first considered in the National Assembly. In a way, it is a first for Wales. I hope that the Minister will assure the House that the office will have a broad remit and be able to take into account the important matters included in the amendments tabled by the hon. Member for Bridgend.

2 am

Ms Julie Morgan (Cardiff, North): I intend to be brief in supporting the amendments that have been tabled by my hon. Friend the Member for Bridgend (Mr. Griffiths). I am pleased to speak in support of them because he has an excellent track record in working for children in Wales.

I should like clarification on the points that my hon. Friend has made about whether the commissioner will have the power to make proposals to amend the Bill when it has been enacted, or any other legislation that relates to children in Wales. It is important that the commissioner has a proactive role and is able to make positive suggestions; that must be made clear. It is the Welsh Assembly's intention that the children's commissioner and the office of the children's commissioner should develop, and that the commissioner can promote the interests of all children in Wales, not just the children who are referred to in the legislation. It is important that we make the commissioner's powers as wide as possible in the Bill.

It is important to remember that the commissioner's duties already go way beyond children in care. There is a misconception in Wales that the amendments to the Bill would cover only children in care. We are covering much more: children in day nurseries, the fostering and adoption of children, domiciliary services and all the regulated services. All that goes way beyond children in care.

A voluntary body has expressed concern to me about whether the Welsh commissioner can be an advocate and champion for children as well as an impartial investigator of complaints that arise. I would like the Minister's comments on that. As I see it, the commissioner's office will be able to deal with the wishes and concerns of children in the areas covered in the Bill, which obviously goes far beyond simply investigating complaints. I hope that the Minister will be able to comment on that.

The National Assembly intends the office to go far beyond the impartial office of an ombudsman. One of its main functions should be, and will be—the Assembly wants it to be—to promote and monitor the United Nations convention on the rights of the child, to raise the profile, to improve public attitudes towards children and to be a proactive force in Wales. I should like the Minister's assurance that nothing in the legislation would prevent the Assembly from developing a wider remit for the commissioner and from taking on wider functions, initially, of course, on a non-statutory basis.

The establishment of the commissioner is an important development in Wales. This is one of the first pieces of legislation introduced here that has been requested by the National Assembly, and it is an example of the partnership between Westminster and the Welsh Assembly. I understand that the Assembly plans to involve children in the recruitment and selection of the commissioner. That is giving children a voice in the selection, and it is a tremendous step forward. It is important to remember that the commissioner will not be just one person. There will be an office for the commissioner, with different people who can undertake the different functions that we envisage the commissioner having.

I hope that the Minister will be able to reassure us that the commissioner will have the powers proposed in amendments Nos. 8 and 9, and that further legislation will

[Ms Julie Morgan]

be introduced as soon as possible, in accordance with the wishes of the Assembly, to extend the commissioner's remit on a statutory basis to all children in Wales.

Mr. Hanson: The Government amendments in this group are minor and technical ones, tidying up the provisions for the commissioner.

I very much welcome the comments made by my hon. Friends the Members for Bridgend (Mr. Griffiths) and for Cardiff, North (Ms Morgan), and the generous welcome given to the Government's proposals by the hon. Member for Meirionnydd Nant Conwy (Mr. Llwyd).

The hon. Member for Meirionnydd Nant Conwy and my hon. Friend the Member for Cardiff, North asked about the Bill's development. On 15 February, Waterhouse recommended establishment of the position of a children's commissioner. On 2 March, we stated that we would table relevant amendments. Subsequently, in Committee, we tabled the amendments, and today we are tidying them up.

We shall sympathetically and urgently consider the National Assembly's wish for a wider role. However, I hope that both the hon. Member for Meirionnydd Nant Conwy and my hon. Friend the Member for Cardiff, North can accept that, although we are in discussions with the National Assembly, I cannot pre-empt a future Gracious Speech. Nevertheless, we shall certainly examine the possibility of expanding that role and fulfilling the full potential of the Waterhouse recommendations. I hope that that reassures the hon. Gentleman and my hon. Friend.

Amendments Nos. 8 and 9, which were tabled by my hon. Friend the Member for Bridgend, would include in the Bill a requirement for the children's commissioner in Wales to make recommendations to the Secretary of State or to the Assembly. I hope that I can reassure my hon. Friend that the concepts of reviewing and monitoring such arrangements, and the provision for reports by the commissioner, are intended to encompass the making of such recommendations as his amendments seek to ensure will be made. It is implicit in part V that the commissioner will be able to make the type of recommendations suggested by my hon. Friend. It is therefore not necessary, I hope, for specific provision on the matter to be included in the Bill.

My hon. Friends the Members for Bridgend and for Cardiff, North also mentioned amendments to legislation. They will both be aware that primary legislation remains principally a matter for the Government and the House, whereas devolved secondary legislation is a matter for the National Assembly. I assure my hon. Friends that I am confident that if recommendations are made in reports by the commissioner that relate to changes in either primary or secondary legislation, strong and due consideration will be given to amending that legislation. The commissioner's reports will carry tremendous weight in the matter.

I hope that I have been able to reassure my hon. Friend the Member for Bridgend on both those points, so that he will be able to withdraw his amendment. I genuinely welcome the general points that have been made in this debate, and I look forward to completing the remaining tasks at an appropriate parliamentary opportunity.

Mr. Win Griffiths: I thank my hon. Friend the Minister for that very positive response to this short debate. I am sure that the words that will appear in *Hansard* will give great reassurance to everyone who works with children in Wales, both on the commissioner's specific power to recommend changes to primary and secondary legislation, and on development of the commissioner's role. I therefore beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 78

AMENDMENT OF CHILDREN ACT 1989

Mr. Hammond: I beg to move amendment No. 45, in page 40, line 1, leave out subsection (8).

Mr. Deputy Speaker (Sir Alan Haselhurst): With this it will be convenient to discuss the following amendments: No. 13, in page 40, line 6, leave out from "is" to end of line 9 and insert—

'any person, authority or agency (referred to in this Part as the Registrar) prescribed by the Secretary of State, and reference to the Registrar's area are references to England.'.

No. 4, in page 40, line 20, leave out "regular contact with" and insert "proximity to".

Government amendment No. 68.

No. 5, in page 40, line 37, leave out "regular contact with" and insert "proximity to".

No. 7, in page 40, line 48, leave out from beginning to end of line 5 on page 41.

No. 14, in page 41, line 20, leave out "Chief Inspector" and insert "Registrar".

No. 6, in page 41, line 31, leave out "regular contact with" and insert "proximity to".

No. 15, in page 41, line 44, leave out "Chief Inspector" and insert "Registrar".

No. 16, in page 42, line 2, leave out "Chief Inspector" and insert "Registrar".

No. 17, in page 42, line 25, leave out "Chief Inspector" and insert "Registrar".

Government amendments Nos. 69 to 71.

No. 18, in page 46, line 36, leave out "Chief Inspector" and insert "Registrar".

No. 19, in page 46, line 41, leave out "Chief Inspector" and insert "Registrar".

No. 20, in page 47, line 1, leave out "Chief Inspector" and insert "Registrar".

No. 21, in page 47, line 6, leave out "Chief Inspector" and insert "Registrar".

No. 22, in page 47, line 9, leave out "Chief Inspector" and insert "Registrar".

No. 23, in page 47, line 12, leave out "the Chief Inspector" and insert—

'Her Majesty's Chief Inspector of Schools in England'.

No. 24, in page 47, line 15, leave out "Chief Inspector's" and insert "Registrar's".

No. 25, in page 47, line 21, leave out "Chief Inspector" and insert "Registrar".

No. 26, in page 48, line 7, leave out "Chief Inspector" and insert "Registrar".

No. 27, in page 48, line 13, leave out "Chief Inspector" and insert "Registrar".

No. 28, in page 48, line 16, leave out "Chief Inspector" and insert "Registrar".

No. 29, in page 48, line 35, leave out "Chief Inspector" and insert "Registrar".

No. 30, in page 48, line 37, leave out "Chief Inspector" and insert "Registrar".

Government amendment No. 72.

Mr. Hammond: I hope that all the Welsh Members present will not leave the Chamber, because the regulations that we are debating apply in both England and Wales, and there are some important issues to be addressed.

I should like, first, to deal with the Government amendments in this group—amendments Nos. 68, 69, 70 and 71—which were tabled to address issues raised by the Opposition in Committee. My notes say that I should express gratitude to the Government for doing that. However, as I have already done that several times today, I am beginning to wonder whether the Government should not be expressing gratitude to us for tidying up the sloppy drafting of their legislation for them. Either way, we have worked together to ensure that the Bill is tidier, more explicit and, we hope, better than when we started.

Amendment No. 45 seeks to delete clause 78(8). Clause 78 is a long and complex clause introducing a number of new sections into the Children Act 1989. The amendment would remove subsection (8) of the proposed new section 79A to the 1989 Act.

The proposed new section provides for the registration of child minders, who are defined by the Bill as people who look after children in their own homes—that is, the home of the person minding the children. It specifically excludes people who come to the parents' home to look after their children—in other words, nannies, babysitters and so on. So far so good—but on the basis that it is the intention not to interfere with what the Under-Secretary of State for Education and Employment, the hon. Member for Barking (Ms Hodge), described as certain informal arrangements, subsection (8) excludes any child minding between the hours of 6 pm and 2 am. Those hours are disregarded in determining whether or not a person is required to be registered as a child minder under the Bill.

I probed the matter in Committee and the Under-Secretary replied to the points that I raised. I am sorry that she is not here this evening. I am sure that the Under-Secretary of State for Wales, who seems to be a multi-purpose Minister, practising joined-up government by dealing with child minding as well as Welsh affairs, will be well briefed on what the hon. Lady said in Committee.

I have just noticed what appears to be a misprint in the Bill, which refers to

any time between 2 am and 6 pm

I am pretty certain that the Bill should refer to any time between 6 pm and 2 am; even at this hour we still have our wits about us. The only reasoning that the hon. Lady was able to adduce in support of the decision to exclude child minding between the hours of 6 pm and 2 am was that she used to leave her children with a neighbour and pay her neighbour some pocket money as a reward. That is the informal arrangement that the Under-Secretary did not want to include within the scope of the Bill. How informal that arrangement was in terms of whether the Chancellor of the Exchequer benefited from the reward that was given is a subject for discussion on another day.

If a child is looked after between 9 am and 5 pm, that must be regulated child minding. The person who looks after the child has to be registered; the premises in which they do the looking after have to be inspected and they have to meet requirements governing the suitability of the premises and anyone who may be there—husbands, boy friends, lodgers or whoever. If a child is looked after in the same place between 6 pm and 2 am, however, the person doing the looking after is not required to be registered. The premises are not required to be inspected and there are no requirements as to the suitability of other people who may be on the premises.

I am not an expert on child abuse, but it is pretty much common sense that a child being looked after in someone else's home is likely to be at more risk during the evening than during the day. The Minister will correct me if I am wrong, but the evidence points to alcohol being a factor in the physical abuse of children. I would guess that the sort of people who might be undesirable to have around when young children are being looked after by a child minder are more likely to be present in the evening than during the day. I can see no justification beyond expediency for the exclusion that the Bill proposes.

2.15 am

I am not sure that I am entirely comfortable with the Bill's regime for regulating child minding. The question of exclusion of care in the parents' home strikes me as an anomaly, but I accept that practical difficulties mean that the line has to be drawn somewhere. However, regulations require some consistency, and proposed new section 79(8) must go. The message that it sends out is that places where middle-class parents who work conventional nine-to-five hours leave their children must be regulated, to reassure those parents. In contrast, parents who work evening shifts and who have to leave their children with child minders between 6 and 10 pm—

Mr. Stephen Pound (Ealing, North): That is us.

Mr. Hammond: No, the hon. Gentleman is wrong. It is now 2.16 am. Under the Bill, we would fall within the regulated period of time. However, if the hon. Gentleman were to collect his child at 1.58 am, the person looking after the child would not be required to register as a child minder. That is absurd. Parents working shifts need people to look after their children in the evenings. They will find that those people are not required, under the Bill, to be registered and regulated.

That is a clear anomaly. It is based on nothing more substantial than the personal experience of the Under-Secretary of State for Education and Employment, who told the Committee that she used to leave her children with a neighbour—a revelation that made hon. Members in the Committee feel uncomfortable, regardless of party. The hon. Member for Don Valley (Caroline Flint) had something to say about the proposal on behalf of parents working shifts.

[Mr. Hammond]

The distinction is absurd and unacceptable. It rests on expediency alone and creates an unacceptably uneven playing field between children cared for at different times of day. It would mean that arrangements for children cared for by child minders at the times of most risk would be unregulated, whereas those governing children cared for in the mornings and afternoons would be regulated.

That would be highly unsatisfactory, and even the Under-Secretary was hard put it to defend it in Committee. I hope that the Minister has considered the matter and that he has some good news for us.

Finally, I assume that the Minister will correct the erroneous transposition of 2 am and 6 pm in the Bill before it proceeds to the Lords. I should be grateful if he would confirm that.

Dr. Brand: First, I wish to indicate the support of my party for the comments of the hon. Member for Runnymede and Weybridge (Mr. Hammond). The specific importance of treating child minding performed later in the day in the same way as that performed in daylight hours stems from the benefit payments and tax credits that may be available to working families. It seems iniquitous that registered child-minding facilities should be available during the day but not at night, when there is no requirement for child minders to be registered. The resulting unfairness will be hard on shift workers and those who work irregular hours.

I shall not speak to every one of our amendments, because there are rather a lot of them. The Minister will recognise our main amendment because it mirrors exactly a Government amendment that was brought forward in Committee in relation to the registration function in Wales. The initial amendment specified an education inspector for this part of the Bill. After a lot more discussion and consultation in the Principality, it was decided that it would be safer to have the flexibility of having a registrar or a registering authority rather than specifying a particular agency other than the Assembly.

It is too late in the day for us to rehearse a lot of the arguments. Many of my colleagues think that Ofsted is not the right agency for the regulation of child minding and day care—and not only because its track record as an agency suggests that it is not supportive of vulnerable establishments. Given the fear that Ofsted manages to engender in quite large schools, I wonder what effect it will have on vulnerable child minders. However, I will leave that aside.

There is an important philosophical issue here. I see child care and day care as a social care rather than an educational issue. One must be careful not to allow the educational umbrella to spread too wide. Having said that, we clearly lost that argument in the turf wars between the Department of Health and the Department for Education and Employment. One must accept that the Government are intent that Ofsted will carry out this very important work.

I accept that the Government have every right to do that. However, I have some problem as to whether they are wise to put that in the Bill. There is a very interesting example in amendment No. 72. In the past three weeks, the Government have felt it necessary to change in the Bill the title of the person carrying out a particular piece of work, presumably because the job title has changed in those three weeks. Does that now mean that that individual's job can never be retitled because primary legislation might be needed for him or her to carry on with the same work? If so, it is ridiculous.

I invite the Government to think again about whether it is sensible to tie themselves, in primary legislation, to one particular organisation and, indeed, one particular post. It would be extremely difficult. The only sanction that the Government would have if they did not get on with their chief inspector of schools—who may be excellent at inspecting schools but useless at regulating child minding and day care—is to sack the individual, rather than saying, "If we don't get it right, we will transfer your service over to another agency."

At times, we ask the Government to be too prescriptive in their Bills. Their response is that we should not tie their hands but give them the flexibility so that another round of primary legislation is not necessary if they need to change things by regulation. I invite the Government to give themselves the opportunity to revisit a decision that they have made today. I hope, for the sake of the children about whom we are talking, that they do not have to revisit their decision, but it would be a tremendous shame if that could not be done because of a lack of legislative time or parliamentary procedure.

Mr. Hanson: As the hon. Member for Runnymede and Weybridge (Mr. Hammond) acknowledged, the Government amendments were tabled in response to representations made to us in the Standing Committee. I hope that shows that we are a listening Government and that co-operation in Committee can serve a valuable and interesting function.

The hon. Gentleman was concerned about a possible misprint. My reading is correct. There is an explanation, and to save time, I shall write to him about the matter. I assure him that the Bill is correct, but, for clarity, I shall write to him.

The main thrust of the hon. Gentleman's amendment is that there should be regulation for child care at all hours, whether at home or elsewhere. The issue is simple; it boils down to whether the Government should deal with such matters, or whether parents should decide which of their friends or neighbours they leave their children with for the evening. Should that be a judgment for the Government or for parents?

As we made clear in Committee, the purpose of the exemption is to avoid the regulation of informal care arrangements. The Government understand that such care is most likely to be provided during the specified hours. Any reduction would only cause more informal arrangements to be caught within the remit of the regulations. I am sure that the Conservatives do not want more opportunities for regulation on matters such as child care. An important principle is involved.

The proposal to lift the exemption would bring within the scope of registration anyone who babysits in their own home in the evening for reward. We held significant discussions of that matter in Committee. It was emphasised that informal arrangements are outside regulation and the Government believe that parents should be responsible for them. Although we accept that there may be some concerns, it would be difficult to regulate such child care—we would be intruding on parents' private arrangements. The hon. Member for Runnymede and Weybridge may disagree with that. In essence, I reiterate the points made in Committee.

The hon. Member for Isle of Wight (Dr. Brand) raised several important issues. There are differences between the arrangements in England and Wales.

Dr. Brand: Before the Minister deals with my amendment, will he address the issue of benefit payments to working parents for child care? Will he discuss that matter with his colleagues in other Departments? If he is saying that child care does not have to be provided by a registered child carer during the specified hours, is it possible for parents to claim tax benefits for unregistered child care? It is vital that we treat workers equally, irrespective of the time of day at which they work.

Mr. Hanson: I shall look into that matter and discuss it with my colleagues. The question is about parental choice at that time of the evening and whether we should intrude by introducing regulation to cover that time. The Government judged that we needed to draw a line and we have done so, as we explained in Committee. However, I shall respond to the hon. Gentleman when I have discussed the matter with the appropriate ministerial colleagues.

As the hon. Gentleman is aware there are differences between England and Wales on these matters; they were well rehearsed in detailed discussions in Committee. The amendment would certainly offer the possibility of removing responsibilities from Ofsted in England. I can reassure the hon. Gentleman that, given Ofsted's track record on taking on new work, he need not be quite so anxious as he appears to be. It is appropriate that such a fundamental decision should be taken through secondary legislation. The matter is important; it is for the House to consider. That is why the provision is in the Bill. We have discussed the arrangements in detail.

Dr. Brand: Will the Minister give way?

2.30 am

Mr. Hanson: No, because I want to finish my point. We had considerable discussion in many sittings in Committee on the roles and responsibilities of Ofsted and on the position in Wales. The Government have made it clear that the Bill will give Ofsted the responsibility for the sector that we are discussing. The matter has been discussed and the changes to be made are a matter for secondary legislation in due course. I urge the hon. Gentleman to reflect on that and to take the opportunity to see how the provision operates. At some point, we can return to it in future.

Mr. Hammond: I was not sure to which amendment the Minister was speaking, but it was not to amendment No. 45.

I have now recovered my wits and the Minister has no need to write to me about the times. I see that the provision is framed in the negative, and I understand that the excluded hours are between 6 pm and 2 am.

I am disappointed that the Minister has not taken the opportunity to remove an illogicality from the Bill. My amendment offered one more lifeline to the Government to try to remove a banana skin and a provision that is likely to rebound on them in the not too distant future. He said that a line has to be drawn somewhere and that the Government were anxious not to impose additional regulation in respect of early-evening arrangements undertaken by child minders. Equally logically, however, he could have said that the Government had therefore decided that it was not appropriate for exactly the same child-minding arrangement to be regulated if it took place in the afternoon or in the morning.

The amendment was an attempt to resolve an obvious anomaly in the Bill, which had been identified and commented on by hon. Members on both sides of the Committee. It is clear that the Government do not wish to take the opportunity to resolve it, so I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 68, in page 40, line 34, leave out "and every prescribed person".

No. 69, in page 44, line 36, leave out "The regulations may make" and insert—

'Any regulations made under this section shall include'.

No. 70, in page 44, line 36, leave out "for".

No. 71, in page 45, line 35, at end insert—

'( ) Where an order has been so made, the registration authority shall, as soon as is reasonably practicable after the making of the order, notify the local authority in whose area the person concerned acts or acted as a child minder, or provides or provided day care, of the making of the order.'.

No. 72, in page 52, line 26, leave out—

'the Chief Inspector of Schools'

and insert—

'Her Majesty's Chief Inspector of Education and Training'.—*[Mr. Mike Hall.]*

Clause 79

BASIC DEFINITIONS

Amendment made: No. 73, in page 53, line 22, after "clinic" insert ", independent medical agency".—*[Ms Stuart.]*

Clause 91

PERSONS REFERRED FOR INCLUSION IN LIST UNDER PROTECTION OF CHILDREN ACT 1999

Amendment made: No. 74, in page 61, line 22, leave out "or 2A" and insert ", 2A or 2D".—*[Ms Stuart.]*

Clause 98

TRANSFER FROM CONSULTANCY SERVICE INDEX OF INDIVIDUALS NAMED IN PAST INQUIRIES

Amendments made: No. 75, in page 67, line 8, at end insert—

'and in paragraph (a), for "this section" there shall be substituted "section 1 above"'.

No. 76, in page 67, line 22, leave out "this section" and insert "section 1 above".—*[Ms Stuart.]*

Clause 103

SUITABILITY TO ADOPT A CHILD: SEARCHES OF LISTS

Amendments made: No. 77, in page 70, line 22, at beginning insert—

'( ) The Police Act 1997 shall be amended as follows.'

No. 78, in page 70, line 22, leave out—

'113(3A) of the Police Act 1997'

and insert "113 (criminal record certificates)—

( ) in subsection (3A)'.

No. 79, in page 70, line 23, at end insert—

'and

( ) After subsection (3D) (inserted by section 89) there shall be inserted—

"(3E) The references in subsections (3A) and (3C) to suitability to be employed, supplied to work, found work or given work in a position falling within subsection (3B) or (3D) include references to suitability to be registered—

(a) under Part II of the Care Standards Act 2000 (establishments and agencies);

(b) under Part IV of that Act (social care workers); or

(c) for child minding or providing day care under Part XA of the Children Act 1989, or under section 71 of that Act or Article 118 of the Children (Northern Ireland) Order 1995 (child minding and day care)."

( ) In section 115 (enhanced criminal record certificates)—

(a) in subsection (5)—

(i) after paragraph (e) there shall be inserted—

"(ea) registration under Part II of the Care Standards Act 2000 (establishments and agencies);

(eb) registration under [illegible] IV of that Act (social care workers);" and

(ii) after paragraph (g) there shall be inserted—

"(h) a decision made by an adoption agency within the meaning of section 11 of the Adoption Act 1976 as to a person's suitability to adopt a child." and

(b) in subsection (6A), after "113," there shall be inserted "or his suitability to adopt a child,".'.—*[Ms Stuart.]*

Remaining Government amendments agreed to.

Order for Third Reading read.

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Ms Stuart.]*

2.33 am

Mr. Hammond: The lateness of the hour clearly calls for brevity, but it would not do justice to the process that the Bill has undergone if I did not make one or two comments.

I would not like the length of this evening's proceedings and the fact that the opposition parties—ourselves and the Liberal Democrats—have felt the need to raise further issues to obscure the fact that, by and large, the Bill has passed through the House with a fairly strong spirit of consensus behind it. Some difficulties have been identified with specific matters of implementation, but the principles behind the Bill are supported on both sides of the House. I would like to place that fact once more on the record.

The Bill is not perfect, but the substantial dependence on regulations to make it work, which was one of our significant concerns during earlier stages of its consideration, now becomes a strength. We have not finished with the Bill because, in the coming months, and perhaps years, the Government will issue a stream of regulations that will put the meat on its bones. We will be looking to engage constructively with the Government to ensure that it becomes proper, working legislation.

I shall certainly be taking up the offer that the Minister of State, Department of Health, the hon. Member for Barrow and Furness (Mr. Hutton), has extended to myself and Liberal Democrat representatives to participate in the consultation process on standards and regulations. In that way, I hope that we will be able to ensure that the legislation is workable and robust.

I cannot speak for my noble Friends and other noble Lords who may take a different view of the substantial changes that have been made to the Bill since it came from the other place. It started life there, and I know that several noble Lords have a sense of ownership towards it. It may yet be possible that we in this place will see it again—who knows what will happen when it returns to the other place?

The Minister of State is not present, probably because he is preparing for a Standing Committee early in the morning. He has dealt with the issues that we have raised and the dozens, or perhaps hundreds, of amendments that we have tabled with great diligence, courtesy and good humour throughout. Sometimes, I sense, his patience has been sorely tested, but he has never allowed that to show, or at least not very often.

Although it may not always seem like it to the Minister, the points of difference between him and us are relatively small. The main difference is that, from where he is sitting, he can afford to take a much more relaxed view of the use of secondary legislation than we can. Perhaps if I were doing his job, I would be able to take that relaxed view too. [HON. MEMBERS: "Dream on."] Well, in time.

I end by congratulating the Minister on getting his Bill through the House. I hope that whatever disagreements there have been along the way, we can all work together to try to ensure that, as the regulations are drafted and adopted, we have robust and workable legislation that will achieve the objective that we all share, which is to improve the quality of care to some of the most vulnerable people in our society.

2.37 am

Mr. Burstow: I wish to associate myself and my hon. Friend the Member for Isle of Wight (Dr. Brand) with the comments that the hon. Member for Runnymede and Weybridge (Mr. Hammond) has just made about the Minister of State and the way in which he has conducted the Government's part in Committee, and I extend that to other Ministers who took part in the Committee's deliberations. I think that it is appropriate to single out the Minister of State because he had to carry the larger burden in dealing with the Bill.

The Bill is very important and, although 2.38 in the morning may not be the time to trumpet that fact, it is worth putting on the record our feeling that introducing this regime for regulating and inspecting a host of care settings is a vast improvement on what has gone before. The previous system was a hotch-potch and did not give adequate safeguards to vulnerable people, and the Government are to be applauded for putting in place a regime that goes a long way to doing just that.

There are still gaps, and I hope that, when their lordships consider what we have done in this place, they will feel that there is still more that can be done to improve the Bill. Hon. Members on both sides of the House want to ensure that vulnerable people, including the elderly and children, are given the safety, security and standards of care that we would want for our own parents and children and for ourselves.

The Bill should receive a Third Reading; it is a good Bill, and it deserves our support.

Question put and agreed to.

Bill accordingly read the Third time, and passed, with amendments.

WELSH GRAND COMMITTEE

Motion made and Question put forthwith, pursuant to Standing Order No. 108 (Welsh Grand Committee (sittings)),

That the Welsh Grand Committee shall meet on Wednesday 19th July at half-past Ten o'clock at Westminster.—*[Mr. Mike Hall.]*

Question agreed to.

DELEGATED LEGISLATION

Motion made and Question put forthwith, pursuant to Standing Order No 118 (6) (Standing Committees on Delegated Legislation),

IMMIGRATION

That the draft Special Immigration Appeals Commission (Procedure) (Amendment) Rules 2000, which were laid before this House on 27th June, be approved.—*[Mr. Mike Hall.]*

Question agreed to.

FOOTBALL (DISORDER) BILL

Ordered,

That, if a Bill entitled the Football (Disorder) Bill is presented and read the first time, notices of Amendments, new Clauses and new Schedules to be moved in Committee in respect of the Bill may be accepted by the Clerks at the Table before it has been read a second time.—*[Mr. Mike Hall.]*

DATA PROTECTION

Motion made,

That the Motion in the name of Mr. Secretary Straw relating to the salary of the Data Protection Commissioner shall be treated as if it related to an instrument subject to the provisions of Standing Order No. 118 (Standing Committees on Delegated Legislation) in respect of which notice has been given that the instrument be approved.—*[Mr. Mike Hall.]*

Hon. Members: Object.

Default Judgments

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mike Hall.]*

2.40 am

Mrs. Anne Campbell (Cambridge): I am pleased to have this opportunity to raise the case of my constituent, Derek Birch, and to tell the House how he has been disadvantaged and prevented from seeking justice because of the way in which the law on default judgments is currently framed; he now faces ruin, with payment of all costs. I shall begin by filling in the background to the case. I should make it clear that I do not expect my hon. Friend the Minister to comment on an individual case. I raise Mr. Birch's case to illustrate a specific point in law that my hon. Friend might want to reconsider in the light of events.

Mr. Birch has a lifelong dream of owning a horse, and he has a passionate and consuming interest in dressage and drag hunting. In early 1996, his trainer, Angela Niemayer, told him that she had found just the horse for him and strongly urged him to inspect the horse—Waltrap—at the Russian Horse Society in Epsom. Mr. Birch made it plain that he was looking for a horse trained in and skilled at dressage. He was told that the previous owner, a Cambridge lawyer, Mr. Duncan Samuel, was too busy to ride the horse himself.

Susan Hodges, a friend of Mr. Birch, accompanied him when he inspected the horse. The woman from the RHS who sold him the horse is called Mrs. Lansley, and Mr. Ron Meddes, a director of the RHS, was also present. According to Miss Hodges, Mrs. Lansley understood very well that Mr. Birch was looking for a dressage horse and she went to some lengths to convince both Mr. Birch and Miss Hodges that Waltrap would be entirely and eminently suitable for Mr. Birch's purposes.

In 1996, Mr. Heathcote, a veterinary practitioner, examined Waltrap for the purpose of ascertaining the horse's suitability for Mr. Birch's purposes. The horse was passed fit for

> Riding club/competition/medium level dressage/drag hounds mount.

Letters from Mr. Heathcote confirmed that he discussed Mr. Birch's needs at length with the RHS, especially with Mrs. Lansley. In August 1996, Mr. Birch entered a contract with Duncan Samuel and/or the RHS for the purchase of the horse for £5,500. His cheque paying for the horse was made payable to Regine Lansley of the Russian Horse Society. The horse's previous owner, Mr. Samuel, was company secretary to the society at the time of the sale.

Unfortunately for my constituent, it transpired that five months prior to the sale, in March 1996, the horse had been diagnosed as osteoarthritic, osteochondritic and a false rig. I understand that the latter term applies to a horse that is castrated late and badly, which can make the horse dangerous and often results in the horse having to be destroyed. Mr. Alan Heath, a veterinary surgeon employed by Mr. Duncan Samuel, made the diagnosis, but that was, of course, not revealed to my constituent until some time later. The revelation took the form of a statement made by Mr. Heath to Surrey trading standards officers.

[Mrs. Anne Campbell]

Waltrap was clearly not worth £5,500 and was not at all suitable for drag hunting or dressage. There is evidence suggesting that, under Mr. Samuel's ownership, the horse had never been formally schooled; it had never attended formal instruction, never hunted and never hacked, nor even left the yard. Mrs. Niemayer, who had recommended to Mr. Birch that he should buy the horse, later admitted that she had received a commission on the sale, although she refused to disclose how much she had been paid.

According to both counsel and solicitors, that would appear to prove that the vendor and his agent knew at the time of the sale that the horse was unsound and unsuitable for Mr. Birch's purposes. However, no mention was made of the conditions from which the horse was suffering. It should be made clear that the conditions do not necessarily give rise to continuous symptoms and that they are quite likely to escape detection during an inspection, especially if the horse has been doctored. There is evidence to show that Waltrap had been diagnosed and treated with a palliative drug of long-term effect while it was still in Mr. Samuel's ownership.

I know little about horses, but I am told that the degenerative joint diseases with which the horse had been diagnosed are progressive and incurable. The treatment that had been given to the horse did nothing and could do nothing to stop or slow down the progress of the disease. However, the drug that was administered made it difficult for even a qualified vet to diagnose the condition.

Following the discovery that Waltrap was unsuitable for the purpose for which he had been purchased, my constituent complained to the trading standards officers in Cambridge. They referred the complaint to Surrey trading standards officers, as that was where the Russian Horse Society was based.

Following a lengthy investigation, Surrey trading standards officers decided not to prosecute. The reasons for that were interesting in the circumstances. A letter from Mr. Ray Tapping, the legal manager of Surrey trading standards—I think that he still is—to Mr. Birch in June 1999 indicated that, in the absence of interviews with Mrs. Lansley and Mr. Meddes, and evidence from Mrs. Niemayer, there were too many questions and doubts.

Those potential witnesses had exercised their right to remain silent, so making it difficult for Surrey trading standards officers to investigate Mr. Birch's allegations properly. Mr. Birch is disappointed that the lengthy negotiations with Surrey trading standards officers led nowhere, and he is still keen that they should resume their investigations and commence proceedings under the Trade Descriptions Act 1968.

Mr. Tapping also advised that that best venue for deciding the matter was the civil courts, and indicated that he would be willing to release the evidence obtained by the Surrey trading standards investigating officer, subject to the necessary witness order by a court.

That is what happened, and after proceedings were issued, an attempt was made to dissolve the Russian Horse Society, which had transformed itself into Russian Horses Ltd. in August 1998. That was obviously done to escape the civil proceedings which Mr. Birch had commenced against it. However, he managed successfully to avert that action by contacting Companies House. It is worth mentioning that the company is also known as Alex Crown Ltd., Eurovet Ltd., Anglo-Russian Export Ltd. and possibly other names as well. Mr. Birch's solicitors issued proceedings in September 1998 against three defendants—Duncan Samuel, the Russian Horse Society and Angela Niemayer Eastwood.

Judge Blomfield sat in judgment on the case. He said that he would like the action to be tried on its merits because it seemed clear that there were triable issues against Samuel, but he could not allow the case to be brought. There had been an election to pursue the second defendant. That choice was a bad one, as that defendant, the Russian Horse Society, had no assets as by that time they had been transferred to one of its sister companies, Eurovet Ltd. That defendant was therefore incapable of meeting a claim for compensation, however justified that would have turned out to be.

Under the provisions of the civil procedure rules, part 13.3(1)(b), the judge had the discretion to set aside the default judgment against the second defendant and had he done so, Mr. Birch's lawyers would then have been able to pursue the other defendants in the case. However, it was obviously a tactical error to choose the second defendant rather than the first. The judge said that the only reason for setting that default judgment aside was to enable the first defendant to be pursued. He said that he was persuaded that, if he did so, it would run counter to the underlying ethos of the Woolf reforms. It would also have the effect of prolonging litigation and adding uncertainty where Woolf seeks to provide a greater degree of certainty and clarity.

Unfortunately for my constituent, therefore, the judge had to strike out the case not only against the Russian Horse Society, but against the other defendants as well. Under part 13 of the new civil procedure rules, that also means that no other defendant could be tried. My constituent is therefore unable to seek redress for the expenses that he has incurred.

It is clear that my constituent has been badly advised by his solicitors in electing to pursue the Russian Horse Society. One course of action is open to him—to sue his solicitors for failing to check that the Russian Horse Society or Russian Horses Ltd., now Eurovet, was still a going concern, and for failing to warn him of the consequences of electing that defendant.

Mr. Birch finds it somewhat ironic that had he been a litigant in person, the court would have been duty bound to warn him of the consequences of the action that he pursued. Unfortunately, he now has no resources left to pursue his claim against his previous solicitors. He owes many thousands of pounds in court costs and is a long way from finding the justice that he deserves.

The purpose of this Adjournment debate is to ask my hon. Friend to look again at the procedure in default judgments in the light of this unfortunate case. Will he see whether the rules for discretion could be widened to allow a judge to set aside a default judgment when he feels that there is clearly an action that should be tried, as in this case?

I am well aware that if my hon. Friend can accede to this request, it will unfortunately not help Mr. Birch. However, there are several ways in which he could be helped. One would be for Surrey trading standards officers to re-open their investigation against the Russian

Horse Society and Duncan Samuel. I know that that is not likely at present, but if new evidence emerges, I hope that they will be encouraged to do so.

There have been allegations that witnesses have complained of threats and intimidation from Samuel. The Office for the Supervision of Solicitors has been asked to investigate, and Mr. Birch has submitted copies of letters from witnesses. However, the response has not been encouraging, and the OSS says that it will take some time to allocate a caseworker to the case. It is clear to me and to many other people that self-regulation of the legal profession is not working well at present, and that there needs to be another body to which people can complain.

I hope that my hon. Friend will be able to respond in a way that recognises the truly awful situation of my constituent, Derek Birch, and offers him some hope of a full investigation. I also ask my hon. Friend to consider whether there is a case for revising the guidelines concerning the new civil procedure rules in the light of this case.

2.52 am

The Parliamentary Secretary, Lord Chancellor's Department (Mr. David Lock): As my hon. Friend the Member for Cambridge (Mrs. Campbell) acknowledges, I must respond to the debate with some delicacy in the light of the particular case that is before the court. I cannot comment on the circumstances or intervene in an individual case, and it would not be right or proper for me to do so, particularly as that case may be the subject of appeal or enforcement proceedings hereafter. Nothing that I say should be taken to express any view on the facts of the case, which I get only from my hon. Friend's observations.

I have considerable sympathy for anyone who brings a case before the court and is unhappy with the result. The role of the courts, however, is to adjudicate cases on the evidence before them and on the course of action presented by those facts, not to advise claimants or suggest other avenues of action for them to explore. That would be incompatible with the principle of judicial independence and the duty of the judge to remain strictly impartial as between the parties before him.

Default judgments in the civil courts, which my hon. Friend mentioned, have been available for many years. They are an important feature of the civil justice system. They enable claimants to obtain a judgment for money due to them in a relatively simple and easy way, while providing important safeguards for defendants. In essence, the process seeks to balance the needs of the parties in a proportionate manner, while dealing with cases justly.

I have listened carefully to my hon. Friend, but must tell her that the Government have no plans to reform the law on default judgments, not least because Lord Woolf's substantial review of the civil justice system considered the issue only recently. For reasons I shall detail shortly, the issue that my hon. Friend is concerned with relates not so much to default judgments as to agency.

Prior to the review, default judgments were available in the High Court and the county court, although the procedures differed slightly. In the High Court, judgment was available for both default of acknowledgement of service and default of defence. In the county courts there was no acknowledgement of service, so there was scope for judgment only in default of defence.

Following the review, and as part of the civil justice reforms brought into effect in April 1999, unified civil procedure rules were introduced for the High Court and the county courts, including those covering default judgments. It might be helpful if I explain the default judgment procedure.

An admission, an acknowledgement of service or a defence must be filed by a defendant within 14 days of the service of the particulars of claim. Where an acknowledgement of service is filed, defendants have 28 days to file a defence. If a defendant fails to comply with those requirements, the claimant can, in the majority of cases, request or apply for a default judgment for a specific sum.

A default judgment is a devolved administrative act that requires no judicial input. It requires staff to check that there has been no reply as indicated in the claimant's request, and that the time for doing so, calculated from the date of service, has expired. Nor is there any issue about costs for judicial decision, as costs are fixed by rule according to the amount claimed. The claimant is required to tell the court of any payment that would reduce the amount claimed so that the defendant is not disadvantaged where a payment may cross in the post with the service of the claim form.

In cases where the claim is unspecified there is a clear need for judicial intervention, and the rules provide for that. That is the important distinction between claims for specified and unspecified amounts. On receipt of the request for application and providing the relevant conditions have been satisfied, judgment may be entered in default. A judgment may be for the full amount, for an amount to be decided by the court, for costs only or for specified amounts at specified periods. An interest claim from the date of the judgment may be included in certain circumstances.

Certain safeguards for defendants are built into the system. Defendants who feel they need more time to prepare their defence may be able to agree that with the claimant or may ask the court for an extension. Defendants who fail to acknowledge service or provide a defence will be aware of the implications. Notes for defendants that accompany the claim make it clear that failure to reply may result in a judgment being entered against the defendant.

If claimants subsequently become aware that a defendant had not received the particulars of claim when judgment was entered, they must ask the court to set aside the judgment or ask the court for directions. The claimant cannot seek to enforce a judgment until either the application to set aside or the application for directions has been disposed of.

That summarises the current law concerning default judgments. As I have said, I am not able to comment on the case referred to by my hon. Friend, but cases of this type can sometimes turn on the question whether an agent is sued rather than the real owner of goods—in law referred to as the principal. The law on agency in this context is not straightforward or always clear, but put broadly—I risk the danger of oversimplification; this may not be appropriate to the case of my hon. Friend's constituent—where a person has entered into a contract through an agent, whether he knew of the existence of the

[Mr. David Lock]

principal or otherwise, and where he obtains a judgment against that agent, he may not later sue the principal in relation to the same matter.

In addition, where a person elects to sue an agent and not a principal, although he knew at the time when the contract was made who the real principal was, or discovered it later, he again may not sue the principal in relation to the same matter. The question whether such an election has taken place is one of fact and depends on the circumstances of the particular case.

The fact that a judgment has been made against a company with no apparent assets does not mean that it is without effect. The company may well have assets in the form of claims against directors or other persons associated with it, or against linked companies if, for example, the directors have acted in breach of their fiduciary duty to the company at or about the time when assets are moved in relation to transactions involving the company or in any other related way. Therefore, a company that, on the face of it, has no assets, may none the less be a valuable entity that, through one mechanism or another, may provide a vehicle for enforcing a judgment, including any judgment for costs obtained in an action. That is obviously a matter on which my hon. Friend's constituent would have to seek advice, and I offer those remarks merely by way of guidance.

My hon. Friend referred to the conduct of solicitors. As she accepted, that is a matter for their professional body, the Law Society. Solicitors are members of an independent and self-regulating profession, and the Lord Chancellor, his Ministers and officials cannot intervene in specific cases or comment on complaints about members of the legal profession. The Law Society has the responsibility in the first instance to ensure that solicitors observe proper standards of behaviour when dealing with their clients, other solicitors and the courts.

The Office for the Supervision of Solicitors is a separate organisation set up by the Law Society to handle complaints against its members. The Law Society, through the office, investigates complaints of inadequate professional service and professional misconduct. Allegations of negligence will be reviewed by the office, which, as it cannot give legal advice, has set up a panel of independent solicitors to which such allegations may be referred. The panel solicitors will advise the complainant on whether a solicitor has been negligent and, if so, what action can be pursued. It is thereafter a decision for the complainant as to how to pursue the matter.

As my hon. Friend said, there are certain problems with the operation of the Office for the Supervision of Solicitors, but there is some indication of a commitment by the Law Society to solve them. I was heartened by the approach taken by the newly elected president of the Law Society, Mr. Michael Napier, immediately on his election. He stressed that sorting out the complaints system and improving the quality of client care are high priorities for his presidential year. I am sure that my hon. Friend will join me in welcoming that important statement. There must be a step change in the standard of client care by solicitors.

There is also a backlog and problems with quality at the Office for the Supervision of Solicitors. Both are being tackled, but, as I am afraid the report from the legal services ombudsman released earlier this week shows, there is still a very long way to go before we can be confident that the Law Society, through the office, has a properly functioning complaints procedure. However, in cases where it has established that a client has received inadequate professional service, the office can award compensation of up to £5,000. That issue was raised by my noble Friend the Lord Chancellor earlier this year.

I have considerable sympathy for Mr. Birch and his predicament, and appreciate that he will have to seek further legal advice if he wishes to pursue the matter. However, I can tell my hon. Friend only that, since May, all actions, with the exception of family cases, can be pursued by solicitors on a no win, no fee basis on what is called a conditional fee arrangement. If her constituent has a good case to pursue against the people who left him in this unfortunate situation, I am confident that he will be able to find a solicitor who will back his or her judgment, enter into a no win, no fee agreement and therefore perhaps provide him with an avenue for justice. However, he must pursue that matter and find his own lawyer, who will act wholly independently of the Government, as is right.

Default judgments are not the core of the problem that my hon. Friend has raised, though I hope that some of my observations may assist in describing one or two avenues that her constituent might wish to pursue.

Question put and agreed to.

Adjourned accordingly at four minutes past Three o'clock.

House of Commons

Thursday 13 July 2000

The House met at half-past Eleven o'clock

PRAYERS

[MADAM SPEAKER *in the Chair*]

PRIVATE BUSINESS

MERSEY TUNNELS BILL *(BY ORDER)*

Order for Second Reading read.

To be read a Second Time on Thursday 20 July.

Oral Answers to Questions

TRADE AND INDUSTRY

The Secretary of State was asked—

Post Offices

1. **Ms Sally Keeble** (Northampton, North): If he will make a statement about development of services at post offices. [128940]

The Minister for Competitiveness (Mr. Alan Johnson): In the statement on the post office network on 28 June, my right hon. Friend the Secretary of State for Trade and Industry announced a range of proposals and measures drawn from the performance and innovation unit's report and designed to modernise and sustain the post office network. Among them were proposals to develop new areas of business and services, utilising the modern online computer system that is being installed in every post office throughout the country and to which the Government are contributing almost £500 million.

Ms Keeble: I am grateful to my hon. Friend for that response. I am particularly interested in the universal bank. Could he tell us more about the way in which that will be taken forward? In particular, given that most of the people who take up that type of banking service are unbanked because they have not been able to get bank accounts, would it be possible for the universal bank to be given mutual status? That may be appropriate as the conventional banking sector has, by and large, failed those people.

Mr. Johnson: My hon. Friend is right. The universal bank is central to the recommendations in the performance and innovation unit's report, which contains a helpful chart setting out what should be available through a universal bank. That includes getting cash out of the post office and cashing cheques at the post office. Perhaps more importantly, people will not be allowed to go into debt. Discussions are taking place between the Post Office and the high street banks. We have given a clear message that the Government fully support the concept of a universal bank. It is consistent with the banks' obligations under the financial exclusions set out by policy action team 14. The idea of involving mutuals and perhaps credit unions is for the Post Office to take forward in those discussions.

Mr. Peter Lilley (Hitchin and Harpenden): Will the Minister quantify the universal bank's contribution towards making good the loss of one third of revenues that sub-post offices will experience as a result of the cancellation of the Department of Social Security contract? Will he confirm that a bank—the Girobank—already operates through post offices? Will the universal bank compete with that bank? What contribution does the existing bank make to post office services? Can he confirm the figure in the PIU report that the maximum contribution that banking services will make to the revenues of post offices is just £50 million?

Mr. Johnson: I am surprised—the right hon. Member usually asks about the private finance initiative that was previously established, so he is changing his tack. [HON. MEMBERS: "Answer the question."] I shall answer the question. The PIU expects a combination of the universal bank and the other aspects in the report in large measure to make up for the loss of income from the move to automated credit transfer.

More important, the universal bank is not being established as a re-run of the national Girobank. It will facilitate access to existing bank accounts. It will be both a substitute distribution system and a social bank. The two together mean that, in answer to the right hon. Gentleman's question, people will be able to present a smart card at the post office, instead of a benefit payment book, to access their pensions and benefits free of charge across a post office counter. That is similar to the position that everyone hoped we would be in had the benefit payment card, of which the right hon. Gentleman was the architect, succeeded and moved on to the second generation. We expect the universal bank to make an enormous contribution and to make up any loss of funds that may emerge from the move to ACT.

Mr. Martin O'Neill (Ochil): Is my hon. Friend aware that the National Federation of Sub-Postmasters yesterday gave evidence to the Select Committee on Trade and Industry? During the session, it changed it tack from being one of the most scathing critics of the post-Horizon situation to being satisfied, encouraged and excited by the prospect of the implementation of the PIU report. Will my hon. Friend accept the congratulations of many of his hon. Friends on the fact that postmasters and postmistresses are now with us in trying to improve the service to all our people?

Mr. Johnson: My hon. Friend makes an important point. Many of the ideas in the PIU report emerged from sub-postmasters and sub-postmistresses themselves. The NFSP has always taken a constructive approach to this issue. It warmly welcomed the report when it was published, as the post office-based universal bank solution that I described was one of its major desires. The Post Office Users National Council, which represents the consumer, said:

> This report will put an end to the uncertainty that has been facing many subpostmasters."

The Women's Institute and the Village Retail Service Association also warmly welcomed the report, and there was a warm welcome from anyone with an interest in the Post Office and a commitment to its future. Unfortunately, that did not include the Conservative party.

Climate Change Levy

2. **Mr. Christopher Gill** (Ludlow): What assessment he has made of the impact on manufacturing competitiveness of the climate change levy; and if he will make a statement. [128941]

The Minister for Energy and Competitiveness in Europe (Mrs. Helen Liddell): The climate change levy has been designed with the competitiveness of United Kingdom manufacturing industry in mind. The impact of the levy will depend on the extent to which individual businesses take advantage of the various levy exemptions, the new scheme of enhanced capital allowances for energy efficiency and whether their sites qualify for a discount from the levy. The Government have offered to energy intensive users a commitment to reduce the levy in return for some sign from them that they are determined to meet challenging environmental targets.

Mr. Gill: Who does the Minister think she is fooling when she says that a tax will not destroy the competitive position of British industry? It is a poll tax on jobs in manufacturing industry and she knows it. If she does not believe me, will she take some notice of the chief executive of Invest.UK, who has said openly that the climate change levy is resented by industry? Will she also take note of what the chairman of Phillips UK said when he described the CCL as this Government's most crass mistake?

Mrs. Liddell: The hon. Gentleman is helpful in referring to Invest.UK. He will, of course, be aware that 52,000 extra jobs have come into this country as a result of the success of this Government in attracting inward investment. *[Interruption.]* I will answer the hon. Gentleman's question, as I answered it on 11 May when he asked it then. He should be well aware that the Government have introduced the CCL as a means of enabling industry to move towards more efficient energy usage to enable us to meet our environmental targets. The previous Government, whom the hon. Gentleman supported, were also committed to meeting international environmental targets. Was that yet another guarantee that has passed its sell-by date?

Mr. Peter L. Pike (Burnley): Does my hon. Friend accept that some concerns still exist among high energy using industries? However, is not it a fact that during the past 18 months discussions have taken place with the Government, who have responded positively to try to make the CCL work for the benefit of industry? That attitude will be continued by a Government who, unlike the previous one, are fully committed to the manufacturing sector and recognise its importance to the British economy.

Mrs. Liddell: My hon. Friend makes a sensible point. The Government have consulted with intensive energy users which are not currently covered by the legislation with a view to seeking to address their needs. An announcement will be made shortly. One of the key elements of our commitment to more efficient energy usage is about increasing the competitiveness of British industry. In the long term, industries throughout the world will have to be much more energy efficient. In this country, we are determined to do something about that. Eight other European countries have introduced similar measures. The CCL is revenue neutral and has to be matched with other measures aimed at helping other companies achieve greater energy efficiency, thereby reducing their costs and increasing the competitiveness of British industry.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Will large-scale hydro-electric schemes be exempt from the levy? If not, is not there a danger that they will not be refurbished when the current equipment becomes life expired?

Mrs. Liddell: Within the past couple of months I have met with Scottish and Southern Energy—to which I assume the hon. Gentleman refers, because it is significant in his constituency. I understand that the company has made recommendations to my right hon. Friend the Chancellor, which will be considered in due course.

Mr. Dale Campbell-Savours (Workington): Is it not strangely perverse that the Government bend over backwards on the levy to help companies such as Corus, which then announces thousands of redundancies?

Mrs. Liddell: I recognise the concerns that many right hon. and hon. Members have about the possibility of an announcement from Corus—and, as I represent a constituency close to the steelworks in Scotland, I share that anxiety. The Government will do everything they can to be of assistance to Corus and, in particular, to the work force should such redundancies come about. We are committed to manufacturing industry and have gone to considerable lengths to reduce corporation tax levies and to introduce assistance for innovation so that our companies can be as competitive as possible. Therefore, I recognise the disappointment that my hon. Friends and others feel when redundancies are announced by companies.

Mr. Nick Gibb (Bognor Regis and Littlehampton): Before I ask my question, may I say that it is not a discourtesy to the House that my hon. Friends the Members for Rutland and Melton (Mr. Duncan) and for South-West Hertfordshire (Mr. Page) are not in their places? Both have recently undergone hospital treatment. I am pleased to report that both are making good recoveries.

On the question of manufacturing industry and the Minister's response, is not that all academic if manufacturing such as shipbuilding is facing unfair competition from illegal subsidies in other European

Union countries? What has the right hon. Lady done to stop those subsidies, or is this just another example of the emptiness of the Government's claim to be ever so influential in Europe? Is it not the truth that she has failed to tackle European shipbuilding subsidies, just as she has failed to tackle European coal industry subsidies? Both those failures are causing enormous damage to major British manufacturing industries.

Mrs. Liddell: I trust that the hon. Gentleman will pass on to his hon. Friends the good wishes of Labour Members for their speedy recovery.

It is ironic that the hon. Gentleman's substantive point is about shipbuilding subsidies, when the Conservative Government patently failed even to engage in such matters in the European Union. We have extended the shipbuilding intervention fund. My right hon. Friend is meeting shipbuilding interests today, and two weeks ago I met Ministers in Germany and France specifically to discuss these matters. In the EU, considerable action is already being taken against Korea, which is one of the major sources of difficulty for the shipbuilding industry.

It is rich for Conservative Members to raise these issues when they patently failed to engage in them when in government. They were intent on operating in Europe from the sidelines rather than having real influence. The hon. Gentleman would be better advised to learn his homework more accurately before coming to the House.

Post Offices

3. **Mr. Geraint Davies** (Croydon, Central): What support he will give to post offices to provide banking facilities with particular reference to locations where other banking facilities have been withdrawn. [128942]

The Minister for Competitiveness (Mr. Alan Johnson): The Government strongly support the work being undertaken by the Post Office and the high street banks to develop a universal bank, which it is intended should cater for as wide a range of customers as possible and who would have access to their accounts at post offices. It will bring those people currently without bank accounts into the financial mainstream. The universal bank will complement the existing arrangements whereby post offices provide banking services on an agency basis for customers of several banks. The Horizon automation platform offers the potential to extend these arrangements more widely.

Mr. Davies: The news of the universal bank will be warmly and widely welcomed throughout Croydon, especially in New Addington and Fieldway, which have seen the steady withdrawal of banking facilities, not least from Barclays and Woolwich. The welcome arrival of new services in the post office at New Addington will be much greeted. When might we expect to see the arrival of new online services through universal bank in Croydon and elsewhere?

Mr. Johnson: I am pleased that Croydon has joined the list of places that is welcoming the PIU report. The PIU asked the Post Office to work up a business plan to be submitted to the Government by September. It is hoped that online facilities will be available shortly after the entire network is computerised, which is an essential pre-condition, in the spring of 2001.

Mr. David Ruffley (Bury St. Edmunds): How much revenue will a typical rural sub-post office receive on average per year as a result of banking transactions?

Mr. Johnson: The PIU report identifies enormous opportunities for the rural network as well.

Mr. Ruffley: How much?

Mr. Johnson: It does not quantify amounts. The important point is that we are dealing with several ideas to give work back to rural post offices, which have been losing work continuously over the past 20 years. In addition, we have said that we shall ring fence 10,000 rural post offices and ensure that there are no preventable closures—*[Interruption.]* If Conservative Members have any suggestions that the PIU has not considered and analysed, they have not forwarded them to the Government.

Mr. David Drew (Stroud): We warmly welcome the PIU report and the Government's commitment to fund it—unlike Tory guarantees. Does my hon. Friend accept that the only way in which we can take matters forward is by fully exploiting the Horizon software? I am sure that the people of Stroud will welcome the opportunity to take part in a pilot project.

Mr. Johnson: My hon. Friend is right; the computerisation project is essential. We have reached the stage where 9,050 post offices are online. That is a tremendous achievement. The score stands as follows: number of post offices computerised by the Opposition, nil; number of post offices computerised by the Government, 9,050.

Mrs. Angela Browning (Tiverton and Honiton): Where will the banking and administrative costs of running the universal bank fall? Will it be on account holders, on the associated clearing banks, on the Post Office or on the taxpayer?

Mr. Johnson: Those are matters for commercial negotiation between the Post Office and the high street banks. We have identified a solution to three problems. First, the problem of financial exclusion, which is a cause and effect of social exclusion. Secondly, we have identified a way in which people can access the full range of their bank accounts across a post office counter, and computerisation is essential to that. Thirdly, we have provided the means by which people can access their benefits and pensions in cash across a post office counter without bank charges, if they so wish.

Incidentally, we have removed the constant tension that has existed since the previous Government introduced automated credit transfer in 1980—the post office network and Benefits Agency were in constant tension about the whole issue. Now, sub-postmasters can market the universal bank idea and encourage people who do not currently draw their pensions and benefits in cash to do so, so it is an enormous development.

Mrs. Browning: The Minister must know that there is no such thing as free banking. This is about the fifth time that we have asked for that information. I am quite happy to wait while he phones a friend or asks the audience, but we want specific answers. Regardless of the point-of-use costs, the Prime Minister has promised account holders that the costs will not fall on them and the Minister seemed to indicate in his answer that they will not fall on the taxpayer. The Post Office has asked me, "Where do we send the invoice?" Can we deduce that the clearing banks have agreed to pick up the tab to give free banking to 3.5 million account holders?

Mr. Johnson: If I were going to phone a friend on the issue, it would not be anyone on the Conservative Benches

Mrs. Browning: The Minister has no friends.

Mr. Johnson: Little does the hon. Lady know.

The hon. Lady knows that we cannot give precise answers to questions that involve a commercial negotiation. PAT 14, working closely with colleagues in the Treasury, identified a social and financial obligation on the banks to produce systems to bring the financially excluded into the banking system. We are sending a clear message: the universal bank is the way to do that. The Prime Minister has announced that financial support will be available, but we obviously want the Post Office to continue its fruitful negotiations to bring the matter to a conclusion and to present a business plan by 1 September. Obviously, we can debate all those issues of detail, but it is a shame that Conservative Members—with the honourable exception of the hon. Member for West Dorset (Mr. Letwin), who knows a thing or two about the situation and welcomed the statement—cannot bring themselves to recognise that the PIU report is the most comprehensive, thorough review of the network ever made. As was said when the statement was made, it is a shame that the review was not carried out 20 years ago.

Mr. Dennis Skinner (Bolsover): Is my hon. Friend aware that, when I was discussing the new bank with members of the WI—before we burst out singing "Jerusalem" from the beginning right to the very end—one of them happened to say to me, "Whatever happens to that bank, Dennis, don't put Norman Lamont in charge"?

Mr. Johnson: I am aware that my hon. Friend is a secret member of the Women's Institute—I do not know how he sneaked in. I also know that the Women's Institute comprises an extremely intelligent bunch of people. Therefore, that remark does not surprise me at all.

Post Office

4. **Mr. Nick St. Aubyn** (Guildford): What recent representations he has received regarding the future of the Post Office. [128943]

The Secretary of State for Trade and Industry (Mr. Stephen Byers): We have received a number of representations, including from the Post Office, which said that, at long last, it was to be given the commercial freedoms necessary for a world-class company; and also from the National Federation of Sub-Postmasters, which welcomed the Government's recent statements on the post office network.

Mr. St. Aubyn: I am surprised that the Secretary of State did not mention that I, too, have sent him representations, including a petition from the Women's Institute in Onslow village, and the Women's Institute in Bramley village, castigating the way in which the Government have bungled the whole issue. As the Minister for Competitiveness failed to answer the question asked by my hon. Friend the Member for Bury St. Edmunds (Mr. Ruffley), perhaps the Secretary of State can have a go at it. Commercial banks are profit-making institutions, whereas the universal bank will be a loss-making institution. In the negotiations between the Post Office and the commercial banks, who will be making the profits, and who will be making the losses?

Mr. Byers: For the record, I give the House the response that came from the Women's Institute after our statement had been made to the House. The petitions that were gathered by the Women's Institute were conducted before we made the statement in response to the PIU report. In response to our statement, the Women's Institute said that it congratulated the Government on commissioning the PIU report and on not only agreeing to implement its recommendations in full, but promising to back that up with funding. We shall do that.

Mr. Peter Lilley (Hitchin and Harpenden): How much?

Mr. Byers: Next Tuesday, when we have the spending review, the right hon. Gentleman will know how much we are committing to the post office network. That commitment will stand in stark contrast to Conservative Members' new commitment to cut £16 billion from the amounts that we shall be announcing next week. Their promise would not only entail public service cuts of £24 million for every constituency in the country, but means that they would not be able to deliver the funding that the post office network needs and that we are prepared to commit to it.

Charlotte Atkins (Staffordshire, Moorlands): Will the profits from that enterprise go to rural areas such as Werrington and Ipstones in my constituency, which have never before enjoyed those types of facilities and services?

Mr. Byers: The renaissance that we are offering the post office network will enable many of those communities to have services and to expand services. The PIU report identified some very important services that post offices will be able to provide as a result of the extra resources that are being made available. Our approach stands in stark contrast to that adopted by the previous Government, who neglected the rural network of post offices. We are giving a clear commitment to 10,000 post offices. We have extended the definition of a rural community to ensure that there will be no avoidable closures of those post offices.

Dr. Vincent Cable (Twickenham): Is it not the case that the Post Office is in considerable financial difficulty—not only because of the £570-million hit on the Horizon project, but because of the loss of £450 million annually in automated credit transfer income; the loss of £100 million in bond income; the £900 million, I believe, hole in the pension fund; and, now, the threat from the European Union directive to 15 per cent. of its sales? Against that background, how will the Post Office be able to maintain its universal service obligation and its obligation to the network while not increasing charges or abandoning the second-class post?

Mr. Byers: The hon. Gentleman will know that when we have the Postal Services Bill on the statute book, greater commercial freedom will be given to the Post Office to address those concerns. Our position has been quite different from that of Conservative Members, who basically had two approaches to the Post Office—to privatise it or to use it in the public sector to subsidise the Treasury. That was the reality of the previous Conservative Government's approach to the Post Office.

Our approach is different: to give the Post Office the commercial freedom that it needs. We are reducing the dividend paid to the Treasury, which means an extra £100 million to £150 million a year in extra income to the Post Office. We are putting £500 million into the Horizon project and next Tuesday we will announce a sum of money to support the post office network. All those steps will ensure that the Post Office and the network have a strong and vibrant future.

Mr. Barry Jones (Alyn and Deeside): Does my right hon. Friend know that the Minister for Competitiveness visited some nine post offices in my constituency, meeting some 12 postmasters and postmistresses, and was very well received? One of those post offices was at Llanfynydd, a small, isolated village at 800 ft. Does he think that Llanfynydd post office will be ring-fenced and have a good future under his proposals?

Mr. Byers: If I could pronounce it, I am sure that it could—*[Interruption.]* My mother is Welsh, so I have to be very careful about these matters. I am sure that even at 800 ft that post office will have a strong and vibrant future because of the measures that we are introducing through the PIU report and also because of the strong advocacy from my right hon. Friend if there were any threat to the future of that particular post office.

Mr. Nicholas Soames (Mid-Sussex): Would the right hon. Gentleman explain this to me please? Section 7.5 of the Government's document, "The Counter Revolution", which deals with financial services, says that the new banking system could not raise more than a maximum of £50 million. Where will the other £350 million come from to sustain the rural post office network?

Mr. Byers: That was in the PIU report that the Government accepted. The Post Office projected something like £150 million from the universal bank. However, the hon. Gentleman should be aware that that is not the only source of additional funding that the PIU report identified. There is a total package of measures to do with internet access, Government general practitioner services, support for urban post offices in deprived areas and support for the rural network. We are introducing a raft of measures to which the Conservative Government, who were in office for 18 years, did not give a thought. That shows that the people in rural communities have a clear choice for the post office network: decline, neglect and closures under the Tories or vision, commitment and a future under Labour.

Small Businesses (Chorley)

5. **Mr. Lindsay Hoyle** (Chorley): If he will make a statement on his Department's support for small businesses in Chorley. [128944]

The Minister for Small Business and E-Commerce (Ms Patricia Hewitt): The national network of 81 business links is being replaced by 45 new business links. The existing partnership in north and west Lancashire, which serves Chorley, was successful in the first stage of assessment for the new network. The partnership has been invited to submit a business plan for the services it will deliver from April next year.

Mr. Hoyle: Although my hon. Friend's comments about the success of business link are very welcome, following Lord Haskins' report about the burden of red tape that is strangling small business, what can be done to reduce that red tape? We should also remember that Chorley is not an assisted area. Small businesses are doing well, and removing the red tape would give them an extra boost.

Ms Hewitt: The better regulation taskforce published an excellent report earlier this year, and I know that my hon. Friend will welcome the fact that in our response last month, with just one exception, we accepted all the taskforce's recommendations and are now putting them into practice. I would also stress that services and support are available to small businesses in Chorley and across the country, including the small firms loan guarantee scheme and technology grants such as Smart. I know that my hon. Friend will welcome the assistance that those programmes have given businesses in his constituency.

Mr. Michael Fabricant (Lichfield): The Minister will be aware—

Madam Speaker: Order. Is it on Chorley?

Mr. Fabricant: Yes, Madam Speaker. The Minister will be aware that Chorley is a veritable mecca for restaurants and hotels, which are often frequented by their Member of Parliament. Has she read the report of the better regulation taskforce which says that parental leave and the working time directive are crippling such small businesses? When will she do something about it?

Ms Hewitt: I note that since we were elected, there has been a substantial increase in employment not only in Chorley but in the hon. Gentleman's constituency too, and right across the country. The excellent report from the taskforce is being studied so that we can come forward with a practical response to its recommendations. However, the hon. Gentleman needs to reflect on whether he is proposing that small hotels and bed-and-breakfast establishments should be exempted from employment laws, and from fire and hygiene safety regulations. Does he not care about how small firms treat their customers and workers?

Energy Market

6. **Mr. Michael Clapham** (Barnsley, West and Penistone): What steps he is taking to liberalise the energy market. [128945]

The Minister for Energy and Competitiveness in Europe (Mrs. Helen Liddell): Since the election, the Government have been committed to the liberalisation of energy markets. As my hon. Friend will know, the Utilities Bill is continuing its progress through the House. Once it receives Royal Assent, it will bring into play new electricity trading arrangements.

Mr. Clapham: Does my right hon. Friend agree that the key to liberalising energy in this country is the new electricity trading arrangements, which will bring benefits to consumers? In that context, does she also agree that the coal industry contributes to the energy mix, and may need further protection in the post-Kyoto period? Will she look at ways in which more investment can be made in clean coal technology? Will she also ensure that the negotiations on the interconnector bring about a reciprocal flow of electricity, so that we can connect this country's electricity grid with the European energy market?

Mrs. Liddell: My hon. Friend raises three very important points. New electricity trading arrangements are being introduced because the previous Government's policy of haphazard privatisation of the energy industry, together with their failure to get to grips with the abnormalities in the operation of the electricity pool, put the coal industry at a disadvantage. The new arrangements will make for a much more transparent market. They will also mean lower electricity prices, which will benefit domestic and commercial consumers. Assuming that the Utilities Bill will gain Royal Assent, we are on target to have the electricity trading arrangements in place next winter.

My hon. Friend asked about cleaner coal technology. That is an important matter. To secure the future of the coal industry, we must make sure we have coal that is environmentally friendly. That is why, in April 1999, we commenced a six-year programme of development and research into cleaner coal technology. We expect an initial Government expenditure in the region of £12 million to generate an additional £60 million of private investment in the development of cleaner coal technology.

Finally, my hon. Friend asked an important question about access to the interconnector. Yesterday, I met Mr. Rousseli of Electricité de France, and I raised with him our anxiety about access to the interconnector. I have also raised the matter with the French Government. Rules for access to the interconnector come up for renegotiation in March 2001. It is imperative that we have clear, transparent and good-cost access to the interconnector. I believe that that point has been well made, and it was backed up when the Heads of Government at the Lisbon summit advanced further proposals for the liberalisation of European energy markets.

Miss Anne McIntosh (Vale of York): Does the right hon. Lady agree that the best way to liberalise and rationalise the electricity market is to follow the Scandinavian example? Is she aware of the recommendations by the royal commission on environmental pollution that the Scandinavian model should be adopted in this country, that overhead pylons and cooling towers should be done away with, and that we should revert to sourcing electricity as close as possible to demand?

Mrs. Liddell: I am well aware of the campaign that the hon. Lady has pursued on behalf of her constituents on that matter, and we have corresponded a number of times. I appreciate the anxiety of constituents worried about pylons and cooling towers, but costs must be taken into account by the relevant planning authorities in any planning consideration. I know that the hon. Lady will continue to pursue this matter.

The hon. Lady mentioned the Scandinavian model. I believe that we must have a model for energy distribution that suits this country's needs, but I am not unmindful of the anxieties of communities about energy lines despoiling their environment and its beauty.

Industrial Relations

7. **Mr. Jonathan Shaw** (Chatham and Aylesford): What assessment he has made of the impact on industrial relations of those provisions of the Employment Relations Act 1999 which came into force in June. [128946]

The Minister for Trade (Mr. Richard Caborn): No assessment has been made to date; it was only on 6 June that the provisions went on to the statute book. We are confident that they will help to improve industrial relations by creating a fair, workable procedure for resolving disputes about recognition, while at its core encouraging the voluntary settlement of contested issues at every stage.

Mr. Shaw: I thank my right hon. Friend for that reply. Sadly, Thomson Marconi Sona has announced the closure of its plant in the Medway towns. The Amalgamated Engineering and Electrical Union has secured more than 50 per cent. membership at that place of work, and at long last the management is suggesting that it will now recognise that trade union. Does my right hon. Friend welcome that? Is it not right that those in the work force there will get some security and comfort from the fact that they will be represented by their union? Is it not also true that if we adopted the policies of the Conservative party we would return our country to a "hire today, fire tomorrow" mentality? It is right that we should have partnership in the workplace, and that where more than 50 per cent. of the work force want to join a union, it should be recognised.

Mr. Caborn: It is always unfortunate when redundancies are announced, but obviously in an ever changing world we must manage change in the most effective way. What my hon. Friend has said underlines the need to put the voluntary aspect at the core of the legislation. In the case that he highlighted a voluntary agreement has been arrived at. But if a voluntary agreement cannot be reached, as we hope it will be, the statute is there to fall back on.

Mrs. Angela Browning (Tiverton and Honiton): Last year the number of ballots for industrial action rose from 464 to 983, and the number of stoppages increased by 23 per cent. Given that the Government have now put statutory trade union recognition on the statute book, does the Minister anticipate that those figures will increase or decrease next year?

Mr. Caborn: When we put all those figures together, we see that the number of days lost in British industry was the second lowest on record. That is a very good record.

Mrs. Browning: We now see unions flexing their muscles, and recognise that the Government are more interested in their legislation in favour of unions than in the action that is taking place, such as that involving Royal Mail in north London. In reply to a written question that I asked only last week, the Secretary of State said that that action, which is disrupting a great deal of business post, was nothing to do with him. Is not the only hope for business the fact that the next election will result in the return of a Conservative Government, who will revoke statutory trade union recognition?

Mr. Caborn: I have no doubt that we would then return to the confrontational politics of industrial relations that used to be quite evident. I repeat that the number of days lost was the second lowest on record. With regard to my earlier answer about voluntary trade union recognition, there were 75 such recognitions in the 10 months to the end of October 1999, compared with 34 in 1998. The genuine partnership in industry is now working. The framework of industrial relations that we have put on the statute book is creating a climate of co-operation and making sure that we can have the most productive work force in a very competitive world. I believe that we have just about got it right.

Knowledge-based Economy

8. **Ms Margaret Moran** (Luton, South): What steps the Government are taking to ensure that the benefits of the knowledge-based economy are accessible to people in all socio-economic groups. [128947]

The Secretary of State for Trade and Industry (Mr. Stephen Byers): We are taking action in a number of areas to ensure that everyone can benefit from the internet and new technologies, and more generally from an economy based on skills and knowledge.

Ms Moran: I thank my right hon. Friend for his commitment to ensuring that the new technologies are available to all. But is he aware that in parts of my constituency young Asian males and females are four times more likely to be unemployed than their white counterparts? That is why I am working with business and the voluntary sector in a project to encourage the take-up of new technologies for skills and job opportunities. What incentives can my right hon. Friend offer such projects? What incentives will be available to ensure that the most socially excluded can engage in businesses in the new economy and the opportunities that it offers?

Mr. Byers: My hon. Friend makes an important point. The survey produced just two days ago by the Office of National Statistics showed clearly that there was a danger of a digital divide developing in the United Kingdom—a geographical divide between north and south, as well as a divide based on ethnic background. I commend my hon. Friend for the work that she is doing with young black and Asian people in her constituency. There is clearly a responsibility for Government to reflect on that as well. My right hon. Friend the Secretary of State for Education and Employment has commissioned some work in this area to make sure that people from different ethnic backgrounds do not lose out in terms of the new technologies.

There is a very important lesson here for all of us. The new technologies have the potential to bring great opportunity, but also to introduce greater divisions in our society. It is the job of an active Government to ensure that wherever we come from, whatever our background, we all benefit from the new technologies.

Mr. James Gray (North Wiltshire): How can the Secretary of State stand there and pay glib lip service to supporting high-tech industries when the Government are bringing in IR35, which will drive entrepreneurs offshore tomorrow? The CBI, the TUC, the Federation of Small Businesses and others agree that this is a disaster for entrepreneurial business in the sector. What does the right hon. Gentleman have to say about that?

Mr. Byers: As the hon. Gentleman knows, IR35 was introduced because service companies were being exploited in a way that meant that some people were not paying their fair share of tax and national insurance. Entrepreneurs who are prepared to make their contribution to the United Kingdom have nothing to fear from IR35.

We hear stories from Conservative Members about people walking away from the United Kingdom; it would be interesting to see some figures to support those accusations. *[Interruption.]* I look forward to the hon. Member for North Wiltshire (Mr. Gray) providing me with details and names, because so far no Conservative Member has been able to do so.

Small Business Service

9. **Mr. David Kidney** (Stafford): What plans he has to promote the work of the Small Business Service. [128948]

The Minister for Small Business and E-Commerce (Ms Patricia Hewitt): David Irwin, chief executive of the new Small Business Service, is looking at how we can promote our services to our small business customers even more effectively.

Mr. Kidney: I thank my hon. Friend for that answer. Does she accept that the creation of the Small Business Service marks a step change in our country's appreciation of the significant contribution that small businesses make to the success of our economy? Does she agree that it is important that all the people who might benefit from the work of the service should know that it exists, and that it is there to help? Will she say something about the marketing that she intends to carry out to ensure that there is maximum awareness among the people who could benefit from the service?

Ms Hewitt: I entirely agree with my hon. Friend. We are determined to ensure that locally, small businesses and people wanting to start small businesses are aware of what their local business links can offer, and nationally, that they are aware of the programmes and support for which the Small Business Service is responsible. We will be using every possible avenue—including, of course, the internet—to make sure that that message gets across.

Mr. Brian Cotter (Weston-super-Mare): Does the Minister agree that the Small Business Service should be taking account of the European small business charter? The charter has some excellent aspirations for small business which, if implemented, would be extremely beneficial to the sector. Will the Minister indicate when the Government will start implementing these measures?

Ms Hewitt: We were, of course, responsible for promoting the idea of the small business charter, and we were delighted when the proposals were accepted at the Lisbon summit. We are now working with the European Commission and with our European colleagues to make sure that the proposals come into effect.

Let me stress the fact that not only are there 1 million more people in work than when we were elected, but 1 million new businesses have started up since then. It is not surprising that the Economist Intelligence Unit recently concluded that the United Kingdom is one of the best places in the world to do business, and we intend to keep it that way.

Mrs. Louise Ellman (Liverpool, Riverside): Will my hon. Friend say how the Small Business Service will support co-operative and community businesses? How will it work with universities in supporting spin-out technologies into small companies? Can she give me an assurance that she will do all she can to ensure that the north-west has a strong scientific base? Can she also assure me that adequate support will [illegible] given to the recommendations of the working party now considering scientific developments based on the work of universities and research institutions in the north-west, including work done at Liverpool and Manchester universities, following the very regrettable decision about Daresbury?

Ms Hewitt: My hon. Friend makes several important points. We have asked the Small Business Service and business links specifically to support business start-ups in disadvantaged areas. Over the next three years, we are putting £30 million into the Phoenix fund to help support that initiative. We have already created and funded 12 enterprise centres in universities throughout the country to help to ensure that science-based ideas are commercialised. I know that my hon. Friend and vice-chancellors of universities in the north-west will warmly welcome the announcement made by my right hon. Friend the Chancellor of an additional £1 billion investment in the science base in our universities.

Mr. John Bercow (Buckingham): Does the hon. Lady not understand that for the hotel and restaurant sector, none of the initiatives of the Small Business Service remotely compensates for the fact that the regulatory burden for that sector consists of no fewer than 70 booklets and 1,500 pages?

Ms Hewitt: The recent report of the better regulation taskforce on the hotel and catering sector is excellent. With my right hon. Friend the Secretary of State for Culture, Media and Sport, we are considering carefully how we can implement its recommendations. May I remind the hon. Gentleman that a large part of the over-complex regulations that are undoubtedly burdening the hotel sector is a leftover from the time of the previous Government? We are putting effective measures in place to simplify business support. I challenge the hon. Gentleman to say whether he will exempt small hotels and bed-and-breakfast places from the hygiene and safety regulations that are essential for the safety of customers and workers alike.

Post Offices

10. **Mr. Brian Jenkins** (Tamworth): If he will make a statement on his plans for maintaining access to post offices. [128949]

The Minister for Competitiveness (Mr. Alan Johnson): In his statement to the House on 28 June, my right hon. Friend the Secretary of State for Trade and Industry announced a range of measures to underpin the Government's commitment to maintaining a nationwide network of post offices. Those measures include a formal requirement for the Post Office to maintain the rural network and to prevent any avoidable closures. This requirement will cover all post offices in settlements of fewer than 10,000 people, and will thus apply to nearly 10,000 post offices. In urban areas, we shall encourage improvements in the quality of post offices and associated retail businesses that also maintain convenient access, with particular emphasis on deprived areas. Furthermore, we have made it clear that financial assistance will be available to support those measures as necessary.

Mr. Jenkins: I thank my hon. Friend for that answer. I am sure that he is unaware that access to the main post office in Tamworth is by a ramp or three sets of steps—that matter is outside his remit.

Although we welcome the universal bank, what will it do for customers for whom a bank account is wholly inappropriate? What can the Department do about that?

Mr. Johnson: The whole point of the universal bank is to pick up on the PAT 14 report on financial exclusion, which found that people who are outside mainstream banking services lose out as a result. The idea is to ensure that people who may have a certain distrust of banks, but who—as has been found time and again—by and large trust the Post Office, can use their access to post offices to give them the advantages of a bank account. That is especially true for those who draw benefits, and it is an important development. It is high time that we did something to tackle the enormous problem of financial exclusion in this country.

Mr. Edward Leigh (Gainsborough): Nobody will have access to rural post offices if the income stream is not assured. Will the Minister give us an answer on our third try today? The sum of £400 million has been lost to sub-postmasters through the introduction of automated credit transfer. The Government's document states that the universal bank and other banking schemes might bring in £50 million. In answer to an earlier question from my hon. Friend the Member for Mid-Sussex (Mr. Soames), the Secretary of State raised that figure—off the cuff—to £150 million, without giving any reason. He mentioned various small things like the internet—[HON. MEMBERS: "Small?"] Yes. Who will fill that gaping black hole of £400 million in the finances of sub-postmasters? We want no waffle about Women's Institutes or commercial incompetence; give us the facts now.

Mr. Johnson: Of course, the hon. Gentleman has a degree in waffling. I remember full well that his solution to the problem was to privatise the whole Post Office lock, stock and barrel.

Let me explain the position to the hon. Gentleman. The loss of £400 million of income would occur only if no one ever went into a post office again to draw pensions and benefits across a post office counter. As everyone with an interest in the issue realises, the status quo is not an option. People are volunteering to go over to ACT at the rate of 500,000 a year, and that trend will increase as a whole new generation, who are used to cashless pay, come up to retirement. The win, win, win solution is the idea of a universal bank that will ensure that people who want to draw their pensions and benefits across a post office counter will still be able to do so.

The hon. Gentleman made a fairly disparaging reference to the internet. One of the major reasons why we have such a ubiquitous post office network in this country is that the Post Office was in at the birth of the telegraph service in 1871. The whole system was established around what was then stunning new technology. It is appropriate that we put the Post Office in the same position now, so that it can be in at the ground floor of e-commerce, which opens up the whole range of opportunities that the performance and innovation unit report rightly identified.

Mr. Andrew Miller (Ellesmere Port and Neston): It is a bit rich for the Conservative party to complain about the Post Office, particularly following the representations that I made to the previous Administration about the problems faced by Little Neston and Mickle Trafford, two rural post offices in my constituency. My hon. Friend the Minister will know that it is especially important for such businesses to increase the footfall in their shops and premises. Will he have words with his colleagues in the Department of the Environment, Transport and the Regions to ensure that information services from local government can be made available in local post offices? That would increase their overall business potential.

Mr. Johnson: My hon. Friend raises an important point. It was raised with us by the National Federation of Sub-Postmasters, which identified the fact that sub-postmasters, sub-postmistresses and their staff currently provide a free, largely unrecognised—except by the communities that they serve—and certainly unrewarded service in distributing government information. The idea of making them government "general practitioners", properly trained and rewarded to provide government information, is one of the report's important recommendations. The Department of the Environment, Transport and the Regions has been given the job of taking that recommendation forward.

Energy Policy

11. **Mr. Owen Paterson** (North Shropshire): If he will make a statement on the impact of the Government's energy policy on commercial competitiveness. [128950]

The Minister for Energy and Competitiveness in Europe (Mrs. Helen Liddell): The Government's policy of promoting and developing competition in energy markets has led to significant reductions in industrial gas and electricity prices. Average industrial energy prices in 1999 were at their lowest since 1970 in real terms. This is a huge competitive advantage for British industry. Indeed, electricity prices have gone down even further this year in anticipation of the new electricity trading arrangements that we discussed earlier with my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham).

Mr. Paterson: In total contrast to what the Minister has just said, a major UK haulier told me recently that, thanks to the Government's energy taxation policy, he would be £1.4 million a year better off if he moved all his 75 trucks to Luxembourg. The Government's energy policy is making every business in this country less competitive. If I am wrong—[HON. MEMBERS: "You are."] If I am wrong, can the Minister, for the first time this Question Time, answer a very simple question? Can she name three businesses that are more competitive under this Government's energy taxation policy?

Mrs. Liddell: It is not often that the hon. Gentleman is right, and he is wrong again. He seems to have forgotten who introduced the fuel duty escalator. That was a direct consequence of the action taken by the previous Government. The Government have listened to the representations from industry. *[Interruption.]* The Conservatives do not like facts, but the fact is that we have reduced industrial gas and electricity prices, helping every intensive energy user in the country. Much combined heat and power activity imports energy for its schemes; that comes directly from reduced gas and electricity prices. If the hon. Gentleman is so concerned about the views of industry, he should go and talk to those involved about the benefits that have resulted from the Government's energy policy.

Business of the House

12.30 pm

Sir George Young (North-West Hampshire): May I ask the Leader of the House to give us the business for next week?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): MONDAY 17 JULY—Remaining stages of the Football (Disorder) Bill, which will be taken on a timetable motion unless it is clear from today's debate that there is from the Opposition the full co-operation that they claimed to be offering a few days ago.

TUESDAY 18 JULY—Progress on remaining stages of the Finance Bill.

WEDNESDAY 19 JULY—Conclusion of remaining stages of the Finance Bill.

THURSDAY 20 JULY—Debate on Public Expenditure on a motion for the Adjournment of the House.

Motion on the Church of England (Miscellaneous Provisions) Measure.

FRIDAY 21 JULY—Private Members' Bills.

The provisional business for the following week will include:

MONDAY 24 JULY—Consideration of Lords Amendments to the Child Support, Pensions and Social Security Bill.

Consideration of Lords Amendments to the Government Resources and Accounts Bill.

FRIDAY 28 JULY—Motion on the Summer Recess Adjournment.

The House may also be asked to consider any Lords messages which may be received.

I should also like to inform the House that the business for Westminster Hall for the remainder of July will be:

THURSDAY 20 JULY—Debate on the Fourth Report from the Agriculture Committee on Environmental Regulation and Farming.

THURSDAY 27 JULY—Debate on Crime Reduction Partnerships.

Sir George Young: The House is grateful to the Leader of the House for next week's business and an indication of some of the business for the following week. Can she throw some light on statements that the Government will be making next week? Can she confirm that the Chancellor will be making an announcement about the comprehensive spending review on Tuesday? Will the Prime Minister be making a statement on the NHS on a later date? Will the Deputy Prime Minister be making a statement on transport next week? In the spirit of the debate that is to take place later today, might the Government share that information with the House?

There appear to be a few blank days in the week after next. The House is still owed a debate on procurement for the armed forces which would otherwise run into the traditional two-day debate in October. Could we have that debate before we rise?

The Leader of the House has announced consideration of Lords amendments. She may have noticed that in the other place—where neither party has an in-built majority—the Government are regularly defeated. Can she confirm that she welcomes this revising role of the second Chamber and that the Government will not automatically use their majority here to overturn sensible Lords amendments?

Finally, further to a question that I asked a fortnight ago, is the Leader of the House any clearer on the likely date of the state opening of Parliament?

Mrs. Beckett: I can confirm that I anticipate that the comprehensive spending review will be announced in a statement to the House on Tuesday. The issue of what other statements might follow that is under consideration and we will convey that information as matters become clearer.

The right hon. Gentleman said that the provisional business included what appeared to be some blank days and suggested a debate on defence procurement. He went on to discuss the fact that there are regular Government defeats in the House of Lords. As he will know, and as the figures make clear, these are far more regular than under previous Governments. This Government have been defeated 38 times in the House of Lords in this Parliament, whereas the previous Government were defeated only 19 times in 1992–93, only 17 times in 1987–88 and only 20 times in 1983–84. I know that Opposition Members nurture the illusion that that is evidence of the independence of their Lordships. We think that it is evidence of their bias. On the issue of the state opening, I fear that I have nothing to tell the right hon. Gentleman at the moment.

Mr. Denis MacShane (Rotherham): Could the Leader of the House find time for an early debate on the steel industry in the light of the report published this week by the UK Steel Association and the Engineering Employers Federation, which called for a re-balancing of the economy to support manufacturing? Such a debate should make special reference to the job lay-offs being announced by Corus at a time when the pound is weakening against the dollar and the euro, the company is moving into the black and, according to all analysts, will make a profit of £750 million next year. This is not the time for Corus to cut a swathe through jobs in the industrial heartlands.

Mrs. Beckett: I understand my hon. Friend's concern which, I believe, is shared across the House. At a time when there is so much creation of new employment, jobs are still being lost in manufacturing. I share my hon. Friend's disappointment at that, whether those jobs are lost in the steel industry or elsewhere. My hon. Friend is right to use this opportunity to raise the issue of whether Corus should reconsider its plans in the light of recent economic developments, but I fear that I cannot offer time for a special debate.

Mr. Paul Tyler (North Cornwall): Does the Leader of the House recall that, in last week's business questions, I drew her attention to the extremely unfortunate precedent of the speedy dispatch of the Dangerous Dogs Act 1989 and related that to the dangerous yobs Bill that is now before the House? Will the Leader of the House look at the timetable for Monday's debate? First, will she give an assurance that there will be adequate time for all the major issues which, as Members on both sides of the House recognise, raise important matters of principle?

Secondly, will she look at the controversial parts of the Bill, which relate to the third proposition on banning orders and the fourth proposition on the revival of the sus laws that we got rid of some years ago—at least, we thought that we had?

Thirdly, and most importantly, will the Leader of the House examine the case for a proper interval between the Bill's Committee stage and its Report and Third Reading? Otherwise, there will be no opportunity for the House and for those outside who have an interest in the matter, such as the police, to take account of Committee debates before we come to Report and Third Reading, which could perfectly well be taken on Wednesday, after 10 pm, if necessary. Does the Leader of the House recognise that the imperative for this legislation appears to be a club fixture in August, and that there is no great urgency for the measure at all?

Mrs. Beckett: I am mindful of the matter. The hon. Gentleman is right to say that he reminded me at the last business questions of unfortunate precedents on the speedy dispatch of legislation. However, he will know that under none of those precedents did we have the degree of scrutiny and the unprecedented degree of consultation and co-operation that my right hon. Friend the Home Secretary has demonstrated. The hon. Gentleman will also know that the Bill's proposals are not all new, although I accept that some are more controversial than others. I accept, as I know that my right hon. Friend will, the hon. Gentleman's point about timetabling enough time to deal with the issues adequately. From what I have said, the hon. Gentleman will know that the Government would be pleased if we could do that in a co-operative way. We are offering to do that, but only time will show whether that will turn out to be possible.

As for the notion that there are no relevant international matches, I understand that that is not the case. There is an important international match in early September, and there is some concern that, unless further measures are then in place, more problems could occur.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I urge my right hon. Friend to think seriously about the matter. Passing legislation because of a deadline set by a football match is not, on the whole, a sensible precedent. We are discussing a fundamental right, and I therefore urge my right hon. Friend to consider seriously giving more time to the period between the introduction of the Bill and its Report stage. It is a question not just of dealing with football hooligans, but of putting on the statute book a precedent that will affect all United Kingdom citizens. I seriously ask my right hon. Friend to reconsider the timing.

Mrs. Beckett: The Government have given a good deal of thought to the timing and consulted on the matter very fully, as my hon. Friend will know. Of course I take her point about these being major issues, but she will know that not only did we have substantial discussion on an earlier private Member's Bill, but there has been some nine months debate of the issues. I hope that she is also aware that recent events highlighted loopholes in existing legislation whose importance had not previously been appreciated, in that the measures on the statute book deal specifically with football-related offences and convictions, and not with others that may be equally relevant. Of course I take my hon. Friend's observations on board, as I know that my right hon. Friend the Home Secretary will.

Mr. Douglas Hogg (Sleaford and North Hykeham): May I reinforce the point that has just been made by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody)? There has to be a great deal of concern that we are taking the Committee stage on the Floor of the House on Monday, which does not give us time to reflect on what has been said on Second Reading or to receive representations from outside. Moreover, the fact that the Committee stage will not be taken Upstairs precludes the holding of a Special Standing Committee, which in this case would be extremely important in considering whether, for example, there is a breach of articles 5(1) and 14 of the European convention on human rights. There is the further anxiety that there is likely to be no gap between the Committee stage and Report stage.

Finally, is the right hon. Lady aware that even now we have not been given the final copy of the Bill? I went to the Vote Office, and the Clerk said—no doubt perfectly properly—that I could not get a copy until the Bill had been formally laid. We still do not have the completed version of a Bill that we are to debate in five hours.

Mrs. Beckett: The right hon. and learned Gentleman is being a little disingenuous, if I may say so. He knows perfectly well that the Bill has been under continued revision as a result, quite properly, of discussions in and across the House, and that we expect to have the present text available very shortly. He has expressed concern about the interval between discussion today and on Monday. I remind him that his first concern, expressed a week or so ago, was that not all the stages should be taken in one day. The Government have heeded that concern, and I hope that he will recognise that. All that I can say to him is that the Government will do their best to reach agreement on a matter that, I remind him, was urged on us by Conservative Members, who offered full co-operation in dealing with any legislative proposals.

Ms Joan Ryan (Enfield, North): Will my right hon. Friend find time for a debate on employment? I ask that in light of yesterday's figures, which show that a million more people have found jobs since Labour was elected. That is despite a prediction by the shadow Chancellor, the right hon. Member for Kensington and Chelsea (Mr. Portillo), when he was Secretary of State for Employment, that a Labour Government would lose a million jobs. He had the right figure, but I am pleased to say that he was clearly going in the wrong direction, so nothing much has changed there.

This is a most important topic for all our constituents, and it would be useful to focus on the fact that, between 1979 and 1997, under successive Conservative Governments, unemployment doubled, while three years into a Labour Government, we have a million more jobs. Can my right hon. Friend find time for that important debate?

Mrs. Beckett: My hon. Friend makes a powerful and relevant point, and it is certainly noteworthy that, after three years of a Labour Government, we have managed to return employment to the level that it was at when we

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last left office, after which Conservative Governments so substantially increased unemployment. However, I fear that, although my hon. Friend makes an important point, I cannot find time for an extra debate on that at present.

Mr. John Redwood (Wokingham): As we are about to see a documentary on the out-of-control spin machine at No. 10 Downing street, will the right hon. Lady ensure that there is an early opportunity after its screening for us to cross-examine a Minister on the work of Mr. Alastair Campbell? It seems to us that the wages of spin are very high for him but a lousy deal for the rest of us.

Mrs. Beckett: I am so bored with hearing the Conservatives rattle on about spin, image and presentation. I cannot be the only Member who remembers photographs of Lady Thatcher sitting in a field, holding a calf. They should not lecture us about image.

Mr. David Taylor (North-West Leicestershire): The Edinburgh CJD surveillance unit has announced that, in a nation of 60 million people, there have been 74 confirmed and probable cases of human variant CJD, of which five have occurred in Leicestershire, which has a population of fewer than 1 million. Statistically, it is highly unlikely that that has occurred by chance. Will the Leader of the House press her colleagues to find time for a parliamentary debate on that very worrying occurrence or at least to use the research and information that may exist in Leicestershire to aid national understanding of this distressing disease?

Mrs. Beckett: My hon. Friend makes a powerful point. I understand the concern that he expressed, but I cannot undertake to find time for a special debate on the Floor in the near future. He might see whether there is an opportunity in Westminster Hall, and it may be tabling for Health questions today. I am confident that he will use other opportunities to raise the matter.

Mr. Nicholas Winterton (Macclesfield): May I return to the Football (Disorder) Bill—a matter that has been raised from both sides of the House by hon. Members with considerable service in, and experience of, the House? Was I right to deduce from what the Leader of the House said that, following the debate today, a decision will be taken on whether the business of the House on Monday will be subject to a guillotine motion? If that is the case, is the right hon. Lady aware that hon. Members are getting a pretty heavy postbag on the Bill, some of it in favour and quite a lot of it against, particularly because of the rather draconian proposals contained in the Bill? Does she accept that, although the Committee stage is being taken on the Floor, the Report stage is often the only stage of a Bill when Back-Bench Members of Parliament have an opportunity of expressing the concerns of their constituents? If it is to be good legislation, is it not right that there should be a full and proper opportunity for all hon. Members who wish to participate to take part in such an important debate?

Mrs. Beckett: The hon. Gentleman makes a serious point, and I take it seriously. Although of course I understand the concerns and reservations of hon. Members when legislation is dealt with at speed—the hon. Gentleman's interpretation of what I said is quite correct—the Government will, if it appears necessary, propose a timetable motion. When we began our exchanges—I do not mean the hon. Gentleman and I, but across the Dispatch Box—the Opposition offered co-operation for speedy legislative action. The Leader of the Opposition was quoted by *The Northern Echo* on 23 June as saying:

> I hope the Government accepts our sincere offer of cooperation.

By 4 July, in this place, the shadow Home Secretary, the right hon. Member for Maidstone and The Weald (Miss Widdecombe) said:

> We cannot proceed on a rushed basis—[*Official Report*, 4 July 2000; Vol. 353, c. 173.]

with the Bill. Since then, Opposition Members from the Front Bench and beyond have repeatedly said that, if we are to proceed with the Bill, they demand that the Government drop some other piece of legislation. That is not what we consider full co-operation.

Mr. David Chaytor (Bury, North): I draw my right hon. Friend's attention to the agreement reached this week between British Nuclear Fuels and the Kansai electric company in Japan relating to the return of defective nuclear fuel from Japan, and including significant compensation payments. Does she agree that that has major implications for the potential future development of the plutonium trade between Britain and Japan, which could have serious economic and environmental consequences? Does she find it remarkable that there has not been one form of parliamentary scrutiny of the development of that trade? Does she agree that the recent publication by the Select Committee on Trade and Industry on the future of BNFL provides a perfect opportunity for such parliamentary scrutiny?

Mrs. Beckett: My hon. Friend makes an interesting and important point about the implications for the plutonium trade and also about the Select Committee report. He will know that it is open to the Liaison Committee to nominate Select Committee reports for debate, whether on the estimates days or in Westminster Hall. He makes a powerful case for one of those nominations to be the report.

Mr. John Wilkinson (Ruislip-Northwood): Does the right hon. Lady realise that her failure to provide time to debate defence procurement is undermining the work of the Comptroller and Auditor General? Should not the House debate the National Audit Office major projects report on defence, which demonstrates that, far from undertaking smart procurement, the Ministry of Defence is overseeing a cost overrun of £2.75 billion on the 25 projects studied by the NAO, and furthermore, that 15 projects are more than three years late? Is it not the case that, far from smart procurement, the Government are conniving at the rip-off of the taxpayer?

Mrs. Beckett: The hon. Gentleman first makes a point about the defence procurement debate. I have repeatedly said that the Government will provide time for that debate, but we are not able to do so before the recess. It is not at all clear to me that there is any reason why that should hold up the work of the Comptroller and Auditor General. As for the notion that the National Audit Office major projects report in some way casts doubt on the Government's approach to smart procurement, I remind the hon. Gentleman that the report measures cumulative cost over-runs during the life of projects that, in some cases, extend for 20 years or more. It cannot have escaped his notice that that was not under this Government.

Mr. David Drew (Stroud): Has my right hon. Friend cast her eyes over the parliamentary ombudsman report, which came out last week, entitled, "Investigation into delays into making payments under the Arable Area Payments Scheme"—a riveting, good read? It refers to the previous Government's behaviour and their complete failure to reform the common agricultural policy, let alone manage it. Has that anything to do with why Conservatives dropped the debate on agriculture from today's Order Paper?

Mrs. Beckett: My hon. Friend makes an interesting point. Indeed, he may well be right. I have struggled to identify the reason why Opposition Members, who so often—not least at this Question Time—make complaints and express concerns about the farming industry, agriculture and so on, chose to abandon the scheduled debate on the crisis in agriculture to discuss the riveting subject of the House of Commons itself. [HON. MEMBERS: "Oh!"] Opposition Members make noises, but clearly the crisis in agriculture has disappeared, or perhaps my hon. Friend is right.

Mr. Christopher Chope (Christchurch): If the Leader of the House is determined to curtail debate on the Football (Disorder) Bill next week, will she give an assurance that the Government will not move any closure motion on this evening's debate so that everyone who wishes to speak is given full opportunity so to do? Can she confirm that her responsibilities should extend to protecting the interests of Back Benchers on both sides of the House who do not necessarily agree with their respective Front Benchers on such issues?

Mrs. Beckett: Of course I am aware that there are differences of view in the House, and I accept that it is important to have time. The hon. Gentleman will know that my right hon. Friend the Home Secretary has been absolutely meticulous in offering opportunities for consultation and, indeed, making changes to the proposed legislation as a result of those consultations. That is exactly the kind of exchange that, in other circumstances, would have taken place on Second Reading or in Committee, so we have attempted to take account of different concerns. Of course I accept the hon. Gentleman's point that there will be different views in the House and that some hon. Members may disagree with those on their Front Bench. Equally, he must accept my point that, while recognising that legitimate right, the Government have to take account of that in deciding how and whether we can proceed.

Mr. Brian White (Milton Keynes, North-East): My right hon. Friend the Leader of the House will know that it is two years since agreement was reached in Rome on setting up the International Criminal Court. When does she intend to introduce legislation to ratify that treaty to fulfil the promise given by my right hon. Friend the Foreign Secretary that we would be among the first 60 nations to do so?

Mrs. Beckett: My hon. Friend will know that that proposal did not find a place in this year's programme. He will also know that I cannot speculate about the contents of future Queen's Speeches. The Government recognise the importance of the issue, but there are many other important issues.

Mr. Adrian Sanders (Torbay): I have applied several times for Adjournment debates on tourism in the south-west. With the summer season upon us, tourists are fortunately flocking to the area, but there is a need to debate the Government's performance on tourism, given all the working parties and groups that they have set up and the recommendations that they have made, which have not yet been implemented. Will the right hon. Lady find time for a debate on tourism and its effects on the south-west economy?

Mrs. Beckett: While I wish the tourism industry in the hon. Gentleman's part of the world well, I fear that time is under a considerable premium at this time of year. I understand his concern in seeking time for such a debate. He will know that the Government have provided extra time for Adjournment debates. I fear that I cannot undertake to find specific time for such a debate at the moment.

Mr. Lindsay Hoyle (Chorley): Will my right hon. Friend consider giving time to debate the plight of my constituents in the village of Croston who have been besieged by 100 travellers? Not only has crime increased throughout the village, but private land is being destroyed and waste and disease may follow given the insanitary conditions there. The problem exists throughout the United Kingdom; there is no constituency that has not suffered because of such travellers.

Mrs. Beckett: I am sorry to learn of the concern and dismay expressed by my hon. Friend's constituents and sorry, too, to learn of the difficulties that have arisen in his locality. I am aware that consultation on whether new legislative proposals could be introduced is being undertaken, and he may want to contribute his experience to it.

Mr. Patrick Nicholls (Teignbridge): Can we have an early debate on this country's relations with Iran? Would that not give us the opportunity to consider the circumstances in which the London-based charity Iran Aid was forced to close? The Iranian regime said that they would not let the Foreign Secretary into Iran until that had happened. Would we not also be given the opportunity to understand why the Iranian regime, when they found out who the Foreign Secretary is, said that they were too busy to see him anyway? Does the right hon. Lady accept that such a debate would allow us to understand how this country's interests are advanced by the sight of the Foreign Secretary grovelling to the torturers of Tehran?

Mrs. Beckett: I am afraid that I can only confess to the hon. Gentleman my entire ignorance of the

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circumstances of the Iran Aid case. I shall draw his remarks to the attention of my right hon. Friend the Secretary of State. *[Interruption.]*

Madam Speaker: Order. I see what has happened. While I was counting my worry beads, Opposition Members resumed their seats.

Mr. Patrick McLoughlin (West Derbyshire): On a point of order, Madam Speaker. I believe that the Prime Minister is due to make a statement. Can someone run along to his office and bring him to the Chamber?

Mr. John Bercow (Buckingham): The Prime Minister has arrived.

Madam Speaker: I was just counting my worry beads. I call the Prime Minister.

Government Annual Report

12.57 pm

The Prime Minister (Mr. Tony Blair): Thank you, Madam Speaker. With your permission, I would like to make a statement on the annual report published by the Government earlier today.

Our first and primary responsibility was to get the economic fundamentals right—the building blocks that will make Britain stronger and fairer. Inflation is at 2.2 per cent.—within our inflation target of 2.5 per cent.—and an inherited £28 billion deficit was turned into a £16 billion surplus by last year. Unemployment is down and 1 million jobs have been created since May 1997. Real take-home pay is up by about 8 per cent., and when spending on areas that we want to spend money on, such as children and pensions, is taken out, welfare spending is falling for the first time in decades. But none of that has come without serious, grown-up choices—Bank of England independence, taking the politics out of people's mortgages, and tough action to clear the deficit. I know that some of those decisions, such as the rises in fuel duty, were unpopular, but they were necessary.

Interest rates over the years of this Government have averaged 6 per cent. In the previous 18 years, they averaged 10 per cent. That change makes the average mortgage holder £160 a month better off. That stability has been fought for and is on course to being won. Now we must make the next choice: to invest in this country's future. I believe that the people of this country understand that Britain is a chronically underinvested nation. For 18 years, transport, health and education were starved of the funds that they needed. In education, for example, the real-terms increase during the 18 years of Conservative government was only 1.5 per cent. a year. If we want opportunity and security for all in a world of change, we now have to invest in our essential infrastructure and public services. This Government are committed to that investment.

There has been investment to repair and renovate 11,000 schools, with 6,000 more to come; more money for books; money for computers; money for paying teachers more; and thousands more schools linked to the internet. We have seen a dramatic rise in standards in primary schools, but the next challenge is to see the same big rises in standards in secondary education and universities. The priorities remain education, education, education, and our response will be investment, investment, investment. Guaranteed.

In the health service, we are meeting our target on in-patient waiting. We must now get sustained falls in out-patient waiting. By the end of this year, all accident and emergency departments that need to be rebuilt or refurbished will receive such treatment. The first new hospital has already opened in Carlisle, and 37 more infrastructure projects amounting to more than £25 million each are on their way in England alone. There are new services, such as NHS Direct and walk-in centres. As a result of the March Budget, the national health service is finally getting the funds that it needs. It has benefited from the biggest sustained increase in its history. Again, however, we know that there is much more to do.

The Jubilee line and the docklands light railway show what our transport system could be like. Moreover, there are additional train and bus services, and new rolling stock is starting to come into use. But, in many parts of Britain, our transport infrastructure urgently needs substantial extra investment. We admit that. The 10-year transport plan, which will be published shortly, will show how it can be done.

The Government are committed to a society of opportunity for all and responsibility from all. Crime is down since 1997, particularly car crime and burglary—in some areas, spectacularly so. *[Interruption.]*

Madam Speaker: Order. We have all had our fun; the House must now settle down.

The Prime Minister: Violent crime, however, is rising. We need more police; we will get them. We need new ways in which to tackle drugs; we will get those too. We need tougher action against drug dealers; we are legislating against them.

In all those areas, we should recognise the immense efforts of millions of public servants—school teachers, police, NHS staff and civil servants—because their work makes our country richer.

We are a Government committed to social justice. Thanks in part to the minimum wage, the working families tax credit and the biggest-ever rise in child benefit—*[Interruption.]* Opposition Members do not want to hear the facts. [HON. MEMBERS: Hear, hear! Here's John; come on, John."] Perhaps the Opposition will cheer this. By the end of the current Parliament, 1.2 million children will be lifted out of poverty. But there is still a long way to go before we can achieve our goal of ending child poverty altogether.

I am well aware of the focus on the 75p rise in the basic state pension. If that was all that the Government had done for pensioners, people would have every right to be angry; but it is not. We chose, deliberately, to get most help to the poorest, through the new minimum income guarantee. About 2 million pensioners have gained, some considerably, by around £15 to £18 per week. We have abolished eye test charges. We have introduced the winter allowance, which now stands at £150. We have given free television licences to pensioners aged 75 and over. In total, an extra £6.5 billion will be spent on pensioners during the current Parliament—£6.5 billion above what the last Government planned. Again, however, I am the first to say that there is more to be done, and step by step, as the country can afford it, we will do it.

This year also saw the best inward investment figures in our country's history. Around the world, people are seeing the strong economic fundamentals that exist in Britain. They see a good business environment, described recently by the Economist Intelligence Unit as the second best in the world.

This Government are committed to a positive and constructive role in Europe. At the Lisbon summit, we helped to set a new economic course for Europe. Most recently, the Chancellor of the Exchequer turned around the entire debate on tax in Europe. We are leading the debate in Europe on defence. We will maintain a policy on the euro that is designed in our national economic interest, and is good for British jobs, British industry and British investment.

There are many other areas in which we can chart progress. Hand guns are banned. Land mines are banned. Hereditary peers are at last on their way out. There are paid holidays for the first time. As for the arts, funding is increasing, quality is improving, and our international reputation is a credit to Britain. When they want it, employees have the right to be represented by a trade union. We are starting to cancel third-world debt. The strategic defence review is allowing Britain to count for more in the world.

The annual report shows that 104 of our 177 manifesto commitments have been met, that 71 are on course, and that two are not timetabled. Of course there is more to do. We have been in government for three years. There are 1 million more in work, true, but many thousands of jobs are still lost as a result of industrial change. We now have the best-ever results in our primary schools, true, but our secondary schools are still nowhere near the level of the best in the world. We have an extra 10,000 nurses in the health service, true, but we need many more, and we need cancer and heart surgeons too. The incidence of domestic burglary has fallen by 20 per cent. in three years, true, but violent crime is still increasing.

A lot has been done, but a lot more needs to be done, and this Government will do it. We will deliver the stability. We will deliver the investment that the country needs. We will deliver opportunity for all in a civic society founded on rights and responsibilities.

Our purpose is to build a Britain that is strong, modern and fair. Under this Government, at long last, economic prosperity and fairness are no longer seen as opponents; they are seen as partners in the process of building the Britain of the future.

Mr. William Hague (Richmond, Yorks): I must begin by thanking the Prime Minister for delivering a statement of such excitement that at least two Cabinet Ministers were present for the start of it. Only this Prime Minister, when accused of being all talk and no delivery, would try to talk his way out of it. Only he, when accused of being all spin and no substance, would try to spin his way out of trouble. Only he, when accused of being all gloss and gimmicks, would attempt to rebut the charge by publishing a glossy brochure, which is yet another gimmick from his Government of gimmicks.

This is the third annual report. The first was entitled, "So what do you think?"; the second was called,"So, what are we doing?"; the third should accurately be called, "So what on earth are we going to do now?" We have all learned what to expect from the Prime Minister's annual reports.

I shall give hon. Members extracts from these reports, because the Prime Minister has not done so. First, there is the banal.

> The UK is home to 59 million people.

Thanks very much for that staggering piece of information. Then there is the completely untrue. Page 46 of today's annual report states that, as part of the delivery of the Government's vision,

> this year saw the opening of the UK Sports Institute, providing world-class facilities, coaching and support in Sheffield.

As everyone in Sheffield knows, not a brick has been laid. No such institute has been opened, and the whole thing is now to be sited in London. How are we to believe any of this rubbish? No wonder only 49,000 copies were sold last year, 41,000 of which were bought by the Government. It is not exactly Harry Potter, is it—although it requires as much imagination to believe it?

[Mr. William Hague]

Then there is the ridiculous. Last year's report said:

> The Dome at Greenwich will provide the focus for the country and the rest of the world.

This year's report says that

> the dome remains controversial.

Then there are the missing items. There is room this year for a full-page picture of a man on a telephone, but there is no space to mention the Chancellor's £5 billion tax on pension funds, the thousands of criminals released from jail early by the Home Secretary, or the complete collapse of the Foreign Secretary's ethical foreign policy.

Then we have more of the blatantly untrue. In the previous two reports, but not in this year's, the Government provided a helpful list of their claims of progress on their manifesto pledges. Last year they made some interesting claims. For instance:

> Develop an integrated transport policy. Done.

It is true that the Deputy Prime Minister integrated petrol price rises with traffic jams.

> Hold referendum on any EMU decision. Kept.

Did we all miss something? Have we had a referendum?

> Referendum on voting systems. On course.
>
> . . . EU enlargement. Done.
>
> CAP reform. On course.
>
> Back the 2006 World Cup bid. On course.

That is last year.

This year, the helpful list has disappeared and in its place the interested reader has to visit 177 different web pages in order to add them up. We can see some of the changes. The integrated transport policy has now become:

> Improving transport is a key priority for the Government.

What happened? Last year it was all done and integrated. Now it has disintegrated. Holding a referendum on voting systems has become:

> The timing of a referendum has not yet been decided.

Last year it was all on course. The 2006 world cup bid now reads:

> The final decision is 6 July 2000.

Is anyone updating the Government's website? Could that be a job for an out-of-work press secretary?

Is not today's report—this rubbish, this complete detachment from reality that we have been given—yet another signal that the Prime Minister lives in a fantasy world in which the dome is a great success, everyone wants to abolish section 28, everyone wants to adopt the euro and everyone believes figures produced by the Chancellor? Even when the report makes a claim that is true, it avoids the whole truth. It claims that 1 million jobs have been created in the past three years but does not mention that in the previous three years, under the previous Government, 1.1 million jobs were created. Does the Prime Minister think that we are all citizens in some Soviet village waiting to hear the glorious news about tractor production and willing to overlook the fact that no tractors have actually arrived?

Is not the truth that the Prime Minister and the Chancellor have repeatedly announced £19 billion for this and £21 billion for that, and that they have little or nothing to show for it? The majority in the country have been asked to pay again and again for services that are getting worse. Now the Government expect everyone to throw their hats in the air as they announce more fantasy figures pretending to know what will happen to the economy in four years' time and throwing all prudence to the winds.

Yesterday, as the Prime Minister threw some ludicrous figures around, he announced his own estimation of increased taxes—if he is allowed to go on governing—of £16 billion. Cannot we now be certain of two things: with this Prime Minister, services will not get any better but taxes will keep going up? If he wants to fight an election on that, we are happy to do so.

Is there not a massive contrast between his ridiculous claims and the daily experience of the mainstream majority of people in this country? Is there not a massive contrast between this self-congratulatory nonsense and the annual report that would be written by the people of Britain? Would not an annual report produced by the people of Britain say that the Prime Minister promised to improve the NHS and cut waiting lists, but the waiting list for the waiting list has doubled? Would not an annual report by the people of Britain say that he promised to be tough on crime, but he has been weak on crime and it is going up? Would not an annual report by the people of Britain say that he promised to cut class sizes, but class sizes in secondary schools have gone up? Would it not say that he promised to keep taxes down, but he has piled billions of pounds of stealth taxes on to hard-working families? Would it not say that he has comprehensively failed to deliver on public services?

Instead of this report, should we not have a real report on the Government? No tax increases at all—abandoned. Twenty-four hours to save the NHS—abandoned. An ethical foreign policy—abandoned. Broken promises—done. Weak leadership—done. Split on the euro—done. The slow slide from admiration to fascination to disillusion to contempt—on course.

The Prime Minister: As ever with the right hon. Gentleman, the jokes were very good, but when he got to policy, he fell apart. When he told us what he wanted to do with the country, one word was rather curiously missing—"guarantee". Where was it? The situation is even better than I said yesterday. Let me read what he wrote in his "Common-sense Revolution" statement in October 1999 to his party conference:

> Those guarantees will provide a concrete assurance for voters—and a necessary discipline on future Conservative Ministers when promises look difficult to keep.

The right hon. Gentleman cannot keep his promises as Leader of the Opposition, never mind in government. What would an annual report on him look like? The five guarantees that he put forward last October are now falling apart.

When the right hon. Gentleman finally got to policy, he started to talk about £16 billion. Let us return to that and explain to him what his shadow Chancellor has done. I do not think that he realises. Let us take him through it. On Thursday—[HON. MEMBERS: "Answer".] I am answering the question. The right hon. Gentleman attacked me on—*[Interruption.]*

Madam Speaker: Order. Mr. Paterson, we shall have a little less noise.

The Prime Minister: Conservative Members will have to listen to me. They attack me for not investing enough in schools, hospitals, transport and the police. Right. We are going to be putting in investment in all these areas. The right hon. Gentleman says that we do not intend to do that. I shall read to him what the shadow Chancellor said last Thursday and explain it to him. The right hon. Member for Kensington and Chelsea (Mr. Portillo) said:

> Mr. Brown has set an unsustainable course for government spending.

So he is opposed to that. He then said:

> Mr. Brown plans to raise spending by 3.3 per cent. every year while the economy is predicted to grow by just over 2 per cent.

Have we got those figures? They are 3.3 and 2 per cent. The right hon. Gentleman's shadow Chancellor added that his commitment for a future Conservative Government was to make sure that

> overall public spending . . . would grow less quickly than the economy as a whole.

Are Conservative Members following this? There will be a 3.3 per cent. increase with us and 2 per cent. with them. That means one third off the comprehensive spending review figures next Tuesday. Cuts of one third would be £16 billion.

Mr. Hague: Of taxes.

The Prime Minister: No, £16 billion of extra investment. The right hon. Gentleman does not understand that his shadow Chancellor has agreed to cut that figure from his spending plans. I shall tell the House what that would mean if it happened. If spending was cut by that amount, there would be no extra investment in schools, hospitals, police or transport.

When the right hon. Gentleman finally got to policy, he mentioned two points. As for class sizes, our pledge was to cut them for five, six and seven-year-olds in primary schools. We have done that. It is correct that in secondary schools there is a 0.2 of a pupil per class rise since we took office. That follows 10 years of rises under Conservative Governments. However, our pledge was first to reduce class sizes for five, six and seven-year-olds.

If the right hon. Gentleman really wants to act against crime, perhaps he will explain why last night the shadow Cabinet resiled from its promise to support us on legislation to deal with football hooligans and is not now going to back that legislation. If he is complaining about police numbers, the only way of increasing them is putting in investment. He is now pledged to cut the very investment that is necessary to do that.

As I have said, the right hon. Gentleman was fine when he was making his jokes, comments and one-liners. The trouble is that when we get back to policy, while he has been spending his time making the jokes, the shadow Chancellor has spent his time making the policy. As a result, from now until election day every Conservative Member will have to explain how he or she can cut £24 million from each constituency. They will be hounded until they do, and then the right hon. Gentleman will learn the difference between good jokes and good judgment.

Mr. Charles Kennedy (Ross, Skye and Inverness, West): Since we have the Prime Minister to thank for this scintillating parliamentary experience for us all, does he agree that, from the briefest scan of his statement, what is linguistically interesting is that "but" appears no less than 12 times? That perhaps tells us a little about the content. Now—*[Interruption.]*

Madam Speaker: Order. The House must come to order—all of you!

Mr. Kennedy: The Prime Minister's opening statement was a good deal more factual than what we heard from the leader of the Tory party a few minutes ago, however. Does the Prime Minister agree that if any of us could write an annual report about ourselves, we would probably want to be reasonably self-congratulatory, but to acknowledge that things could get better—*[Interruption.]* After the Romsey by-election things can only get better for the Conservatives. If this is to be a meaningful exercise in future, would it not be better for the Government to produce an annual report, make an oral statement and take questions, but for the report to be based on an independent audit of what the Government of the day have done and delivered in the preceding year? As a result, would the House not take the exercise with a degree of seriousness that it frankly does not command at the moment?

The Prime Minister: The right hon. Gentleman is right to say that I stress the "buts"; I do so because they are important. What is clear is that there has been significant progress in many of the areas and towards the objectives that we have set ourselves. I am the first one to admit, however, that we have a lot more to do. What is important is that people understand that we have made significant in-roads—for example, halving long-term unemployment. That is a big gain, but thousands of people are still without jobs. It is important that people understand that in primary schools, class standards are going up and we are getting the investment into school buildings, but there is a lot more to do in our secondary schools and universities. I could take people to parts of the national health service where there are examples of excellent practice—GP surgeries and hospitals, where there are standards of excellence. However, it is also true to say that there are parts of the country where that is not the case. We need to tackle those problems. I am saying that we are setting out a vision and a direction for the Government, which is stability first, then getting people off benefit and into work, and getting the investment in our future that we need, while at the same time ensuring that we are providing that opportunity for all and responsibility from all which are the basis of a decent civic society. Yes, of course, there is a lot more that we can do, but we can be genuinely proud of what we have done in three years.

Several hon. Members *rose*—

Madam Speaker: Before I call Back Benchers, may I say this? A number of Members on both sides of the House came in very late when the Prime Minister was halfway through his statement—indeed, I have a list of them all here. I regard this House as being full of honourable Members. Do me the honour of not standing to be called if you came in late. I know you came in late and you know you came in late.

Mr. Peter L. Pike (Burnley): Does the Prime Minister accept that the publication of this annual report underlines

[Mr. Peter L. Pike]

in simple language the key message that this Government, in just over three years, have delivered a tremendous amount to the people by making this country a better and a fairer place for the majority? Is not the key message that the Government also accept that there is more to do and that there is a commitment to do more? Should we not at the same time reflect on the fact that it is only just over three years since the previous Government, now the Opposition, went out of office after 18 years of abject failure during which they destroyed many things for the majority of people?

The Prime Minister: Briefly, I mentioned three things—the new deal for the unemployed, the minimum wage, and the working families tax credit and rises in child benefit. Those are all measure that are not merely right in themselves but that help to create a greater sense of social unity rather than the social division of the Conservative years.

Mr. John Redwood (Wokingham): We were delighted to read that the spinner was about to repent, but after that vacuous performance we know that the Government are all spin and no substance. Will the Prime Minister explain why he is ripping off the motorist at the petrol pump? Has he read in his own annual report that the Government now say that most journeys will continue to be made by road, not public transport? Will he now admit that he is not pricing the motorist off the road and that he should have voted with the Conservative Opposition against the last round of petrol tax increases?

The Prime Minister: May I first congratulate the right hon. Gentleman on his new position in the Conservative party? Nothing has made us more pleased in recent times than that. As for petrol prices, let us get one thing clear. Over the past year, I have accepted entirely our responsibility for the fuel duty rise in the first two years and have explained the reason: we needed to clear the deficit and to ensure that the economy was on a stable course. In the past year, the vast bulk of that has come through the rise in oil prices. I am still, however, waiting—even a nod of the head will do—to know whether the Conservatives are pledged to cut fuel duty or not. No. Frozen in immobility. Therefore, with the greatest of respect, I do not think that the public will take the right hon. Gentleman's criticisms very seriously.

Mr. Dale Campbell-Savours (Workington): May I remind my right hon. Friend of the state of the nation three years after the Tories were elected in 1979? We are talking about 1982. There were 3 million people out of work, factories were closing all over Britain and there was civil disobedience and fires in our major cities. Let us not forget what happened in Toxteth. It was going on all over the country. The Tories were at 27 per cent. in the opinion polls in that year: 1982. It was the lowest reported poll of any Government since polling began.

The Prime Minister: Of course, the Conservative record was not merely the 3 million unemployed, but the way they increased poverty in our society; the way they deprived many people of opportunity; the way that they meant that investment in our public services did not come on; the boom and bust, with two recessions—the deepest recessions that this country has had—and a doubling in crime. I am afraid that it is not merely the utterly shambolic state of the Conservative party today that is the problem for the Conservatives. It is also their record. That is something of which we shall also remind the country.

Mr. Peter Brooke (Cities of London and Westminster): Can the Prime Minister give the House a preliminary explanation of the illustration on page 24?

The Prime Minister: No, I cannot, but I will write to the right hon. Gentleman.

Mr. Paul Marsden (Shrewsbury and Atcham): If the Leader of the Opposition would like some substance and reality behind the Government's annual report, perhaps I could provide him with some. Is my right hon. Friend aware that Royal Shrewsbury hospital is receiving £1 million-worth of new cancer care equipment, as well as a newly refurbished accident and emergency unit, both of which we were denied by the Tories?

The Prime Minister: Of course, that is absolutely right. What is fascinating is that the last thing that Conservative Members want to do is talk about policy. We had almost 10 minutes from the Leader of the Opposition and he barely mentioned a policy at all. Now they cannot even ask questions on any policy area. The moment that they are put on the spot on policy, they cannot answer a question at all, but what my hon. Friend says is absolutely right. That £1 million investment going into his hospital, but that is £1 million investment that, were the Conservative party elected, with its commitment to cut spending by £16 billion, could not go ahead.

Mr. Alex Salmond (Banff and Buchan) *rose—*

Hon. Members: Oh, no.

Mr. Salmond: Labour Members should keep taking the tablets on page 24—or perhaps it is the latest Scottish opinion polls that they are worried about.

Does the Prime Minister recall the Deputy Prime Minister once telling the House that more people believed in Santa Claus than the claimant figures on unemployment? Why then is the document so complacent about unemployment figures? Is it not the case that, in Scotland, the International Labour Organisation figures, the ones that the Government used to believe in, have risen by 6,000 over the past year; that manufacturing employment is down 47,000 since the general election and now stands at its lowest level since the industrial revolution; and that the number of employees in full-time employment has declined since the last general election? Are any of those facts wrong? Why does none of them appear in the document? Do not the unemployed, instead of being offered soft soap, deserve an answer to those hard facts?

The Prime Minister: As for the point on the ILO figures, we published those figures for the very reasons that the hon. Gentleman has given. As for unemployment, we accept entirely that there are still too many people unemployed. However, we are proud of the fact that so many people are back in work. We are proud, too, that because of policies such as the new deal—which the Scottish National party did not support—we have been able to give people who have been on benefits for years and years their first ever chance of a job.

In the end, politics is a choice. The very worst thing that could happen to the Scottish people would be to end up taking the road that the hon. Gentleman wants them to go down, wrenching Scotland out of the United Kingdom, and ending up with business and industry losing thousands of jobs as a result. We accept entirely—we do in the annual report, and I do now—that we have to do much more on jobs. However, certainly, it is this Government who are doing that, and it is the hon. Gentleman's party that would put all that at risk.

Mr. David Winnick (Walsall, North): Is it not a fact that far too many people in our country—millions, in fact—are disadvantaged from birth onwards because of poverty and education limitations? Does my right hon. Friend agree that it is absolutely essential for a Labour Government to continue to reverse what happened in the Tory years—the increase in inequalities and the deliberate widening of the gap between the social classes?

As for the national minimum wage—which, obviously, I would like to see increased—does my right hon. Friend recall that the Tories fought it at every possible opportunity? They made us sit up all night to debate that legislation, and they fought it as a matter of principle. Despite what they say now, we cannot trust them not to reverse it should they be re-elected to office.

The Prime Minister: Of course that is right. Conservative Members used to tell us that the moment we introduced the minimum wage, jobs would flood out of the country and there would be a massive rise in unemployment. Indeed, I think the Leader of the Opposition said that the minimum wage was the greatest job-destroying thing that any Government could possibly do. Now, in yet another somewhat humiliating policy U-turn, he has had to say that he wants the minimum wage to stay under the Conservatives. We shall examine very carefully the small print of that commitment.

My hon. Friend was right in another respect. As a result of the changes that we have made, there are 1 million fewer children in poverty at the end of this Parliament than there were when it began. That is a record of which we really can be proud.

Mr. Nicholas Winterton (Macclesfield): May I tell the Prime Minister, with every respect, that his statement is about the Government's annual report? Although I would love the Conservative and Unionist party to be in government, it is his report with which the House should concern itself. Is it his view that depriving pension funds of £5 billion annually is a way of encouraging people to provide for their own retirement? By introducing that measure, is he not driving people ever more back on to the state and making them ever less dependent on their own savings?

The Prime Minister: No, I do not accept that. Since we came to office, stock market increases—which I think amount to 38 or 39 per cent—have substantially increased the value of those funds. We did make the change to dividend tax credits. However, we did that not only for reasons of public finance but because—from next year onwards, I think—there will be a significant flow back to companies in reduced corporation-tax receipts.

In the end, it is a matter of taking the decisions that are necessary to produce stability in the economy. When we produce that stability, we grow the economy. We have also avoided the recession that many Conservative Members predicted, and are now able to look ahead to years of steady growth. As I said, the stock market has been buoyant under this Government. Now, we are able—this is very important for pensioners and for everyone else—to get the investment into health care and the national health service that pensioners and others desperately need.

Mrs. Irene Adams (Paisley, North): Will the Prime Minister take it from me that many figures have been bandied about today? The hon. Member for Banff and Buchan (Mr. Salmond), the leader of the Scottish National party, told us that, since the general election, Scotland has lost 47,000 manufacturing jobs. Is my right hon. Friend aware that, between 1979 and 1997, in my constituency—in just one parliamentary constituency—we lost 30,000 manufacturing jobs? Those losses were delivered by a Government whom the SNP helped to deliver to this country. Since 1997, long-term unemployment in my constituency has fallen by 53 per cent. Will the Prime Minister give my constituents a guarantee that getting people back to work will remain a top priority?

The Prime Minister: My hon. Friend is right to remind the House of the history of the SNP bringing about the previous Conservative Government. I can give her an assurance that we will certainly continue to tackle long-term unemployment. There has been a very substantial fall, but there is a lot more that we need to do.

Mr. Graham Brady (Altrincham and Sale, West): Does the Prime Minister accept the estimate of the National Institute for Economic and Social Research that 80 per cent. of people coming off the new deal and into work would have found work without the new deal, or does he accept the Government's earlier estimate that only 60 per cent. would have found work without the new deal?

The Prime Minister: I think that I should correct the hon. Gentleman on what the national institute said. In fact, it said that 160,000 people had been helped off benefit and into work, that youth unemployment would have been double what it is today without the new deal and that, contrary to some reports, the new deal has been a success. I happen to know, and I suggest that the hon. Gentleman visits some of the young people who have been on the new deal. Those young people had absolutely no chance at all of getting a job. They were virtually unemployable. They have been given proper training and proper skills and they are in work. That is one of the reasons, as the national institute points out, why long-term youth unemployment has fallen by 70 per cent. Some of us remember the Government whom the hon. Gentleman used to support, who put up unemployment in this country, who said that it was a price worth paying and who turned their back on thousands of British citizens who deserve the chance to get on.

Mr. Dennis Skinner (Bolsover): Is my right hon. Friend aware that he should not spend too much time

[Mr. Dennis Skinner]

worrying about what the Opposition have to say about spending surpluses because they were experts in building up very large deficits? As for the account from the front, the story is that the first Labour Government did not get a full second term because they finished up with more unemployment at the end than there was at the beginning. The second Labour Government fell foul of the same problem. The third Labour Government, in which I served, finished up with more unemployment at the end than at the beginning. There is a very high prospect that this Government will end up with around 1 million more jobs than when we started. That is good news, but it is not spread evenly around the country. We need to do more for the peripheral areas where the manufacturing base has been denuded. Finally, there are about 12 or 18 months to go before my right hon. Friend calls the next general election. This annual report shows a move in the right direction. My right hon. Friend should keep listening to the Labour and trade union movement and people like Jack Jones, the pensioners leader, and he will pull it off.

The Prime Minister: On my hon. Friend's first point about the deficit, he is absolutely right. The Conservatives doubled the national debt. Indeed, when we came to office we were paying more in interest payments on the debt than we were spending on the school system. One of the reasons why my right hon. Friend the Chancellor has been able to announce today that we are able to increase spending within the overall Budget figures is precisely the diminution of interest payments on the debt. That is a significant step forward. It is also significant that today the Labour party—and the Labour Government—is the party of economic competence. That is a change from many years. As for jobs, it is important that we carry on with what we are doing. My hon. Friend is right to say that we must make sure that the message on jobs and the action on jobs gets spread to every single corner of the country. Some areas have suffered big industrial change affecting mining and other traditional industries and desperately need greater help. We will make sure that they get it.

Mr. Andrew Robathan (Blaby): The annual report says that it is

> intended to set out what we have done . . . and what needs to be . . . done.

Let me remind the Prime Minister of one thing that he has done. He issued a new ministerial code in which he wrote:

> I should like to reaffirm my strong personal commitment to restoring the bond of trust between the British people and their government . . . I will expect all Ministers to work within the letter and the spirit of the Code.

Does the right hon. Gentleman not he agree that he needs to stand by his words and enforce the code? Is not his right hon. Friend the Deputy Prime Minister clearly in breach of paragraph 113, which refers to trade unions, by accepting the tenancy of a flat worth at least £1,000 a month to him?

The Prime Minister: First, the hon. Gentleman knows that that complaint has been dismissed. However, what is interesting and significant about the Opposition today is that they are making not a squeak on schools, hospitals or any other important matter. The House hears only pathetic little smears from a party that is not just unfit for government, but increasingly unfit for opposition.

Kali Mountford (Colne Valley): When my right hon. Friend is considering where and how to make investments such as those reported in the annual report, does he take account of the effect on the 59 million people who receive the benefits of accident and emergency departments and cancer treatments, or of computers and books in schools? The list goes on and on. Or does he take account of acts of war and of God? What is it—people or pestilence?

The Prime Minister: I assure my hon. Friend that the investment that we have announced is the investment that we will carry out.

Mr. Stephen O'Brien (Eddisbury): By happy coincidence, it is almost exactly a year since the Conservative party won the Eddisbury by-election, with an increased majority. I have spent my year travelling around the many schools in my constituency. Why does the annual report make no mention of the collapse of morale and enthusiasm among teachers as a result of initiative overload, interference and the imposition of centralisation? Is that not yet another example of spin over substance, and of the Government's contempt for the British people?

The Prime Minister: It is quite something when the Opposition have to congratulate themselves on holding seats that they managed to hold by a small margin. As for schools, nothing would harm teachers' morale more than cutting back on the extra investment that we are putting in. Does the hon. Gentleman mean to say that schools in his constituency did not welcome the extra money that they got in the Budget? I bet they did welcome it. As a result of the commitments made by the shadow Chancellor, schools know that that investment would go if a Conservative Government were elected. The hon. Gentleman is saying that the additional investment that we are making—in schools, hospitals, transport and the police—is unsustainable. *[Interruption.]* They have just shouted out, "Not deliverable." There it is: it is not deliverable by them, but it is deliverable by us.

Mr. Michael Clapham (Barnsley, West and Penistone): My right hon. Friend will be aware that, when this Government came to power, there were 13.4 million people living in poverty, including 4 million children. Does he agree that those figures show the previous Conservative Government's total indifference to the neediest families in the country?

The Prime Minister: The figures do show that. Poverty and social division grew and, as a result, so did welfare spending. The previous Conservative Government increased welfare spending by an average of 4 per cent. in real terms, year on year on year. In fact, they increased welfare spending more than they increased spending on schools and hospitals. Because this Government are cutting unemployment, we are getting benefit payments down. If the extra money that we have deliberately made available for pensioners and child benefit is taken out, it is clear that welfare bills are falling. What the Tories did was not just unfair, it was inefficient and went against the basic requirement of a modern economy—that we use and develop the talents of all our people, and not just of the few.

Mr. David Heath (Somerton and Frome): I thought page 24 was some sort of opinion poll. Is there anything in this annual report for rural areas? It seems to me that there is not. Three and a half years into this Government, many rural areas are still saddled with a Conservative distribution formula that causes our schools and schoolchildren to lose out. When is something going to be done about that, and when will we have an annual report that says that resources are fairly distributed across the whole country?

The Prime Minister: Of course, there are things in the report for rural areas, noticeably the increased investment in transport. I was talking yesterday about the issue of rural post offices and how important that is as well. Rural areas, too, benefit from a strong economy. But I understand that we need to do more in areas such as the one that the hon. Gentleman represents. In particular, we need to do more investing in the essential infrastructure of the country. I believe that we now have the resources, through economic stability, the fall in debt repayments and the fall in unemployment benefit claimants, to put that investment in.

Several hon. Members *rose—*

Madam Speaker: Order. We shall now move on.

BILL PRESENTED

FOOTBALL (DISORDER)

Mr. Secretary Straw, supported by the Prime Minister, Mr. Secretary Prescott, Mr. Chancellor of the Exchequer, Mr. Secretary Cook and Mr. Charles Clarke presented a Bill to make further provision for the purpose of preventing violence or disorder at or in connection with association football matches; and for connected purposes: And the same was read the First time; and ordered to be read a Second time and to be printed. Explanatory notes to be printed [Bill 160].

Opposition Day

[17TH ALLOTTED DAY]

Parliament and the Executive

Madam Speaker: I have selected the amendment in the name of the Prime Minister. I shall have to put a 10-minute limit on speeches by Back-Bench Members.

1.45 pm

Mr. William Hague (Richmond, Yorks): I beg to move,

> That this House believes that Parliament is the essential and definitive link between citizen and government and should remain the institution at the heart of the nation's democratic system; regrets the accelerated loss of power and influence from Parliament to the Executive since 1997, rendering Parliament less able to hold government to account; and calls for the urgent introduction of the reforms necessary to reassert the authority of the House and to reverse the bypassing and undermining of Parliament in recent years.

Today we have called a debate on the decline in the power of Parliament to hold the Executive to account. In doing so, we are raising an issue of great concern, not just to members of our party but to members of all parties in this House.

Every informed commentator, every constitutional expert and every parliamentarian who is being honest with themselves believes that Parliament has been steadily diminished and is no longer able to do its job properly. The reason that this matters to everyone outside this building, as well as everyone inside it—

Ms Bridget Prentice (Lewisham, East) *rose—*

Mr. Hague: I shall make a little progress, and then I shall certainly give way to the hon. Lady.

The reason it matters is this: only in a country with a strong Parliament is there genuine representative democracy; only with a strong Parliament is there good and accountable government; only with a strong Parliament is law making both robust and sensitive; and only with a strong Parliament do the people of that country have a say in the decisions that affect their lives.

It is true that Parliament's power to hold the Executive to account has been declining for over a century under Governments of all political persuasions; but it is also true that the present Government have done more than any other in living memory to create a Parliament that bows and scrapes to Ministers, that nods through complicated and important legislation with only cursory investigation, that lets Departments get away with poorly drafted and ill-thought-through laws, that is sidelined and marginalised from the national political debate, and that absconds from its democratic responsibility of holding the Executive to account.

That is not just a Conservative view. Let us hear from the Labour party's own former Chief Whip, the right hon. Member for Bishop Auckland (Mr. Foster):

> I said that this place must never be the Prime Minister's poodle. Unfortunately, it has become so.—[*Official Report*, 13 January 1999; Vol. 323, c. 259.]

[Mr. Hague]

Or let us listen to someone who has spent much of his professional life following our proceedings from the Press Gallery—Robin Oakley. This is what he wrote in *The House Magazine*:

> In over 30 years reporting Parliament I can never recall a time when the proceedings have been

like this. He continues:

> The executive . . . cares little for Parliament . . . unless the government begins to respect the Commons more, will anybody else begin to do so?

Anyone who has been in the House for more than a few years knows that fewer Government decisions are made here than ever before; fewer Government decisions are explained here than never before; and fewer Government decisions are influenced by what happens here than ever before.

Several hon. Members *rose—*

Mr. Hague: I promised to give way to the hon. Member for Lewisham, East (Ms Prentice).

Ms Bridget Prentice: I thank the right hon. Gentleman for giving way.

If this place is so important for scrutinising the Executive, why has the right hon. Gentleman not called a debate on the economy and on the new deal on employment?

Mr. Hague: The Opposition hold debates about a range of issues on every possible day that is allocated to them in the House of Commons. We ask the Prime Minister about every single issue, but we do not receive an answer on many. That is our duty, and we try to carry it out.

As the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) said in a recent debate, because this is not a concern of one side of the House alone:

> All Members of Parliament understand that we got here with the support of party politicians and need to defend particular party political views, but we also have a duty to ordinary men and women who have let this Parliament grow up over 900 years . . .
>
> Parliament is not a rubber stamp for the arrangements of Executives or of Front Benchers . . . If . . . those groups succeed in getting what they want, we shall know that Parliament no longer represents the interests of the United Kingdom.—[*Official Report*, 22 May 2000; Vol. 350, c. 687-8.]

The Government's amendment to our motion talks about reforms of the House of Lords.

Mr. Alex Salmond (Banff and Buchan) *rose—*

Mr. Hague: I will give way again in a moment. I intend to give way many times and I will give way to the hon. Gentleman after I have finished this point.

The Government's amendment also talks about devolution to Scotland and to Wales. We can debate the merits of all those things, but the House of Commons remains the keystone of democratic accountability in this country. *[Interruption.]* It is by voting for Members of our House that our fellow citizens believe that they can make a difference to how they are governed.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I think that this debate will proceed better with less barracking and less shouting on either side. We want to hear the debate.

Mr. Hague: Thank you, Mr. Deputy Speaker. I will give way again in a moment.

Millions more people vote in the elections for this House than for any other elected institution. For most people in Britain, this House is the one connection between the opinions they hold and the actions of their Government. When this House is diminished, marginalised or sidelined, democracy itself is harmed. A weak or frightened House of Commons saps public confidence in the political process.

Mr. Salmond: Is not the right hon. Gentleman's case that that is surely a function of the Government's large majority based on a minority of the vote? In the Scots Parliament recently, we had an occasion when the Executive parties—Labour and the Liberals—tried to delay a Bill to abolish warrant sales. They were overturned by a parliamentary majority. That was possible because that Parliament has proportional representation and a balanced system. If the right hon. Gentleman wants this Parliament to do the same thing, why does he not support proportional representation?

Mr. Hague: Because this House must be the connection between the votes of the voters and how they are governed. Only in our electoral system is there the connection between how people cast their votes and which Government hold office—a view I know that the Home Secretary holds to dearly. Opposition would sometimes achieve more in the House of Commons if all the members of minority parties were regular in their attendance.

Several hon. Members *rose—*

Mr. Hague: The time has come—*[Interruption.]* I am glad to have generated so much interest. I will give way again in a moment.

The time has come to arrest the steady diminishment of the House. The time has come to stop the increasing power of the Executive.

Ms Claire Ward (Watford) *rose—*

Mr. Hague: I will give way again in a moment. The time has come to stop the sidelining of Parliament. New reforms are proposed in the name of modernisation which will increase the power of the Executive and diminish and sideline our Parliament yet further. Unless Members of Parliament speak out now, it will be too late to do so.

Ms Ward: I thank the right hon. Gentleman for giving way. If he thinks that it is so important to have a presence to hold the Government accountable, why is no Conservative Member of Parliament in the top 200 for attendance at votes in the House?

Mr. Hague: I saw that someone had done a little research on voting records, so I did a little research of my own. In fact, I compared the voting records of the Cabinet with those of the shadow Cabinet. The Chancellor has voted in 18 per cent. of Divisions—*[Interruption.]* I am coming to the Back Benchers. The hon. Lady asked about Conservative Members, and I think that Labour Members should have the information.

So far this year, the Chancellor has voted in 18 per cent. of Divisions, and the shadow Chancellor in 53 per cent. The Home Secretary voted in 43 per cent.

of Divisions, the shadow Home Secretary in 51 per cent. The Foreign Secretary voted in 15 per cent. of Divisions, the shadow Foreign Secretary in 53 per cent. Shall I go on? Would right hon. and hon. Members like more information? [HON. MEMBERS: "More."] The Education Secretary voted in 27 per cent., the shadow Education Secretary in 58 per cent. The Agriculture Minister voted in 43 per cent., the shadow Agriculture Minister in 50 per cent. The Culture Secretary voted in 38 per cent., the shadow Culture Secretary in 51 per cent. The importance of these figures to the hon. Lady is that it is not Ministers who stay here and vote but the mugs on the Back Benches whom they rely on to do it. *[Interruption.]*

If anyone doubts—

Several hon. Members *rose—*

Mr. Hague: I want to make a little progress. I will allow an intervention from another stooge or two in due course.

Anyone who has doubts that Government legislation is not being properly scrutinised should look at what has happened recently to Bills that have come before the House. During three years of this Parliament, 36 Bills have been guillotined or programmed—more than the number for the entire period of Baroness Thatcher's Government and more than double the number under the Government of my right hon. Friend the Member for Huntingdon (Mr. Major). Since the second world war, a quarter of all such motions have been moved by this Labour Government.

This week, we dealt with the hugely sensitive Police (Northern Ireland) Bill on Report and Third Reading. Seven of the 10 groups of amendments were never debated, including crucial new amendments on the name of the RUC—a matter of the highest public importance. That issue has been the subject of months of debate through newspaper columns and in Northern Ireland itself, but it was not debated on the Floor of the House of Commons. Only three Members were allowed to speak on Third Reading, with the result that the First Minister of Northern Ireland, the right hon. Member for Upper Bann (Mr. Trimble), was unable to speak in that debate.

The problem is made worse by the poor quality of so much of the legislation that comes before the House. The Greater London Authority Bill was so badly drafted that the Government tabled 46 new clauses on Report and 820 amendments—500 of which were tabled in the House of Lords at a late stage in the progress of the measure. Consideration of the Bill was guillotined and, as a result, three quarters of all the public-private provisions affecting the London underground passed into law without any parliamentary consideration. A completely new tax invented by the Deputy Prime Minister—the workplace parking levy—was introduced without one minute of debate in either House.

Of the 367 amendments tabled by the Government in the Lords to the Immigration and Asylum Bill, only two were debated in this House. Clauses on the penalties for rail companies caught carrying clandestine immigrants, on the rights of detained people to be released on bail and on the application of the new asylum arrangements in Scotland went undebated and unscrutinised. In future, constituents will come to the surgeries of Members on both sides of the House to ask us why this or that point was not made during the passage of that legislation. We shall have to tell them that Parliament never debated that important legislation and it is not adequate.

Mr. Bill Rammell (Harlow): Has the right hon. Gentleman read the recent book of his hon. Friend the Member for Chichester (Mr. Tyrie)? It states:

> the 1980s saw further encroachments of the executive into parliamentary independence. The use of guillotine motions escalated and the increasingly dominant position of the Prime Minister within the Cabinet affected the mood of the House.

If that was happening in the 1980s, why did the right hon. Gentleman never speak against it in the House?

Mr. Hague: It would have been hard for me to speak in this House at a time when I was at university. If the hon. Gentleman wants to repeat at greater length points that I have already made, he is welcome to do so. I said that Parliament's powers in relation to the Executive have been declining for a century and that they have done so under Governments of all political persuasions, but that this Labour Government have rapidly accelerated that process.

The Constitution Unit, an independent body that includes a Minister—the Advocate-General for Scotland—noted that

> the originators of the logjam—

in legislation—

> are the Government . . . Bills are allowed into the legislative programme that are insufficiently prepared, and then subjected to rafts of Government amendments as they go through Parliament.

The unit pointed out that that is the Cabinet's responsibility.

Parliament is being sidelined in the treatment of legislation, but it is also being sidelined in the provision of information from the Government. There is no better example of that than the Budget. The information provided in the Chancellor's Budget statements is no longer adequate for any commentator, economist or family who are concerned about their household budget to make an informed judgment about what he is doing with the nation's finances.

All previous Chancellors—Conservative and Labour—used to present the House with a full account of which taxes were going up and which were going down. They then tried to put the best gloss on it—but not this Chancellor. In his 1998 Budget speech, a new instalment system of payment for larger companies turned out to be £2,000 million tax increase on businesses. In his Budget speech last year, he aligned

> national insurance arrangements for the self-employed closer to those of employees—[*Official Report*, 9 March 1999; Vol. 327, c. 187.]

but it was later discovered to be a £240 million tax increase. *[Interruption.]*

Mr. Deputy Speaker: Order. I am sorry to interrupt the right hon. Gentleman again, but there is far too much shouting and other voices are being heard. We should be listening to the right hon. Member who currently has the Floor of the House.

Several hon. Members *rose—*

Mr. Hague: I will give way to more hon. Members in a moment but, judging by the quality of the interventions from Labour Members so far, they should be grateful that I have not given way to more.

[Mr. Hague]

The new and devastating stealth tax on high-tech contractors is known as IR35 only because it appeared in the fine print of Inland Revenue press release No. 35 and was not mentioned in the Budget at all.

This year, the Chancellor tried a new trick. He used different figures but called them the same name. No pensioner or car owner listening to the Chancellor this year could have possibly known that he was using different inflation figures when he said that he was uprating both the basic pension and petrol duty in line with inflation—but pensions went up 1 per cent. and petrol tax went up 3.5 per cent.

There was a time when a Labour Chancellor resigned because a small part of his Budget appeared in the evening papers as he was speaking. This Chancellor regards his speech simply as the official leak in a long string of leaks of the Budget, all of which are designed to conceal its real contents from the voting public. Yet the central role of Parliament is to supply the Government with money for expenditure in return for a proper and informed debate on the level of taxation. Our predecessors went to war with each other and with the monarchy to establish that principle. Now our Parliament is unable to carry out even this central role.

But, of course, the person who has done more than any other member of the Government to try to ignore, override, sideline and dismiss Parliament is the Prime Minister himself. Let me remind the House of what he said before the election. He said that

> the lesson of parliamentary change is that it has to be carried out with care and sensitivity . . . The rights of backbenchers have to be protected. They will . . . be wary of changes which appear . . . to make the job of government easier.

That is what the Prime Minister told an enthusiastic Charter 88 audience before the election. However, in the very first parliamentary week after the election, he unilaterally cut the number of Prime Minister's Question Times in half. He said:

> parliamentary change . . . has to be carried out with care and sensitivity

and he then imposed one of the biggest changes of procedure without consulting a single Back-Bench Member of Parliament and without consulting the report by the Select Committee on Procedure, which explicitly ruled out such a move. He said:

> The rights of Back Benchers have to be protected

and he then halved overnight the one opportunity that Back Benchers have to ask questions on behalf of their constituents to the most important Minister in the land.

Several hon. Members *rose—*

Mr. Hague: I shall give to the hon. Member for Colne Valley (Kali Mountford) and then proceed a little further.

Kali Mountford (Colne Valley): The right hon. Gentleman has just alleged that there is less opportunity now for Back Benchers. Can he not accept that 15 and 15 equals 30? If—heaven forbid—he were ever Prime Minister, would he consider his Back Benchers to be mugs if they stayed and voted for his Government?

Mr. Hague: Personally, I favour bringing Prime Minister's Question Time back to twice a week and it being for 20 minutes. Back Benchers would then have two opportunities in the week to question the Prime Minister.

The Prime Minister claimed yesterday to miss fewer Question Times than his predecessor—which when he has cut in half the number of occasions that it happens is hardly a proud boast. He says that he goes to any lengths to turn up to every Question Time—which is hardly surprising when we know who stands in his place when he does not. He claims to have answered more questions than any of his predecessors, but no one in the country thinks that he has answered a single one. It is true that he stands up, opens his mouth and words come out, but that is not the same as giving an answer.

Cutting Prime Minister's questions in half was an act of prime ministerial arrogance and disregard for the rights of Parliament. It is not the only way that this Prime Minister avoids democratic scrutiny. I have been looking at how many debates this Prime Minister and his predecessors have led on the Floor of the House in the first two years of a Parliament. It is an interesting score sheet: Clement Attlee 29; Harold Macmillan 22; Harold Wilson 24; my right hon. Friend the Member for Old Bexley and Sidcup (Sir E. Heath), the Father of the House, 25; Baroness Thatcher and Lord Callaghan 13 each; my right hon. Friend the Member for Huntingdon 10; and the Prime Minister 3. Congratulations—he has spoken in less than one third of the number of debates than any post-war Prime Minister before him. He will say that he has delivered his fair share of statements. What he does not say is that the great majority of his statements are on international summits which even he cannot wriggle out of, and the rest are meaningless public relations exercises like the one we have been subjected to today.

Let us look at those occasions when the Prime Minister has a choice whether to come here or not. The voting scoresheets of Prime Ministers are as follows: Harold Wilson, 35 per cent.; my right hon. Friend the Member for Old Bexley and Sidcup, 36 per cent.; Lord Callaghan, 38 per cent.; Baroness Thatcher, 45 per cent.; my right hon. Friend the Member for Huntingdon, 41 per cent.; and the Prime Minister, 5 per cent. What that means is not just that he is not around the Palace of Westminster at voting time, but that he is not around the Palace of Westminster at any time. That diminishes the role of Parliament and its effectiveness in scrutinising the Executive.

Mr. Phil Hope (Corby): The right hon. Gentleman talks about the rights of Back Benchers to scrutinise Parliament. Will he explain why Conservative members of the Education and Employment Committee attended only one third of the meetings they were entitled to attend?

Mr. Hague: What a devastating piece of information. Hon. Members of all parties do their best to attend Select Committees. [HON. MEMBERS: "Answer."] I will give the answer, which concerns what really needs doing with Select Committees. I agree with the Liaison Committee report on Select Committees. The Government claim to have given more time for debates on Select Committee reports, but that is no substitute for giving real power and independence to Select Committees and making sure that Parliament can exercise rigorous scrutiny of the Government.

Twenty-one of the 33 members who produced the Liaison Committee report are Labour Members, and they say:

> There has been a tendency to use the extent or frequency of debates on select committee reports as a criterion of success.

But debates must be both timely and effective. There is little value in a debate which does no more than allow members of the Select Committee to re-live their inquiry months after the event.

It is time to reform the House of Commons and improve our procedures, but not with reforms that diminish our power to scrutinise Government legislation and not with Modernisation Committee reports that make it easier for Ministers to avoid being held accountable to Parliament.

Mr. Andrew Robathan (Blaby): My right hon. Friend may be interested to know that, at a meeting of the Select Committee on International Development two weeks ago, four members out of eleven were present—three Conservatives and one Liberal.

Mr. Hague: We could go on with these records for a long time. The point is that Select Committees need strengthening.

The so-called Modernisation Committee was supposed to come up with reforms that would strengthen Parliament, and it set out its spirited aims last year. Its wishes were to restore the Chamber as a place where the Executive is held properly to account by Members; where Government policy is first announced and tested; and where the terms of trade between Government and House are shifted back to the House. These are aims that I unreservedly support, and reforms to Parliament which promote them should be universally supported across this House.

However, the latest report from the Modernisation Committee has tragically failed its own remit. Its latest report proposes changes to the programming of legislation and the timing of votes that would shift the terms of trade in the opposite direction by greatly reducing the opportunities for the Opposition—and the Government's own Back Benchers—to scrutinise legislation and hold the Government to account.

Several hon. Members *rose—*

Hon. Members: Give way!

Mr. Hague: I have given way several times, and I will give way again later.

The report proposes timetabling all Government Bills and delaying all votes which would otherwise be taken after 10 o'clock until the following Wednesday afternoon. These proposals represent a serious assault on the power of Back Benchers. *[Interruption.]*

Mr. Deputy Speaker: Order. Shouting will not help the tempo of the debate and will make no difference to whether or not the right hon. Gentleman takes interventions.

Mr. Hague: These proposals represent a serious assault on the power of Back Benchers. Delaying votes until days after a debate strips away any possibility that a Member of Parliament may be influenced by what has been said in the debate before a Division, and is designed mainly for the convenience of the Government because even the Prime Minister could get a decent voting record, as the votes would coincide with his weekly visits to the House of Commons. The ideas of the Modernisation Committee have not come—

Several hon. Members *rose—*

Mr. Hague: I shall not give way until I have talked about the Modernisation Committee for a few moments.

The ideas have not come from Back Benchers, but have been driven forward by the Leader of the House, who is the Chairman of the Committee. I have a copy of the first draft of the report, the top of which shows that it was faxed to Parliament from an office in Whitehall. Nothing could symbolise better how the rights and relevance of Parliament are being progressively diminished by the Government themselves than the fact that the reports of our own Committee now originate in Whitehall.

The minority report of the Modernisation Committee notes:

> The absolute divorce of decision from discussion in the method proposed, for the convenience of government supporters, will heighten cynicism about the relevance of debate and discussion, and undermines the parliamentary process.

Programming more legislation and restricting votes may suit the convenience of Ministers, but it does not suit the cause of good government or a strong Parliament. It flies in the face of the fundamental right of Back-Bench Members of Parliament to question Ministers about the actions of Government on behalf of their constituents.

We should look at the history of recent late sittings. The House sat until 3 am on the remaining stages of the Terrorism Bill in March because Labour Back Benchers and Liberal Democrat Members were alarmed at what they felt were the implications for civil liberties. Parliament gave them a platform so that they could have their say.

The House sat until 1 am in early April considering the Freedom of Information Bill because Labour Back Benchers were deeply unhappy with legislation which, they felt, did not match their party's commitments. They wanted to press the Government to improve the Bill.

Opportunities for debate do not just make better Back Benchers—they make better Ministers, too. When I was a junior Minister taking a Bill through the House, there were times when the late Bob Cryer would debate the detail of it exhaustively with me, testing whether I knew what I was talking about. It is a good job for the Prime Minister that Bob Cryer is not here today, as he would not have been afraid of questioning Labour Ministers any more than he was of questioning Conservative Ministers.

Today, people such as my right hon. Friends the Members for Bromley and Chislehurst (Mr. Forth) and for Penrith and The Border (Mr. Maclean) do that to Labour Ministers. I am sure that the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) spoke for many Members when she said that neither of my right hon. Friends was automatically high on the list of people whom she loved dearly. However, she thought that their actions were legitimate, and said:

> Parliament cannot be organised into a nice, neat tidy bundle so that the Executive takes decisions, tells Parliament what it has decided and produces Bill that, even if they are wrong, can be

presented as a package and pushed through, because no one any longer alters a word of them.—[*Official Report*, 22 May 2000; Vol. 350, c. 687.]

I agree whole-heartedly.

The answer to those who say that staying up late to debate Government legislation is wearing them out is simple: we should have a legislative programme that is not so packed that there is no scope for debate. We should have a legislative programme that is not so bursting at the seams that even its own supporters cannot press amendments. We should have a legislative programme that is not so stuffed with poorly drafted Bills that it requires hundreds of Government amendments that are never even considered. The Modernisation Committee's approach to the weight of the legislative programme should not be to make it even easier for Ministers to force their business through, which further weakens the vital link in this House between the governed and the Government.

The House needs reform. *[Interruption.]* I shall give way to the hon. Member for The Wrekin (Mr. Bradley) before putting forward my own reforms.

Mr. Peter Bradley (The Wrekin): Before the right hon. Gentleman leaves the point of whether he knows what he is talking about, may I ask a question? He does not have a country to run and does not have policies to develop, as that is the job of the right hon. Member for Kensington and Chelsea (Mr. Portillo). All he has to do is sit in his office and dream up punch lines for Prime Minister's questions. In those circumstances, will he explain why he votes in less than a third of Divisions?

Mr. Hague: Attacking me for voting 32 per cent of the time when the Prime Minister votes 5 per cent. of the time strikes me as a spectacular own goal. The Prime Minister has enough time to run around for a photo opportunity every day, so he should have enough time to come to the House of Commons.

Mr. Nicholas Winterton (Macclesfield): As a member of the Modernisation Committee, can I ask my right hon. Friend how he believes the House should deal with a situation in which the timing of votes means that votes on matters discussed after 10 o'clock on a Wednesday or Thursday, and on which there will be a Division, will not be taken until the following Wednesday? How will the House deal with Members who were not even in the country when the debate took place; and how will it deal with those who took part in the debate but who, for legitimate parliamentary reasons, cannot attend the following Wednesday afternoon?

Mr. Hague: My hon. Friend makes an extremely good point. That would damage the proceedings of Parliament still further. There are Labour Members who would not know what they were voting on when it came to a Wednesday afternoon. I know some Labour Members who do not know what they are voting on 10 minutes after a debate, let alone five days later.

We need reforms and proposals that will make our Parliament stronger, improve our laws and hold our Government to greater democratic account. A good place to start is the recent report of the Liaison Committee, which is made up of 33 Select Committee Chairmen, 21 of whom are senior Labour Members, and the Chairman of which is the right hon. Member for Ashton-under-Lyne (Mr. Sheldon). The report recommends sensible reforms that build on the success of the Select Committee system in providing, as they say, independent scrutiny of Government, exposing mistaken and short-sighted policies and so on.

The Committee proposes to give the House of Commons more teeth by taking appointments to Select Committees out of the hands of the Whips—a principle that I, too, believe would enhance the independence and reputation of Select Committees. As a party leader, I am happy to accept that principle, and I invite the Prime Minister to accept it when he responds to my speech.

The Government's response to that impressive report, compiled by senior members of their own party, was, as usual, dismissive. They said:

> The Government are not convinced that a change to the current system is needed.

I wonder how many of those on the Government Front Bench have read the Liaison Committee report. It is no wonder the Committee says that too many Government responses to Select Committees

> are superficial and give the impression that they have been drafted with only a cursory look at the summary recommendations, ignoring the analysis and the argument.

That is why we set up the commission for strengthening Parliament, under the chairmanship of Lord Norton of Louth, to make recommendations. That is mainly, but not wholly, the work of Conservatives. The commission took evidence from a former Speaker, a former head of the civil service, academics, journalists, pressure groups and MPs from both sides of the House.

This week the commission published its report. Its proposals deserve careful consideration by MPs on both sides of the House, and there are some that we should be able to accept immediately. First, all parties should accept the principle, set out in the Liaison Committee report and the Norton report, that appointments to Select Committees should now be taken out of the hands of party managers. It must be wrong that the Government, through the Whips Office, choose the people who are supposed to hold the very same Government to account.

Secondly, we should give departmental Select Committees more powers of the kind that the Public Accounts Committee already has, so that parliamentarians at least stand a chance of keeping track of the work of huge Government Departments. We should establish a separate career structure for Select Committee Chairmen so that not everyone feels that they have to become a Minister or shadow Minister. Thirdly, we should make much greater use of two small advances that the Government have made, and publish more legislation in draft so that mistakes can be spotted before a Bill reaches Parliament and make much greater use of Special Standing Committees to scrutinise legislation.

Fourthly, we should look at ways of improving the topicality of Parliament, because unless people feel that their MPs are talking about issues that are relevant to them, they will lose faith in the democratic process. One solution would be to reduce the number of days' notice required for oral questions; another would be to restore Prime Minister's questions to two slots a week.

There are many other proposals in the report which hon. Members on both sides of the House should consider carefully. They include: reforming Question Time and putting the emphasis on depth, not breadth; putting more of the parliamentary timetable in the hands of Committees of the House; making the publication of Bills in draft standard practice; making changes to the way in which Parliament considers delegated legislation and statutory instruments, which is woefully inadequate today; making substantial improvements to the scrutiny given to European legislation; appointing a parliamentary investigations officer to investigate cases where information is withheld from Parliament; amending the civil service code—

Several hon. Members *rose—*

Mr. Hague: Hon. Members wanted proposals. These are proposals—amending the civil service code so that civil servants are required to provide Members of Parliaments with information; and vastly improving the scrutiny of Government taxation and spending plans. Those are just some of the reforms that could enhance the power and reputation of Parliament, and we should consider them.

Helen Jackson (Sheffield, Hillsborough) *rose—*

Mr. Christopher Leslie (Shipley) *rose—*

Mr. Hague: We say that it is time that we had Ministers who stopped pre-announcing major Government policies on the "Today" programme, and started announcing those policies where they are supposed to be announced—right here, to the elected representatives of the people. It is time that we had Ministers who stopped evading the legitimate questions about the activities of Government, and started giving full and prompt replies to Members of Parliament who have a democratic right to have their inquiries answered.

Mr. Derek Twigg (Halton) *rose—*

Mr. Denis MacShane (Rotherham) *rose—*

Mr. Hague: It is time that we had Ministers who stopped stuffing the legislative programme full of ill-considered and badly drafted Bills, and started allowing Parliament proper time to do its job of scrutinising legislation. It is time that we had Ministers who stopped receiving leaked Select Committee reports from toadying Government Members, and started letting the Select Committees do their job of holding to account those who wield Executive power.

It is time that we had a Prime Minister who understood that he is accountable to Parliament; a Prime Minister who spent time at the Palace of Westminster, instead of seeking the first opportunity to escape back up Whitehall; a Prime Minister who listened to elected Members of Parliament and was accountable to the people, instead of listening only to unelected advisers and spin doctors accountable to no one; a Prime Minister who bothered to vote on the very laws that he seeks to impose on the country, instead of staying away and ordering his Back Benchers through the Lobby; a Prime Minister who came to the Dispatch Box twice a week and answered questions, like every other Prime Minister in living memory.

The truth is that, like a fish, the Government have rotted from the head. Their contemptuous treatment of Parliament begins with the contemptuous attitude, obvious to everyone, of the Prime Minister to the House. He has created a Government of secret briefings, leaks, gimmicks and gossip, in which power rests with unelected advisers, spin doctors and cronies.

That is what is meant by the hon. Member for Liverpool, Walton (Mr. Kilfoyle) when he speaks of the

> vacuum at the heart of New Labour;

or by the former Minister, the hon. Member for Stoke-on-Trent, Central (Mr. Fisher), when he says that the Government

> is centralised and arrogant. It's all glitz;

or by the hon. Member for Cannock Chase (Tony Wright), when he speaks of "hollowness and spinnery" and "the obsession with presentation"; or by the right hon. Member for Birkenhead (Mr. Field) when he says that people see "New Labour as alien" and find

> the new elite's choice of friends strange;

or by the Minister of State, Foreign and Commonwealth Office, the hon. Member for Neath (Mr. Hain) today, when he calls his fellow Ministers "automatons"; or by the Deputy Prime Minister when he pleads in public:

> I wish somebody could stop the spin doctors.

Despite one of the largest majorities in history, the Government's behaviour in the House is characterised by weakness and cowardice. They are a weak and cowardly Government who announce policy in press releases, rather than on the Floor of the House. They are a weak and cowardly Government who put all the power in the hands of spin doctors, rather than Ministers of the Crown. They are a weak and cowardly Government who leak through secret briefings, rather than make statements at the Dispatch Box.

The Government's style is best summed up by one of those notorious unelected advisers, Labour's former director of policy, who speaks of

> a culture in which the approval of advisers in Number 10 or Number 11 is more important than the opinion of the Ministers they serve.

The true attitude of the Government leadership is best summed up by the Secretary of State for Northern Ireland, the right hon. Member for Hartlepool (Mr. Mandelson), the crown prince of new Labour, who says that

> the era of representative democracy is slowly coming to an end.

I say that representative democracy must not come to an end. I say that parliamentarians of all parties must ensure that it does not come to an end. Members of all parties who care about democracy and acknowledge the central role of the House of Commons must join together in making sure that it has not come to an end.

2.24 pm

The Prime Minister (Mr. Tony Blair): I beg to move, To leave out from "House" to the end of the Question, and to add instead thereof:

> 'congratulates the Government on carrying out in three years the biggest programme of constitutional reform for a century, including devolution to the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly, and incorporation of the European Convention on Human Rights, bringing government closer to the people; and welcomes the fundamental reform of the House of Lords and the establishment of the Select Committee on the Modernisation of the House of Commons which has doubled the number of backbench debates and quadrupled the opportunities to debate Select Committee reports as part of the 48 recommendations implemented so far.'.

[Interruption.] To be frank, if I were a Conservative Member, I would have left some time ago.

There are serious issues to do with this subject, but that was not a serious speech. After all, the right hon. Member for Richmond, Yorks (Mr. Hague) and his party were in government for 18 years, but they did none of the things that they now say are absolutely vital. With the greatest respect to them, what they really object to is the fact that we are the Government; that is their real problem.

Instead of making that eccentric speech on the first occasion of his calling a debate as the Leader of the Opposition, he could have discussed jobs, the economy, schools, hospitals or even crime. I do not know whether people in his pubs and clubs are talking about pre-legislative scrutiny, but they are not in mine. I heard it said the other day that, as a 16-year-old, the right hon. Gentleman used to read *Hansard* underneath the bedclothes. That was the speech of such a person. There are serious issues, and I will come to them; it is an important topic, but I must say that that speech did not match its importance.

I have read the report of the Norton committee; it is a worthy document, so far as it goes, and we shall of course consider it. It talks about the fact that Prime Ministers have become unaccountable to Parliament and says that perhaps they are perceived as having too much power, but I have to tell the right hon. Gentleman that its footnote refers to a book that was published, I am afraid, in 1993. It said of the Thatcher Government:

> Far more than previous premiers she relied on a whole squad of advisers, speech writers, her political office, and assorted media fixers and spin merchants. By 1983 she had completely abandoned conventional electioneering in which she might encounter ordinary voters.

Somehow he missed that bit out of his speech.

Let me give the facts. Of course the right hon. Gentleman may have a point on the votes because we have a large majority, although I refer him to the excellent document issued by my hon. Friend the Member for The Wrekin (Mr. Bradley) on the voting records of some Conservative Members and, particularly, their attendance on Select Committees. If he considers what is obviously my job—which is, as Prime Minister, to answer questions in the House of Commons—he will see that I do, in fact, miss fewer sittings. On any comparison, I have spent as many, if not more, hours in the House answering questions. *[Interruption.]* I am afraid that that is true.

Let me give the details on ministerial statements. During this Parliament, Ministers have made 238 statements—on average, one every two sitting days. I have made 31, including the one that I have just made. That compares with 157 ministerial statements during the first years of the previous Administration. I turn next to the sittings of the House. *[Interruption.]* I am sorry if the facts bore Opposition Ministers, but it is important simply to give them. In the first Session after the 1992 general election, the total number of sitting days was 240, and the House sat for 1,933 hours and 34 minutes. In the first Session after May 1997, the total number of sitting days was 241, and the House sat for 2,117 hours and 36 minutes.

If we look at the second Session under the previous Government, Madam Speaker, the total number of sitting days was 154, and the House sat for 1,258 hours. It is correct that the total number of sitting days was 149—five days less—under our Administration, but the House sat for 1,378 hours. It simply is not correct to say that we have not considered matters and put them before the House properly.

On guillotines, I understand that the right hon. Gentleman has added together guillotines and programme motions. If those two things are separated out, of course the figures look far less good from his point of view. Madam Speaker, on the specific points that he made—

Mr. Deputy Speaker: Order. If the Prime Minister does not mind, I should perhaps point out to him that Madam Speaker has changed places with me.

The Prime Minister: My apologies, Mr. Deputy Speaker.

Ms Ward: Is my right hon. Friend aware that the Leader of the Opposition—when thinking creatively about the constitution, which he does not seem to do often—explained in a speech last year that the Opposition believed that they could automatically timetable all Bills and abolish the practice whereby all Bills that had not completed their passage by the end of a Session failed? Is not that another example of hypocrisy?

The Prime Minister: That is absolutely right.

Turning to the substance of the Norton commission report, the reputation of Parliament does not lie in having 20 Cabinet Ministers rather than 22 and no one will be better governed through fine-tuning the ministerial code. Those are good issues for academics and constitutional experts, but they are not the big issues that Parliament should debate when we consider our role in modern society and our relationship with the Executive today. We live in a time of great change. The public are changing. Their expectations of Parliament and politics are rising. Our institutions are the best for this country, but it is entirely right, as the Modernisation Committee suggests, that we move with the times and modernise our practices in the House.

Mr. Desmond Swayne (New Forest, West): Will the Prime Minister give way?

The Prime Minister: In a moment.

I disagree with the Leader of the Opposition; Parliament and the Executive are structures of power. They owe their legitimacy not to themselves, but to the people—the electors. Our task is to try—in so far as is possible and consistent with representative democracy—to do the people's will. The trouble with his vision of democracy and with going into each procedural aspect of the House of Commons is that that vision stops about two metres in front of his nose. We need to debate other and bigger issues if we are to explore the true relationship between the Executive and Parliament.

Mr. Swayne: On the question of democracy and the ability to debate, the Prime Minister complains that we have added together the programme motions and the guillotines. Will he admit that, for the Back Bencher, their effect is the same? No Member could have been more wrong-footed by the programming from start to finish of the Scotland Act 1998 than the hon. Member for Linlithgow (Mr. Dalyell), who was silenced continually as clause after clause was agreed to without debate.

The Prime Minister: I cannot say that I have ever noticed my hon. Friend the Member for Linlithgow (Mr. Dalyell) being silenced. The point is that a programme motion is agreed between the sides. As the hon. Gentleman heard from my hon. Friend the Member for Watford (Ms Ward), his party proposed that. Of course modernising the proceedings of Parliament must be part of the objective. We are trying to do that.

Mr. Alasdair Morgan (Galloway and Upper Nithsdale): Will the Prime Minister give way?

The Prime Minister: In a moment.

We have taken major steps to modernise the other place and to improve the ways in which the House can work. I emphasise that the procedures of the House are not matters for the Government or the official Opposition. I want to make one thing clear: they are matters for individual Members of Parliament who exercise their own judgment on a free vote. They are truly matters for the House. If I may say so, following Madam Speaker's announcement yesterday, we shall elect her successor by a free vote, independently exercised, of the Members of the House.

Mr. Morgan: On modernisation, and given the success of proportional representation in Wales, whose First Minister was dismissed, and in Scotland, where the Government are being overturned on the matter of warrant sales, what is the Prime Minister's opinion of the introduction of PR for Westminster?

The Prime Minister: As I have often said, the arguments are different in relation to Westminster. In respect of the Welsh Assembly and the Scottish Parliament, I believe that there were particular reasons for introducing that system, not least the existence of a different set of political parties—the hon. Gentleman's party, for example—that operate with substantial support in the political system. However, that does not mean that that system is right for the House of Commons.

Mr. Gordon Prentice (Pendle): The Liaison Committee report has huge support across the House: 211 Members, the vast majority of them Labour, signed my early-day motion. If the Liaison Committee report is a parliamentary issue rather than a matter for the Government, may we have a free vote on it?

The Prime Minister: There we are. That is the legitimate voice of Back Benchers speaking. *[Interruption.]* This is a matter for the House, and of course we shall have a position on it.

Mr. Hague: I do not think that the Prime Minister has given a full answer to the hon. Member for Pendle (Mr. Prentice). The hon. Gentleman asked whether, in view of what the Prime Minister had just said about the importance of free votes on House of Commons matters, members of his party could have a free vote on the Liaison Committee report. Opposition Members will have a free vote. Will the Prime Minister do the same as me, and—as a party leader—undertake to vote in favour of Select Committees no longer being appointed by the Whips, as is suggested in the report?

The Prime Minister: Yes, there will be a free vote, as I have just indicated. No, I do not agree with the right hon. Gentleman's proposition with regard to Select Committees.

I cannot help pointing out that there were 18 years during which, as it was in office, the right hon. Gentleman's party could have acted. Just as a matter of interest, as he seems to want to pop up at the Dispatch Box, can he tell us whether, when he was a Cabinet Minister, he banged his fist on the table at Cabinet meetings and said "I think these Select Committees should be handled differently"?

The Prime Minister: Let me deal with issues relating to modernisation. We have established a Modernisation Committee, and as a result there have been great improvements in the way in which the House can hold Government to account. Some are hardly mentioned in the Norton report, but others are referred to.

The House's control over European business has been extended to cover all aspects of the Maastricht treaty, through the scrutiny reserve. By instituting a parallel Chamber in Westminster Hall, we have secured four more Back-Bench Adjournment debates a day and one more debate of substance every week. We have debates that can be used to devote more attention to Select Committee reports. There has been a constant cry for that since the initiation of Select Committees. We have taken the steps recommended by the Modernisation Committee to improve the House's ability to scrutinise legislation.

We have taken further the process of publishing draft Bills before they are introduced. Seven Bills have been subject to pre-legislative scrutiny, and we have undertaken to continue that process. We have taken practical steps to help Parliament to scrutinise legislation—for instance, by publishing far better explanatory notes with Bills. That is not dramatic, but it is important. We would be willing to experiment with different approaches to draft legislation. We would be far more willing than the Opposition were to experiment with the very programme motions that they want to introduce. There may well be other ways in which we can improve the House's ability to conduct its business, and when it makes sense, they should be considered.

The debate called by the Leader of the Opposition, and the points that he made—I find it extraordinary that they were the biggest points he had to make on the issue—do not address the big constitutional questions relating to the fundamental relationship between Parliament and the Executive. That is what I will now do.

Mr. William Cash (Stone): Will the Prime Minister explain something about the scrutiny of European legislation? When a duly constituted Committee—the European Scrutiny Committee—recommended by a proper majority that the environmental liability directive should be debated on the Floor of the House, why did the Leader of the House, and hence the Government, ride roughshod over the Committee, and merely refer the matter to a Standing Committee?

[Mr. William Cash]

Will the Prime Minister also explain why, for the first time since 1972, the chairmanship of the European Scrutiny Committee now resides with the Government rather than the Opposition, as a result of his Government's decision?

The Prime Minister: I was pretty sure we would get around to Europe.

In answer to the hon. Gentleman's first point, I am told that procedures were agreed by the House. No doubt my right hon. Friend the Leader of the House will say more about that when she winds up the debate. I must also tell the hon. Gentleman that we could have debated Europe today. The Leader of the Opposition could have chosen Europe as the subject of the debate, but he did not.

I was saying that the Leader of the Opposition's statement did not address the big constitutional issues of our time. Surely the real issue is to bring power closer to people and to hold the Government to account. That is the fundamental question as between Parliament and the Executive. When we came to power, the United Kingdom was the most centralised country in the world. *[Interruption.]* We still had the utter democratic absurdity of—*[Interruption.]*

Mr. Deputy Speaker: Order. I am sorry to interrupt the Prime Minister. I want to be able to hear the Prime Minister every bit as well as I heard the Leader of the Opposition.

The Prime Minister: We still had the utter democratic absurdity of the majority of one House of Parliament dominating legislation solely on the basis of hereditary right; we could sue in the European Court on the European convention on human rights, but not in our own courts; and we had no effective rules on the financing of political parties. We have made changes in each of those areas that have fundamental consequences for the relationship between the Executive and Parliament, and we have done so to bring power closer to the people and to hold Government to account.

Madam Speaker—I am sorry, Mr. Deputy Speaker, forgive me. People want a much greater say, Mr. Deputy Speaker, in the decisions that affect their lives. They want more control, and a better balance between the central powers of the state and the rights of the citizen. They also want much more direct, immediate communication with the people who govern them. I shall give the House an example.

Five years ago, the Prime Minister's office received annually an estimated 25,000 items of correspondence from the public. Over the past years, that figure has risen to more than 500,000, which is a twentyfold increase. The public increasingly want to use and are using new technology, electronic mail and the internet for their communications with central, regional and local government. We are moving into a different world, where the procedures and traditions of the House will be viewed in a more unkind light unless we make changes to the way in which it does its business.

Mr. Roger Gale (North Thanet): The right hon. Gentleman referred to prime ministerial correspondence. He has said on television three times that the House of Lords defeated the fox hunting Bill. I have written to the Prime Minister three times to try to get a straight answer to a straight question. Is that true or false? As he cannot answer his correspondence, perhaps he would answer that question now.

The Prime Minister: The House of Lords prevented the fox hunting Bill from proceeding. *[Interruption.]* It was perfectly clear that the House of Lords was not prepared to agree to it, but it will happen now, and people will be able to vote on it.

Sir George Young (North-West Hampshire): Is it not the case that that Bill never reached the House of Lords? It stopped here.

The Prime Minister: It could not have got through the House of Lords. We know that, which is precisely why the Bill will be reintroduced. *[Interruption.]* That is absolutely right.

Mr. Andrew Mackinlay (Thurrock): I want to take my right hon. Friend back to when the interruptions began and he was rightly describing the increased volume of communications by electronic mail. Will he bear in mind the fact that Opposition Front-Benchers have had their resources increased by Short money, and Government Front-Benchers have demonstrably had their resources increased, given the number of special advisers, whereas ordinary Bank Benchers, who play an important constitutional role, have not had their resources increased? It is now time that each and every one of us demanded a substantial increase in our resources, so that we can check Government and meet the demands of our case loads, which have increased owing to a greater use of electronic mail.

The Prime Minister: I have no doubt that those issues are important, and the House will continue to debate them. However, the issue of the relationship between the powers of the Executive and of Parliament goes wider than the procedures of the House. As a result of our desire to bring power closer to people, we introduced devolution for Scotland and Wales. The Conservatives were opposed to devolution for Scotland and Wales. Are they now in favour of it or not? We simply do not know, but they are no longer pledged to reverse it.

We have introduced the European convention on human rights to our law, so that our citizens can sue on the rights that they have in our own courts. If Conservative Front Benchers oppose that, let them say how they can want the Government held better to account at the same time as opposing people being able to sue in our courts on legislation by which this country should abide.

We are getting rid of the hereditary peers in the House of Lords. What better example could there be of making our system more democratic?

Angela Smith (Basildon): Several times in his speech, my right hon. Friend has commented on his surprise at the Opposition's choice of issue for the Opposition day debate. I have two suggestions for him. First, even despite the mass exodus we saw earlier, they have the most Members present ever for an Opposition debate. On issues such as crime and housing, there are usually about three people in the Chamber. Secondly, the Opposition are trying to find a defence to explain to their voters why they have been so ineffective in the House.

The Prime Minister: Of course, it is right that the real issue between the Executive and Parliament is how we bring power closer to people. That is why we have made the constitutional changes. That is why we are allowing greater local democracy. That is why we have reintroduced democracy to London.

Ms Diane Abbott (Hackney, North and Stoke Newington): My right hon. Friend mentioned devolution of power to Wales and Scotland. He should also mention the welcome devolution of power to the people of London and the election, for the very first time, of the people's choice as the new mayor of London.

The Prime Minister: He was indeed the choice of the people, though not my choice. However, the point that my hon. Friend makes is surely right. It was the Conservative party that abolished the Greater London council and took away the rights of Londoners—*[Interruption.]* Is not that more important than all the piddling points raised by the Leader of the Opposition? When it comes to the real issues, it is not about who appoints the Select Committee Chairmen or whether we turn up for two slots of 20 minutes or one of half an hour. It is about restoring democracy to this country and getting power back to people.

In Scotland, for a hundred years people have wanted a devolved Scottish Parliament. This party, in government, has delivered it. For a hundred years people have wanted a devolved Executive in Northern Ireland that is genuinely representative of all communities. We have delivered it. We gave people the choice in a referendum to make their decision and they decided for devolution, so that is what we did. Freedom of information has been introduced for the first time by this Government.

Madam Speaker, when we look—[HON. MEMBERS: "It is Mr. Deputy Speaker."] Well, at least I am consistent, Mr. Deputy Speaker.

In truth, the issue of Parliament and the Executive is a serious one. However, when we boil down the recommendations that the Leader of the Opposition is prepared to accept from his committee, there is the one on Select Committees and the proposal for two Prime Minister's Questions, not one. That is the sum total. We have been brought here today for this extraordinary exhibition of eccentricity on the part of the Leader of the Opposition just for those two things. Why has he done that? Because every time we come to a serious issue of policy, he falls flat on his face.

In the past few days, the Leader of the Opposition's entire economic policy has collapsed under the weight of its own contradictions. His national health service policy collapsed 10 days before. His education policy would be a disaster for this country if it were ever introduced. The truth of the matter is that on not a single, serious policy question has he a serious thing to say. He is incapable once we get to the big policy questions. Madam Speaker, what is—[HON. MEMBERS: "It is Mr. Deputy Speaker."] I will get it right eventually.

Mr. Deputy Speaker, what is the real problem that we have in holding the Government to account? In order to hold the Government to account, we need a Government—well, we have got one—and we need a serious Opposition. We do not have one of those. The Opposition's real complaint about holding us to account is that they are so useless, weak and feeble that in three years they have not been able to impress themselves on anybody. It could have been a serious debate but it was not, because the right hon. Gentleman has nothing serious to say.

2.50 pm

Mr. Charles Kennedy (Ross, Skye and Inverness, West) *rose—*

Mr. Deputy Speaker: Order. I am sorry for having been the source of such difficulty.

Mr. Kennedy: I am sure that the entire House welcomes the fact that we have made such consensual progress over the past hour to reform and improve our parliamentary systems and the role of the Executive and its relationship to Parliament as a whole. This morning, when I was leaving home and thinking about the debate, I wondered whether any practical good would come of it. I am surprised only that I even asked myself that question.

Mr. Mackinlay: We have the promise of a free vote on the Liaison Committee's report. That is now locked in.

Mr. Kennedy: Somebody is happy. That may be because the hon. Gentleman is used to being in a minority from time to time.

The difficulty is the motion. There are many good, worthy and interesting things that we need to talk and think about. The problem is that the previous Conservative Government latterly were a lousy Executive. Subsequently, the Conservatives have been a lousy Opposition. On both counts, it is difficult to take seriously any prescriptions or prognoses that they put forward relating to how we might want to improve or develop our proceedings in a more meaningful way, and they had better be more meaningful for us all.

The Prime Minister is correct when he talks about a bigger picture. There is a much mo[illegible]found picture for each and every political party in this place. It is that fewer people are joining political parties and fewer are becoming involved in the business of politics. Each year, 2 million people voluntarily take out or renew membership of the Royal Society for the Protection of Birds, and that is a greater number than the entire membership of every British political party put together and multiplied by some.

When we look in the mirror as a Parliament, we should consider our working practices and procedures in terms of their relevance to the outside world. Having listened to the exchanges so far, I feel that most people, if they had not already switched channels having tuned in to the debate, would be unable to comprehend what Parliament was talking about. That is the perspective from which we should be approaching these important issues, which have been dealt with so superficially by the Conservative party.

Mr. Nick St. Aubyn (Guildford): When the right hon. Gentleman talks about lousy opposition, will he confirm

[Mr. Nick St. Aubyn]

that his view of good opposition is a party that strives at every opportunity to agree with the Government in the hope of obtaining favours from them in future?

Mr. Kennedy: The hon. Gentleman might care to consider the wholehearted support that the Liberal Democrats gave to the Labour party in Cardiff a few months ago, which led to the ousting of the right hon. Member for Cardiff, South and Penarth (Mr. Michael), and many other things too. He might like to reflect upon the fact that week on week, if we look for questions to the Prime Minister as opposed to assertions—the right hon. Gentleman should be properly held to account on the public policy of the day—I think that he gets a damned sight more from Liberal Democrat Members than from Conservative Members.

Dr. Phyllis Starkey (Milton Keynes, South-West) *rose—*

Mr. Kennedy: I will finish my point. I am sure that the hon. Lady would not want me prematurely to curtail my kind comments about the Conservative party.

It is difficult to take Conservative Members seriously when they are still prepared to subscribe to an element of the hereditary principle in another place. I do not understand how they can have credibility on parliamentary reform if they are willing to subscribe to that. They were in office for 18 years, during which the Hansard Society for Parliamentary Government—a worthy society that commands all-party endorsement—made recommendations about the reform of the House. Many of us in all parties called for a debate, and strangely the Conservative Government could not find time for one. The Opposition contribution today has to be put in that historical context.

Dr. Starkey: I am grateful to the right hon. Gentleman for giving way. May I take him back to his remarks about the representative nature of this Parliament and turning a mirror on ourselves? I invite him to turn round and look at hon. Members on the Liberal Democrat Benches to see how representative they are of the population when their gender is uniformly male. Is he considering doing something about that?

Mr. Kennedy: I think that at least four of my colleagues might profoundly disagree with that assessment, but the hon. Lady is correct and I am happy to repeat here what I have repeated ad infinitum on party platforms throughout the country: if any political party or Parliament is to be representative of the country, far more women have to be elected. That is a problem for the Liberal Democrats and I am endeavouring to deal with it. Any help that the hon. Lady could give would be most welcome. If she wants to swell the number of women in the Liberal Democrat parliamentary party, we have space on these Benches and would be happy for her to cross the Floor of the House.

Obviously, the Labour party has embarked on significant and historic constitutional reform in the past three years. We openly and enthusiastically subscribe to much of that reform. We have had our differences. For example, the system of proportional representation adopted for the European elections was not one that we would have chosen, we would have given the Welsh Assembly more legislative power, and we would have given more fiscal autonomy to the Scottish Parliament. However, at least compared with what went on before, we are on a rolling programme of reform, which has to be welcome.

This debate offers a welcome opportunity, because there is so much more to do—real reform of the House of Commons and the completion of the reform of the House of Lords. With such a big majority—and with so much power and patronage at the disposal of any modern day Prime Minister—the Government must themselves check that Parliament is not being undermined and that the House is not being taken for granted.

The Liberal Democrats recommend that we move to a fixed-term system of four-year Parliaments. Surely that would rid us of the most ludicrous tradition of the lot: the fact that the person who will lead the team when the race for a general election starts is also the person who holds the starting pistol and decides when to pull the trigger. Short of a Government losing the confidence of a majority in the House, a partisan party leader should not decide when the country goes to the polls. A four-year, fixed term would be best.

Secondly, far too many people are on the payroll in the House. The Government are too big. There are too many parliamentary private secretaries and too many people are beholden to the Executive interests of the day. Not enough Members feel free to express independent interests from a Back-Bench point of view. It is telling that there is a genuinely held respect and affection in this place for individuals in all parties, some of whom are described by the press as "maverick", some of whom are called "independently minded" and some "troublemakers". The truth is that we all know that most Members do not have either the guts or the opportunity to be like that because those who sit on the Treasury Bench and who control the Executive have far more power than is healthy for the House.

Shona McIsaac (Cleethorpes): Before the right hon. Gentleman became the leader of his party, we shared many a happy moment on the Select Committee on Standards and Privileges. He mentioned the payroll vote. I am deeply concerned about the inadequacy of the Opposition. Does he agree that one reason for it is that they are out lining their own pockets doing other jobs? Seventy-five per cent. of Conservative Members have outside interests compared with about 15 per cent. of Members from other parties. The reason that the Opposition are so bad is that they are never here and they are interested only in lining their own pockets.

Mr. Kennedy: The hon. Lady makes her point well. I do not mean any disrespect to the impeccably impartial, fair-minded Chairman of the Select Committee on Standards and Privileges when I say that, in my view, there were not quite as many happy moments as she seems to remember, given the detailed nature of some of the inquiries that we had to make of present and previous Members. Fixed terms would be better and so would a reduction in the size of the payroll vote.

What about the way in which we go about business as a Parliament? Today is a good example. Today, at short notice and in response to the problem of football hooliganism—after all, it is not an issue that suddenly arrived out of the sky with Euro 2000; the problem has bedevilled English football for a number of years—we will have a rushed Second Reading of proposed legislation. Concern will be expressed in all parties, certainly from our ranks, about the draconian powers and civil libertarian implications of aspects of the Bill. If the Government get their way and are not prepared at least to meet the House of Commons halfway on aspects of it, we will complete the remaining stages with indelicate haste next week and the Bill will then go to the House of Lords for further consideration.

No hon. Member of sense, of any party, could fail to disagree that the public want something to be done about football hooliganism, and so do the rest of us. The issue is: is the detail of the Bill the correct, considered response to what is undoubtedly a problem? There will be those who argue with considerable force and persuasion that it is not.

The problem is those idiots when they go abroad. They are nothing to do with football supporters. They are just idiots and thugs, but the issue is a prime example of where pre-legislative scrutiny should be carried out by a Select Committee involving all parties, rather than the Executive of the day rushing through ill-considered measures that may not do much to solve the problem and may, as a downside, have profound civil libertarian implications, which none of us in any party would be happy with in time to come. That is where Parliament does not succeed—when it allows such a thing to happen. It is scheduled to happen later today.

Mr. Tony Baldry (Banbury): Does the right hon. Gentleman agree that, to work, this place requires members on the Government side to have a creative tension in scrutinising Government legislation? We will see tonight whether Labour Members who advocate civil liberties are prepared to demonstrate that creative tension. Without it, this place simply does not work.

Mr. Kennedy: I agree absolutely with the hon. Gentleman. If he will forgive me for being a little partisan, because he made a fair-minded point, probably the best experts in creative tension in the House these days are members of the Conservative parliamentary party. There is no doubt about that.

The Government should surely be more accountable in relation to public expenditure. By coincidence, today the Prime Minister has come to the Dispatch Box of the House of Commons and produced his annual account of the activities of the Government.

Mr. Bob Russell (Colchester): The glossy figures.

Mr. Kennedy: The glossy ones, as my hon. Friend rightly says. Let us look at more graphic ones, which have coincided with the publication of the Government's annual report. The poverty figures—published today, but not, of course, published in the Government's account—show that, under Labour, the number of pensioners living in poverty has risen by 400,000. Funnily enough, those figures were sneaked out on the same day as the glossy, glitzy annual report. The fact that that was not mentioned in dispatches by the Prime Minister or by any Minister during the advance warning in interviews and in the newspapers this morning shows how hollow is the exercise that we have observed today compared with real accountability, where the Government are questioned properly.

Mr. Peter L. Pike (Burnley): Is it not a fact that many pensioners who are in poverty are entitled to the guaranteed minimum income, and that each one of us as a Member of Parliament should perhaps be doing more in our own constituency to ensure that everyone who is entitled to what the Government are making available receives it?

Mr. Kennedy: I agree that, as individual Members of Parliament, we should be doing everything possible in our constituencies to ensure that our constituents receive their due entitlements. However, in the context of today's debate, we should also be acknowledging what we are not doing sufficiently, on the Floor of the House and in Parliament generally, in calling the Executive of the day to account for the shortcomings that are revealed by such figures.

We welcome the fact that the Prime Minister has said that, on Select Committees, he will take an indulgent view of the House and allow hon. Members—heaven forbid—to make up their own minds. That is good.

Something that we could learn from the progress of devolution—more in the Scottish than in the Welsh context, because the Scottish Parliament enjoys more legislative capacity than does the National Assembly for Wales—is that the pre-legislative scrutiny process is working well. All parties in Scotland, as well as journalists and other observers and commentators, point to such scrutiny as being one of the strengths of the new system. We should learn from that system and do more to emulate it in this place.

Mr. MacShane: Will the right hon. Gentleman give way?

Mr. Kennedy: Yes, but this is the last time.

Mr. MacShane: I am grateful to the right hon. Gentleman, who is making a serious and considered speech. He dealt with the selection of hon. Members to serve on Select Committees. The fact is that party management is needed in every legislature, whether it is the Congress or the French or German legislatures. If we did not have party management, would I as a Back Bencher receive 250 CVs saying, "Put me on the Foreign Affairs Committee"? Realistically, how would such a system be managed? Party management is part of the democratic process.

Mr. Kennedy: Obviously there has to be a degree of management or we would not reach any decision on our procedures in this place. However, I think that we all know what we are talking about: over-management and intrusive party political manipulation to suit the specific interests of the Executive of the day, of whatever political shade that Executive may be. That is the point that we are making.

Ms Abbott: Will the right hon. Gentleman give way?

Mr. Kennedy: I am sorry; I really have to conclude my remarks.

[Mr. Kennedy]

Liberal Democrat Members want an effective Parliament. An effective Parliament should be neither excessively obstructive nor excessively subservient. The opportunities available to the Opposition and to Back Benchers rest largely with obstruction. The opportunities available to those who are subservient to the interests of the Government of the day rest largely with having to toady and to follow the party and the Executive line.

There is a genuine debate to be had here. I pay tribute to the report from the Conservative party and from Philip Norton, who is one of the most distinguished academics in the land. I have known and worked with him over a number of years, and I respect him very much indeed. He has made an intelligent and a thoughtful contribution that, with the work of the Modernisation Committee, should provide the basis for a rational, all-party discussion. However, the Conservative leadership does not seem to be making its contribution in the House in accordance with that report from the Conservative party. Frankly, the Conservatives are promoting only superficial self-interest, rather than the substantive serious discussion that we all recognise that we need.

3.4 pm

Mr. Mark Fisher (Stoke-on-Trent, Central): I believe that the Prime Minister was quite right when he said that not everyone in the pubs and clubs in our constituencies are talking about the issues that we are debating. However, I fear that he was quite wrong when he said that it is more important to debate the important, bread-and-butter issues of jobs, health and education than to debate the relationship between Parliament and the Executive. That issue is, and has always been, fundamental to this place and to our role as a Parliament.

In so many debates in recent years, in this place and elsewhere, we have lacked historical perspective, but one does not have to be a great historian to see that the balance of power between the Executive and Parliament, whether that Executive is the monarchy or the elected Government of the day, has been central to every political debate for the past 800 years. The particulars may change, as may the balance and the issues, but the general truth is always the same: the tension between the Executive and the democratic will of the country, whether it is expressed formally through Parliament or through the people, has always been, and will remain, the big political issue.

I congratulate the Opposition on choosing the subject of today's debate. It is an extremely important topic that we do not debate enough.

Mr. Michael Howard (Folkestone and Hythe): Does the hon. Gentleman accept that, for the reasons that he has just given, the issue is fundamental to the bread-and-butter issues of jobs, schools and hospitals that the Prime Minister said that we should be debating? Does not the Prime Minister's view on those matters betray his complete lack of understanding that the only way in which we can safeguard jobs, schools and hospitals is to make the Government accountable to the House of Commons?

Mr. Fisher: I do not think that my right hon. Friend the Prime Minister would disagree with the second part of the right hon. and learned Gentleman's intervention. We all recognise that Parliament and the Government have to be scrutinised, held to account and rigorously questioned and challenged on everything in order to get the best out of any Government as much as to represent our constituents.

Mr. Hope: My hon. Friend makes a point about opportunities for Back Benchers vigorously to question Ministers. How does he square that with the Conservative record of attendance on Select Committees? Only 34 per cent. of Conservative Back-Bench Members bothered to attend the Select Committee on Education and Employment; only 43 per cent. bothered to attend the Select Committee on Trade and Industry and fewer than 50 per cent. bothered to attend the Select Committee on Agriculture. Is it not a case of Back Benchers who want to hold the Government to account simply not bothering to turn up to those parliamentary institutions?

Mr. Fisher: Of course in order to participate in any democratic debate it is first necessary to be there, so I agree with my hon. Friend about that. However, because today's debate is so central, we do not serve it well by making it a trivial party political occasion. As the Liaison Committee report that is at the centre of this debate illustrates, because it is all-party and extremely moderately and intelligently worded it ought to be an issue that goes way beyond parties because of what we have in common as parliamentarians in our attitude to ourselves, to our constituents and to the Executive. I know from right hon. and hon. Members representing all parties that that is the case.

Although I have a great deal of respect for the Leader of the Opposition in his sharp questioning and his ready wit, I feel that he slightly misjudged his speech today. His aggressive tone alienated the House when much of what he had to say in praise of the Liaison Committee report was understood and agreed. As my hon. Friend the Member for Pendle (Mr. Prentice), who is not in his place, said, there is general consensus on many of the points that the Leader of the Opposition made. I suspect that the right hon. Gentleman slightly minimised his support for the Liaison Committee report and that was a pity because it is such a good report that we ought to take it seriously. We need a measured, steady and calm debate on that report, and I hope that we will have such a debate later this year.

One of the most interesting and optimistic moments this afternoon was when my right hon. Friend the Prime Minister said that we will have a free vote on the report. It will therefore not require courage for Labour Members to support what is an excellent report; it will simply require good sense.

Mr. Andrew Tyrie (Chichester): Did the hon. Gentleman notice that the Prime Minister described the proposals in the Liaison Committee report as piddling? Does he not think that that is an insult to the 30-odd Select Committee Chairmen who wrote that report?

Mr. Fisher: I did not hear my right hon. Friend the Prime Minister say that, and I do not think that he said it. My right hon. Friend the Leader of the House has quietly pointed out to me that it is the convention of the House that there is a free vote on all House of Commons matters, so perhaps what my right hon. Friend the Prime Minister said about a free vote was less sensational than I thought.

However, I was happy to be reassured that there was to be a free vote, and I hope that all hon. Members will by then have read and considered the Liaison Committee report. What is sad is that the members of the media, who are so important in holding the Government to account and relating hon. Members to our constituents, have almost totally failed to report, comment on or grasp the significance of the report. The issue is a fundamental one, and it is one of the most important reports to emerge during this Parliament.

Sir Patrick Cormack (South Staffordshire): Does the hon. Gentleman accept that there are free votes, and free votes? Is not what we want an assurance from the Leader of the House that the vote later tonight will be a true free vote, in which all hon. Members will be able to vote freely, regardless of whether they are members of the Administration?

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): Huh!

Mr. Fisher: I am sure that the hon. Member for South Staffordshire (Sir P. Cormack) will have heard the enormously expressive monosyllable emitted by my right hon. Friend the Leader of the House. It made what she means by a free vote very clear.

Mrs. Beckett: Uncharacteristically, my hon. Friend has misunderstood me. I made the noise that I made because it has been crystal clear over recent weeks that many Conservative Members are adamantly and fundamentally opposed to what my hon. Friend has rightly described as the profound recommendations in the Liaison Committee report, and to their implications. The noise that I made was meant to indicate scepticism as to whether they will enjoy a free vote.

Mr. Fisher: It is refreshing and unusual to debate the nuances of ejaculations and exclamations. My right hon. Friend made an initial noise that was every bit as eloquent as her explanation, and both were extremely useful.

I do not want to delay the House, and I hope that many hon. Members will want to contribute to this important debate. As I said, I consider the Liaison Committee's report to be truly excellent. It is conspicuous for its restraint and modesty. Some people might call it rather cautious and conservative, but that is often necessary in order to maximise all-party support for a Select Committee report.

Moreover, I understand that there will be an opportunity later this session to debate the report in full. I agree with almost every word of it, and believe that it will strengthen Select Committee procedures. Its recommendations on selection, remits and responses from Government are wise and sane. They have been needed since the changes of the 1970s to the departmental nature of Select Committees.

I welcome the report. I hope that it will be debated, and that it will get the full approval of the House and the Government.

Ms Abbott: My hon. Friend is making an important and brave speech. Does he agree that the differences in opinion about the report stem from whether hon. Members see themselves solely as ambassadors for party and constituency, or whether they take seriously their role in holding the Government to account in this Chamber?

Mr. Fisher: That question goes to the heart of the role of Members of Parliament. Most of us have been party members for 20, 30 or 40 years. We love our parties, which are rooted in our lives. Sometimes, the tension between the desire to be loyal to party and constituents and what we believe to be politically and ethically correct can be awkward and unhappy.

Those are permanent dilemmas, but they are not often very difficult to resolve. No one need be sorry that we have to grapple with such prickly and uncomfortable matters. They are part of our lives, and it is healthy for hon. Members to be both party and constituency politicians, and people with independent minds. We have to balance such things, even though we do not always do so very happily or to our credit.

I want to mention two other areas. My right hon. Friend the Prime Minister rightly said that the key elements of this debate were the degree of centralised power that any Government have and the degree of accountability. A third, related, matter is the checks and balances that exist structurally inside Parliament and in our detailed work.

My right hon. Friend said that, when we came into Government, this was a centralised country. It had increasingly become so. We are all reasonable enough to see that there are good reasons why Governments over the past 50 years have sought to take more power to themselves. As government becomes more complicated in a complicated world, it is tempting for a Government to imagine that they will best address its problems with more central power.

The last Government were the same. There was a movement towards greater control by the Executive. Nobody could have exemplified that better than the noble Baroness, Lady Thatcher. Sometimes she used it well, and sometimes she used it badly, but there was a drawing in to the centre and I am sure that she believed that she was behaving honourably.

I think that there has been a drawing in to the centre under the present Government, probably for exactly the same reasons. Whatever we try to do on non-governmental organisations, there is a tendency for them to increase. There is an understandable but undesirable movement—

Mr. Deputy Speaker: Order. I apologise to the hon. Gentleman. I should have reminded him earlier that there is a 10-minute limit on Back-Bench speeches. With interventions, the hon. Gentleman has had considerably more time.

3.21 pm

Mr. John Major (Huntingdon): This was beginning to turn into a rather partisan debate. It is fortunate that the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) moved away from that, because the debate affects all of us. It is essentially about the relationship between Parliament and the Executive. Many hon. Members, not only sitting on the Conservative Benches, believe that over a long period—I do not mean simply in this Parliament—the Executive have been getting stronger and

[Mr. John Major]

the Commons has been getting weaker. That trend has now reached a stage where it should be reversed, and that is what the debate essentially is about.

It is unfortunate, therefore, that the Prime Minister took time out of the debate at the beginning of the afternoon for a statement that could just as easily have been made at the beginning of next week to permit more hon. Members to express their views on the procedures of the Commons. It was a foolish thing to do.

I am leaving the House at the general election, so I have no further ambitions here. There is nothing that the Prime Minister, or for that matter my right hon. Friend the Leader of the Opposition, can offer me that I wish to have. That puts me in an excellent position to express some home truths, and I intend to do so for the good of the House and for no other purpose.

The House of Commons has been a very large part of my life. I always wished to come here, and I have loved every moment—or, to be strictly honest, nearly every moment. As I prepare to leave the House I wish to see it thrive, because, for all its shortcomings, it remains the best and least corrupt system of government that I have ever seen.

Yet today this House and those of us who are privileged to be sent here to serve in it are held in less regard by our electors than I can ever recall. That is not true of Members of Parliament individually. There is still a great deal of affection for them in their constituencies. But it is true of Members of Parliament as a body and of the House as a whole. We are not popular out there, and that long-term trend has been worsening.

That must be changed. I do not believe that it will be changed if the House is perceived by the electorate to be as putty in the hands of any Government with a secure majority and a good whipping system. It is in the interests of the institution of Parliament itself that we should have reforms to begin to reverse that perception and that reality.

Mr. Andrew Miller (Ellesmere Port and Neston) *rose*—

Mr. Major: If the hon. Gentleman will forgive me, I will not give way. I have 10 minutes, and there is a great deal that I wish to say.

The main reform that we need is to change the relationship between Parliament and the Executive, which has become unbalanced over the past 20 or 25 years.

I believe that we must begin to change the perception that any Government with a large majority and an efficient Whips Office means a five-year elected dictatorship. To do so, the House must have more power, Back Benchers must have more power and the Government must have less power. I am aware that I might well have done more about that, and I am prepared to accept the blame, but we must now look at the future of the House.

Mr. Miller: Will the right hon. Gentleman give way?

Mr. Major: I have told the hon. Gentleman why I will not give way to him. I doubt whether he has anything constructive to offer, and I intend to proceed.

Mr. Peter Bradley (The Wrekin): On a point of order, Mr. Deputy Speaker. I apologise for interrupting the right hon. Gentleman, but could you, for the benefit of right hon. and hon. Members on both sides of the House, clarify that interventions are to be added on to the 10 minutes, thus enabling right hon. and hon. Members to take interventions?

Mr. Deputy Speaker: It is correct that injury time is added on when interventions are taken, but in a time-limited debate, of course, interventions are part of the total time. It still remains the prerogative of the hon. Member who has the Floor as to whether or not he takes any or all interventions.

Mr. Major: If the hon. Member for Ellesmere Port and Neston (Mr. Miller) wishes, I will take his intervention, but then I will take no more for this reason, and this reason only—I have a great deal that I wish to say and I believe that many other right hon. and hon. Members have too.

Mr. Miller: I am extremely grateful to the right hon. Gentleman for giving way, and I appreciate the context of his opening remarks. He said that we needed to reverse the process. Will he give us an indication of what period in history he would want it reversed to, so that we have an idea of when he believes the balance was correct?

Mr. Major: I said a moment ago that this has been a long-term process. I think that it has happened over the past 30 or 40 years, and I am not making a case against this particular Government.

Many years ago, under a different Government, Lord Pym warned of the dangers of too large a majority. I think that we have seen that vividly demonstrated in this Parliament. Too much legislation is pushed through, too much of it poorly considered. We have had twice as many timetable motions of one sort or another in this Parliament as between 1990 and 1997.

Parliament is often ignored—it is bypassed. As Cabinet Government declines, special advisers proliferate. Statements in the House too often follow public announcements of policy rather than preceding them. Even the Prime Minister—who courteously told me that he has to be elsewhere now—went to Germany to announce his policy on hooligans and cashpoints rather than doing so in this House or in this country.

The Government press machine has been almost wholly politicised. I am grateful to the hon. Member for Lewes (Mr. Baker), who is not in his seat at the moment, for tabling questions that reveal the scale and extent of that. No. 10 is being strengthened as the House is effectively being weakened.

I think that some of the proposals on modernisation are welcome, and I congratulate the Leader of the House on those—others I think are potty. However, the overall balance of those proposals threatens to turn the Commons into an irrelevance, with even the weapon of delay now to be stolen from the Opposition. That is a wretched situation. It may suit the Government, but Labour Back Benchers will not always be on the Government Benches.

It was a bad start to this Parliament when the Prime Minister decided that Prime Minister's Question Time should take place once a week, not twice. There was no consultation with the Leader of the Opposition. I know—I was the Leader of the Opposition. There was no consultation with the leader of the Liberal Democrats or the other parties. The Prime Minister rang me up and told me what he had unilaterally decided about how and when he would present himself to this House for accountability. He should have consulted on such a change and the House should have voted on it, but it was imposed on the House. Taking questions once a week for 30 minutes is far less taxing, believe me, than taking them twice a week for 15 minutes, when contemporary events can be raised.

That has had a secondary malign effect. More often than not, once Prime Minister's Question Time is over on a Wednesday, the House is nearly deserted, The Marie Celeste was crowded compared with this House on many Thursdays and Fridays when there is no special business, as there is today.

Lord Norton says that Prime Minister's Question Time should be twice a week for 30 minutes. Good for Lord Norton—I am just glad that I will not be doing it. Two sessions a week of 15 minutes is enough. My right hon. Friend the Leader of the Opposition says that he will in due course do two sessions of 20 minutes. Well, good for him. As it might have been said in "Yes, Prime Minister", that is a very courageous decision by my right hon. Friend.

The outcome of this debate should not just be that the Government outvote the Opposition. The Prime Minister and the Leader of the House should listen; they should set up consultations with Opposition parties and Back Benchers to consider changes.

In the circumstances that have developed over the years, more powerful Select Committees have become desirable. I would favour paying their Chairmen and allowing the House to elect their Chairmen and membership. If we can provide an alternative parliamentary career to parliamentarians, then Parliament will be strengthened instead of the Executive. That is the right direction.

I favour the announcement of the parliamentary programme for several years; the proposals should face pre-legislative scrutiny, with evidence taken in public. Many of the deficiencies in proposed legislation could thus be dealt with at an early stage. To persuade the Government to accept that suggestion, I offer the example of the poll tax. Under such a system, it would never have emerged in the form it took—nor would much other legislation.

We need such reforms. I would establish a Standing Committee of both Houses to consider constitutional reform. Before a Government just decide on such a matter, let that Committee examine it and take evidence. I would favour the Prime Minister breaking with past tradition and attending Select Committees to answer questions in a more clement atmosphere than that of Prime Minister's Question Time in the House.

The problems did not all arise during this Parliament—that is not my case—but the style of the Labour Government and the scale of their majority have brought them into sharp relief and worsened them. When the Government were elected, they had unprecedented good will, a huge majority, a growing economy, low inflation and falling unemployment; and the fiscal position was returning to balance—although the Chancellor does not like to admit it. The Government had a golden opportunity. However, compared with the achievements of Parliament between 1945 and 1950, under the Attlee Government, or even between 1983 and 1987, under the Government of my right hon. and noble Friend Lady Thatcher, that opportunity has been squandered.

The Prime Minister can still retrieve the situation. Let him consult all the Opposition parties and his Back Benchers on reforms to strengthen the House. Let him sack the spin doctors, who so mislead, and the political press officers who are a stain on Parliament's traditional procedures. Let him get rid of the advisers who have often become more influential than his Ministers. Let him instruct his Ministers that Parliament—this House—must be the first to be told of his policy developments. Let him begin to restore to the House of Commons the power that it has lost. For if he will not do so, it will be done for him—either in this or in another Parliament. If he will not do it, my right hon. Friend the Leader of the Opposition will do it for him, but whoever does it, the sooner it is done, the better.

3.32 pm

Helen Jackson (Sheffield, Hillsborough): The opening speech of this debate represented the strangest dichotomy that I have ever heard in Parliament. The Opposition called the debate in order to talk about reforming Parliament and us as parliamentarians. However, the speech was presented in a wholly adversarial manner.

There was no mention of the Jopling reforms which took place during the previous Parliament. There was no mention of the excellent efforts made by hon. Members on both sides of the House—not least by the shadow Leader of the House, the right hon. Member for North-West Hampshire (Sir G. Young), and his predecessor, the right hon. Member for South-West Norfolk (Mrs. Shephard)—to try to achieve consensus on what a modern Parliament might look like. The approach to what should have been a useful debate was wholly adversarial. But that is only one element of our work.

As parliamentarians, we learn quickly that our job is multi-faceted. It is not one job, but at least four. First, we are advocates for our constituents, who want us to solve their problems. That constituency link and the process whereby we are elected goes deep into our democracy. From the day we are elected, we sink part of the party rosette we wear, because we have become representatives of all our constituents. We start to play a consensual and scrutinising role that is not always dominated by party.

Secondly, we are legislators, because we legislate and we scrutinise legislation. In that role, we act as members of the Government, members of the Opposition or members of a Select Committee. Thirdly, we use our experience to develop policy within our parties and in Parliament. Finally—whether we like or not—we are public figures, and we talk about the issues in the media.

I suspect that like every other Member of the House, I have been besieged in the past few weeks by a plethora of reports and questionnaires asking us to list exactly what we do as Members of Parliament, how long we spend doing it and what we think is important. We are asked to list in order of priorities—but I will not do that, because every element of the job informs the other elements: they interrelate with each other, so adversarial politics interrelates with the consensual politics that we are trying to move towards in a modern Parliament.

In the previous Parliament, when majorities were tight and the election was approaching, important Select Committee visits often gave way to crucial votes. Our party whip is sent to us on Friday telling us when we must be here the following week to carry out our party role.

[Helen Jackson]

I now want to say something unusual that I hope will not be misinterpreted. Whips are not supposed to make speeches, but I want to portray a nightmare scenario in which more than 600 Members all think they know best about everything and are able to say exactly what they like about every national or local issue. That would result in chaos, and it is down to our party managers to win consensus for the ideas on which we are legislating, to accept and deal with opposition when it occurs both within a party and between parties, and to win votes for a party's policy in the House.

That job is performed by people who can never speak in the House but, on the whole, I think they do it very well. The job means that they must know a great deal about our personal lives and the difficulties that we may face. They are—and this is a serious point—the right people to decide who should serve on Select Committees and other Committees. They should keep that role and carry it out in a correct and sensible fashion. I do not agree with the proposals that have been made by Philip Norton and in the Liaison Committee report.

I am interested in the relationship between consensual and adversarial politics. In the previous Parliament, I was chairman of the all-party water group, but I made very party political speeches on that subject in the House. However, because I was interested in that relationship, I am pleased to have been a member of the Modernisation Committee for the past three years. Although we may not get a chance to debate the Committee's work before the end of July, we should be able to debate it before the end of the Session.

The Committee's work was going along fine. It had built on the Jopling report and talked seriously about how we should behave in a modern Parliament. It had recognised that people want certainty about their hours and their time and it had recognised the frustrations felt, in particular, by many younger and newer Members at having to sit through the night for no apparent reason and without debating the issues properly.

Legislation can be badly drafted, and we can spend hours allowing the Government to get their act together by tabling the right amendments to Bills. Government members of the Committee have brought to it our experience of many years in opposition. That experience of the need for certainty of timing and better organisation of legislation can play into the hands of the Opposition more than the Government, who will have constraints placed upon them. The Government must get their legislation right, propose draft legislation and put it before scrutiny Committees. At that point, we must accept that we need to programme and timetable legislation and deal with it sensibly.

When we put forward the reforms, I was disappointed that the shadow Leader of the House, the right hon. Member for North-West Hampshire (Sir G. Young), was constrained and told that the Opposition would have to make it an adversarial debate; so here we are, debating in the stupid way demonstrated in the opening speech of the Leader of the Opposition issues on which all of us should agree.

3.41 pm

Mrs. Gillian Shephard (South-West Norfolk): I am grateful for the opportunity to speak in this debate, which is clearly central to our democratic process and therefore of interest to every hon. Member. It is a pleasure to follow the hon. Member for Sheffield, Hillsborough (Helen Jackson), with whom I served on the Modernisation Committee. The House has had the benefit of the experience of my right hon. Friend the Member for Huntingdon (Mr. Major), who certainly told it like it was.

I am grateful to my right hon. Friend the Member for Richmond, Yorks (Mr. Hague) for addressing the issue as he did today. He caused some hackles to rise, but these are important issues. However, he also proposed a series of practical policy measures that could go some way to restoring the balance between Parliament and the Executive.

There is always a tension between Parliament and the Executive. However, there is something different about this Government's attitude. At the heart of their attitude to Parliament seems to be a view—quoted by my right hon. Friend—encapsulated by the words of the Secretary of State for Northern Ireland, the right hon. Member for Hartlepool (Mr. Mandelson), early in the life of this Parliament and reported in *The Guardian* in March 1998. He said:

> It may be that the age of pure representative democracy is . . . coming to an end.

He went on to express his belief that as people today want to become more involved, there were other means of representation that could take the place of representative democracy. He cited

> plebiscites, focus groups, lobbies, citizens' movements, the Internet.

We had a reference to the internet as a means of democratic change from the Prime Minister today.

If we take it that the view of the Secretary of State for Northern Ireland—it was confirmed by the Prime Minister today—informs the Government's thinking on the use and function of Parliament, it becomes clear that they regard Parliament as another means of communication. They see Parliament as slow moving, outdated and even recalcitrant at times, but to be put alongside the growing mountains of glossy literature from every Department of State, the use of the "Today" programme for Government announcements—not "Newsnight", though, as that can be recalcitrant too—stage-managed press conferences and people's panels, and the faux consultations and fudged figures that have become, sadly, the hallmarks of a Government who, as my right hon. Friend the Member for Huntingdon said, had a golden opportunity at the beginning of this Parliament. Sadly, their most lasting legacy may turn out to be that they taught the British people the meaning of the term "spin doctor".

That is the problem. There is an essential difference between Parliament and the internet, people's panels and the other examples cited by the Prime Minister, who gave no sign of understanding Parliament's meaning and purpose, nor of the fundamental fact that only Parliament, through the ballot box, can give legitimacy to a Government's actions, as well as scrutinise what they do, and that only through Parliament can the Government be held to account.

I recommend to the House the document on Parliament's scrutiny role produced by a Hansard Society commission last December, which says:

> Parliament performs a number of roles in British democracy. Parliament makes the law and decides on how much the government can raise through taxation. Crucially, it also creates and sustains the government. Parliament provides the vital link between the electorate and government. Governments are accountable to the people through general elections . . . This form of accountability is generally termed Parliament's scrutiny role. Parliament performs this role by obtaining and publicising information about the government's performance and future plans. On the basis of that information, Parliament and others form a judgement as to whether the government is discharging its mandate effectively.

The commission goes on to define the role of government in relation to Parliament, and says:

> Effective scrutiny relies not only on the role of Parliament and MPs, but also on the role of government. The government has a duty to account for its policies, decisions and actions.

None of that means that Parliament cannot be reformed, nor that it should not be changed to ensure that it performs its role more effectively. The Government came to power promising that they would make the proceedings of the House of Commons more open and comprehensible to the public, and promised their new Members that they would make the workings of the House more women and family friendly. On the second score, some Labour Back Benchers have accused the Government of selling them a pup.

The Modernisation Committee has made sensible reforms that build on the solid work of the previous Government and include the revised, clearer Order Paper, clear explanatory notes to Bills, greater flexibility for the Speaker in the conduct of debates, and important moves on the scrutiny of European Union legislation. Those positive steps will improve the functioning of the legislative machine. The introduction of debates in Westminster Hall, criticised by some as sidelining the issues raised there, means that issues that are not directly concerned with the legislative programme can be examined in a slightly different atmosphere which, personally, I welcome.

In its document, the Hansard Society commission points out, pertinently, that other aspects of Government policy are affecting the role of the Parliament, but that the Government give no indication that they have taken an overall view of the impact of their policies on the democratic role of the House. The commission says:

> The structure of Government, and the context within which it operates, has changed enormously . . . The increased use of executive agencies by central government, devolution

and

> the growing influence of the courts, the extension of EU involvement

have all had an impact on the influence of Westminster. The Modernisation Committee said of Scottish and Welsh devolution:

> We hope that the Government will not be overtaken by events and that when the pace of reform slackens, it will be found that all the separately constructed pieces of the jigsaw will fit together.

From today's showing and from what the Prime Minister said, I am not certain that that message has got home to the Government, and I hope that the right hon. Lady will address that particular point in her winding-up speech. Like me, she will have read an article by Peter Riddell in *The Times* on March 3, which stated:

> What ministers really fail to address is the dynamic nature of their programme. They treat each individual Bill like an item to be ticked off on a check list. But there are loose ends: not just issues which have yet to be resolved, like electoral reform, but also the consequences of measures already enacted.

There is still time for the Government to correct that impression, but the implication seems to be that Ministers are not concerned about the role of Parliament; the fact that only Parliament can legitimise their actions and that through it they are held accountable. If they were concerned, they would be prepared to take an overall look at the cumulative effect of all of their policies on devolution, the House of Lords and regional arrangements, and to assess the effects on parliamentary accountability.

For the benefit of the House, the Government should also compute the effect of their dispersal of power to unelected, unaccountable bodies. Since they came to power, they have created 300 unelected, unaccountable taskforces. There has been a proliferation of quangos—the Government have created 500—and there has been an unprecedented number of party political appointments to public bodies.

I conclude with a warning to the Government. They, like the rest of society, will have noted that people have less and less time to take an interest in the political process. People have less time to read leader articles in newspapers and other comment on the political process. However, the solution is not to dumb down the process, and it is certainly not to ignore it.

The Government might like to heed the message of the right hon. Member for Chesterfield (Mr. Benn), who is not in his place, and who said in an interview in *The House Magazine* in April:

> I do think we are now in a political society where we're managed, where democracy really is about being represented. There's all the difference in the world between being a representative of your constituency, and your convictions, and being a sub-agent of the Millbank Tower Corporation . . .

We should all agree with that.

One of the many characteristics that differentiates British life from many other societies is the thread of voluntary democratic involvement that runs right through it. People in this country—

Mr. Deputy Speaker (Mr. Michael Lord): Order. The right hon. Lady has run out of time.

3.52 pm

Mr. Malcolm Chisholm (Edinburgh, North and Leith): This is a very serious topic, but I am afraid that its consideration was not helped by the tone or content of the opening speech. I listened with disbelief to the Leader of the Opposition as he forgot everything that the Conservative Government had done during 18 years in power. As we all know, they were the most centralising Government in British history, who denied a Parliament to the Scottish people and concentrated power in the Executive in an unprecedented way.

When the right hon. Gentleman was a member of that Government, he was not interested in any of the reforms that he put forward today. We know that the prospect of a long period in opposition concentrates people's minds, but, as we learned in an intervention by my hon. Friend

[Mr. Malcolm Chisholm]

the Member for Watford (Ms Ward), it appears that the right hon. Gentleman has changed his mind on these matters even since last year. The Conservatives' opportunism was transparent for all to see today.

As the Prime Minister said, holding the Government to account is central to democracy, but that task requires a serious Opposition. The killer question came from my hon. Friend the Member for Corby (Mr. Hope), who asked why Conservative Members do not attend Select Committees. If they were seriously interested in holding the Government to account, that is the main forum that they would use to perform that task. The Leader of the Opposition was unable to answer that question.

The Liaison Committee report demands serious consideration, and I was pleased by the Prime Minister's commitment to give a free vote on that. I am certainly minded to support the Committee's approach, and I think that its analysis of many of the problems is correct, although I am not sure that it has hit on the correct solution for selecting members of Select Committees. There are problems with the Whips doing that, but equally there are problems with the suggested alternative of giving the task to three of the great and the good in the House.

Mr. John Butterfill (Bournemouth, West): The hon. Gentleman asked why some of us do not attend Select Committees as frequently as we should. One reason is that we have other duties in the House, owing to the disproportionate representation on that side of the House compared with this side. For example, I had to choose whether, next week, I would attend a Select Committee or chair the meeting of another Committee of the House. Many of us have responsibilities on the Chairmen's Panel, and I am a trustee of the pension fund. I have to choose which meetings to attend.

Mr. Chisholm: Clearly, each individual may have a good reason for not attending on a particular occasion, but that does not explain the horrific attendance figures read out by my hon. Friend the Member for Corby.

Mr. Andrew Tyrie (Chichester): The point made by my hon. Friend the Member for Bournemouth, West (Mr. Butterfill) probably does explain the attendance figures. My record of attendance at the Select Committee of which I am a member has been raised by several hon. Members. The vast majority of the occasions on which I could not attend occurred because I was simultaneously expected to attend the Standing Committee considering the Financial Services and Markets Bill.

Mr. Chisholm: I am told that the hon. Gentleman attended seven of the 36 sittings of the Select Committee. Perhaps the Standing Committee explains part of that, but I find it difficult to believe that one Standing Committee explains the figures entirely.

Select Committees show the House working at its best. I am also a Member of the Scottish Parliament, and the Committee system that we have there shows that Parliament working at its best, too. One recommendation in the Liaison Committee report—namely, the emphasis on the early scrutiny of legislation by a Committee that can call witnesses—is extremely important. That has just begun for certain Bills in the Westminster Parliament; it is done routinely with all Bills in the Scottish Parliament. That is one feature of the Liaison Committee report that will lead to more effective legislation.

At the heart of the speech by the Leader of the Opposition was an attack on the report of the Modernisation Committee. That is a serious matter, which will require a vote in the near future. Once again, it showed the Conservative Opposition missing the important aspects of genuine scrutiny and opposition, and instead defending an unacceptable and outdated practice in the House—the holding of debates at a ridiculous hour in the middle of the night.

The Leader of the Opposition omitted to mention that one of the recommendations in the Modernisation Committee report is that there should be a reduction in the number of late Government amendments.

We were told that the right hon. Gentleman supported the programming of Bills a year ago. The recommendations of the Modernisation Committee for programming will enable Back Benchers to determine which parts of Bills they want to spend the most time on. Sensible programming is far better than trying to scrutinise a Bill in the middle of the night.

I am now more used to the practice of the Scottish Parliament. When I come down to Westminster, hear hon. Members making speeches of an hour or more at 2 o'clock in the morning, and try to listen to the content of such speeches, I cannot justify that to my constituents as a feature of modern parliamentary democracy.

In general, I support the limitation of speeches to 10 minutes in most cases. If an hon. Member cannot make the main points of his argument in 10 minutes, it is likely that he has very little to say. I certainly support programming and time-limited speeches. The proposals from the Modernisation Committee are a modest attempt to introduce this Parliament to a more modern way of conducting parliamentary procedure.

I would go further. I would prefer the parliamentary day to start earlier and end earlier, but that is not what is proposed. I do not see how any Opposition Member can seriously object to a proposal that would allow debate after 10 pm, but that would ensure that hon. Members are not kept at the House unnecessarily in order to vote at that time.

The Scottish Parliament's hours, which try to follow more normal working hours, have been a great success. I am committed to driving forward the agenda of family friendly employment, and I do not see why that should not apply to politicians as well. We have managed to attract to the Scottish Parliament a much wider spectrum of the public, and a particular achievement is the fact that women constitute 50 per cent. of the Labour party's representation. That may not have happened if we had not had those hours.

Given the necessary reform of this place, we heard a very conservative speech from the Leader of the Opposition. Let us do more to strengthen Select Committees, but let us not defend the indefensible, in the form of debates in the middle of the night.

4 pm

Mr. David Davis (Haltemprice and Howden): It is a privilege to speak in this debate. Several good speeches have been made already, particularly those of the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) and my right hon. Friends. However, I regret the Prime Minister's comment—I think that he used the word "piddling"—on this subject, not because economics, crime, education, health are unimportant, but because what we do here and the relationship between the Executive and the House of Commons dictates the effectiveness with which the Government deliver their policies to our citizens. That is one of the reasons why, under all parties, this country has had some of the best Governments in the world for the past century. His comment showed a misunderstanding of the issue.

The marginalisation of Parliament is not new, and no one should pretend that it is confined to this Government. I suspect that it goes back five decades, but it has accelerated recently. Again, some of that is not directly related to the matters for which the Government are being attacked. For example, devolution is bound to have an effect and, to some extent, to take powers away from this Parliament. It was not necessary to remove all those powers.

Each year, we approve £14 billion, or thereabouts, of expenditure for the Scottish Parliament, but we do not know, and are unable to ask, what it is spent on or how effectively it is spent. The Treasury was given the right to ask, under a specific section of the Scotland Act 1998, at the same time as the right was taken away from the House of Commons. Some of those measures were necessary, some were not, and they were the direct result of centralising effect of the Executive.

Similarly, the European Union inevitably takes powers away from Parliament. Membership of the EU effectively implies that, but there is also a cascade of legislation with which Parliament, as it is now constituted, is simply not capable of dealing. We must deal with that matter.

There are real political differences between the two sides of the House, especially about the centralisation of the Executive in No. 10. The balance has changed on matters of party discipline and because of the sheer size of the Government's majority. All of that is convenient to the Government of the day; it is convenient to any Government of any day. I suspect that similar trends occurred when Margaret Thatcher had a majority of more than 140.

The guillotines and timetable motions are a symptom and should not be discounted. I speak as a Back Bencher, not a Front Bencher, and I do not agree with such things. There have been as many guillotines and timetable motions in the past three years as in the previous 10 years when I was a Member of Parliament. They are serious symptoms of a serious malaise.

Such problems are reinforced by the managerialism of modern politics and, in many ways, by the attempt to escape ideology and the clashes that occur across the Floor of the House. Those interested in modernisation, some of whose proposals are very sensible, have a tendency to view the clashes in the Chamber as undignified and perhaps not grown up. *[Interruption.]* Indeed, to an extent, that reflects what television and radio lead the public to believe. As a result, many debates are deflected to the more consensual forums of Westminster Hall and the Select Committees. Of course they fulfil a useful function, but we should not forget the vital function of the Chamber.

Speaker—now Lord—Weatherill was fond of saying that debates in the Chamber were the passionate but peaceful British alternative to civil war. He understood the importance of such confrontations. He meant that the Chamber is where we express passionate views on vital issues. After all, the Prime Minister rightly referred to health. There are 10,000 more deaths in this country than there should be, so we should be passionate about people's health. It is vital that we argue about it and test each other. Such confrontation is the most effective test of ideas invented by man. The Chamber is more effective as a test of those ideas than all the consensual, semi-circular Chambers towards which we are often encouraged to veer. If hon. Members want an example, they should look back to legislation passed by bipartisan consensus. The most obvious is the Child Support Act 1991, which was not properly scrutinised as it was treated as a bipartisan measure in its first stages. We all know the result.

The Chamber is also important to the high level of honesty in British politics to which my right hon. Friend the Member for Huntingdon (Mr. Major), the previous Prime Minister, referred. The Public Accounts Committee and other bodies in the House contribute to that and have done so for the past 130 years, but the challenge of the Chamber is the best test of character for those who represent the people.

Mr. David Rendel (Newbury): Will the right hon. Gentleman give way?

Mr. Davis: Briefly, as I have only 10 minutes.

Mr. Rendel: The right hon. Gentleman refers to the PAC. I hope that he will come to the point that the powers of the PAC and of the National Audit Office have been reduced over the past few years. I also hope that he agrees that the speeches of the Prime Minister and the Leader of the Opposition were disappointing because neither guaranteed that all public expenditure will come under the remit of the NAO and the PAC.

Mr. Davis: I shall do more, and tell the hon. Gentleman that we have just scored a victory in the other place that will give the NAO access to all money spent by the Government wherever the Government have oversight. That victory marks the route.

Quintessentially, the Chamber represents defence of liberty, which is why it should not submit to measures that dissolve its powers. We can go back to the American war of independence to find Members of the Houses of Parliament who defended the rights of people rebelling against the Crown. As we shall see this evening when we hold a Second Reading debate in which the defence of liberty will be an important consideration, the Chamber is in every sense a valuable institution.

Norton and the Hansard Society have their views on these matters, and Norton suggests that we improve Question Time to reinforce the Chamber. Reinforcing the Chamber is a good idea—a priority—and we could stop some of the problems of yah-boo politics by allowing the Member who asks a question the last supplementary or by making questions more closed, but longer. That would assist the Chamber, as would giving more time to Prime Minister's questions. The Government started well on the

[Mr. Davis]

reform represented by draft legislation, and I hope that there will be more of it, but I also hope that they will take more notice of the pre-legislative phase. The Freedom of Information Bill is not a wonderful outcome because not enough notice was taken of pre-legislative discussions.

An aspect on which we should focus to improve the effectiveness of the Chamber is the right to control our own business. We often fail to recognise that the Executive dominates business and decides how much time a debate will receive, which is unusual in the western world. Norton makes proposals, but there are others. We should have an arrangement that allows the House to decide on a partisan basis how to deliver its business.

Perhaps we should have rules that protect the House from Government meddling. In the past decade, I have changed my mind about the importance of this country depending on convention, as it is apparent that the House and our democratic system become vulnerable when a Government are willing to break conventions. An overmighty Executive is dangerous when faced only by the barrier of convention. As a result, I would veer towards much more structured defences of the House.

A second priority is the reinforcement of Back Benchers. Norton recommends that money should go to the parliamentary Labour party, the 1922 Committee and the Liberal equivalent, whatever it is, to provide more resources for Back Benchers. I disagree. No organisation—be it the 1922 Committee, the PLP or whatever—can reflect the views of Back Benchers. I am sure that battles will be going on in the PLP over this issue right now. That proposal is not the right way forward. We should give more resources to our Back Benchers. Look elsewhere in the world: Congress and other legislatures dedicate serious resources to supporting Back Benchers.

I shall not have time to discuss issues relating to the Public Accounts Committee and estimates procedures, but I will say this: given that the first function of the House is control of supply for the Government, our estimates procedure is a disgrace. We should reform it radically and soon. We should also have a parliamentary investigating officer, so that next time the Foreign Affairs Committee—

Mr. Deputy Speaker: Order. I must now call the next speaker.

4.10 pm

Dr. Phyllis Starkey (Milton Keynes, South-West): Like my hon. Friend the Member for Sheffield, Hillsborough (Helen Jackson), I was very disappointed by the tone of what the Leader of the Opposition said. The Conservatives current line on parliamentary reform strikes me as unnecessarily partisan and deeply hypocritical, and I think that it misses the point.

The Conservative approach seems to confuse the quantity of debate with the quality. Moreover, a significant number of Conservative Members consistently rubbish proposals that would actually make Members of Parliament, and thus Parliament, more effective. They tend to support a pretence of scrutiny that approximates to the behaviour that occurs in the Oxford and Cambridge Unions, rather than what is appropriate to a grown-up Parliament. I think I can say that, as a life member of the Oxford Union.

Mr. St. Aubyn: If the hon. Lady is to take the power of delay away from Opposition Members, what power will she give them in its place?

Dr. Starkey: I am afraid that it is not in my power to give the Opposition the weapon that they require. What they require are effective arguments, well prosecuted, which genuinely challenge the Government's view. Delay does not do that.

Mr. John Bercow (Buckingham) *rose—*

Dr. Starkey: I shall come to the hon. Gentleman in a moment. He must restrain his impatience.

We have heard an attack on Prime Minister's Question Time. As one of my colleagues pointed out, twice 15 minutes is 30 minutes. I think that if the Opposition were any good at all, they would hold the Prime Minister to account much more effectively in a 30-minute session than in two 15-minute sessions, in which it would be much easier for a Prime Minister to avoid scrutiny.

Mr. Peter Bradley: My hon. Friend may not have read an article in yesterday's *Daily Express* in which the right hon. Member for Wokingham (Mr. Redwood) said that depriving the Opposition of two weekly sessions meant that they could not dictate the newspaper headlines on two days a week. That is the quality of the Opposition's argument in favour of two slots.

Dr. Starkey: Indeed.

Like other Members, I believe that time limits on speeches and effective programming of debates lead to hugely better discussion. Such measures force speakers for both the Opposition and the Government to concentrate on the essence of their arguments, and to present those arguments clearly and succinctly.

I can illustrate what happens when we engage in debate for the sake of debate by referring to *Hansard* reports of debates that we had a week or two ago about a number of Bills, including the Royal Parks (Trading) Bill. During our debate on that Bill, astonishing reams of irrelevant rubbish were produced about, for example, the basics of e-mail. There were extensive quotations from earlier debates that had not made much sense on the first occasion, and were certainly not improved by repetition.

There was, however, an interesting intervention about the sexuality of the hon. Member for Buckingham (Mr. Bercow). I will save his blushes by adding that it was said that he was heterosexual, but a parliamentary virgin. There was another interesting debate, too, about intimate body searches. Several Opposition Members made speeches that digressed into the history of Parliament, and there was an absorbing discussion of the knights of Shropshire. Apparently, in the 1240s they scrutinised legislation line by line. I must say that, given the level of illiteracy among the aristocracy in the 1240s, I very much doubt that they scrutinised legislation line by line, although they may have been able to subject it to a broad scrutiny.

Such debates bring Parliament into disrepute. Fortunately, most members of the public have better things to do than to scrutinise *Hansard* and realise what points Members of Parliament make. That was not scrutiny: it was a ludicrous parliamentary game.

Mr. Bercow: The hon. Lady is making a risible fist of her speech. What does she have to say about the constitution unit's recent bulletin, which complains of legislative logjam and highlights the fact that in this Session we have so far had 2,537 pages of legislation? Instead of talking always about circumscribing debate, why does not the hon. Lady advise her right hon. and hon. Friends on the Government Front Bench to curb their insatiable appetite for more badly drafted, ill-considered legislation?

Dr. Starkey: The hon. Gentleman will know that the place to debate legislation in detail is in Committee. He will also know that most of the Members who spoke in the wasteful debates on those four Bills on the Floor of the House had made no attempt to use the proper mechanism of Committee to table amendments. Instead, they introduced amendments at the end of the process, not, I suspect, because they had any real wish to amend the legislation, but because they were playing parliamentary games.

Sir Patrick Cormack: Will the hon. Lady give way?

Dr. Starkey: No, I have already given way to an inordinate number of Conservative Members, and I note that the Leader of the Opposition gave way to hardly anyone, even though he had much longer than I have to speak.

The Leader of the Opposition mentioned the Norton report, which contains plenty of interesting suggestions. Many of them have been wholly or partially implemented through the Modernisation Committee. They include timetabling, the publication of draft Bills, the use of Select Committees to consider draft legislation and the use of Joint Committees. Many other ideas in the Norton report are well worth considering, such as the greater use of electronic technology—I recommend that notion to Opposition Members who voted against it—and better resources for Back-Bench MPs though an increase in the office costs allowance. It is extremely difficult for Back-Bench MPs to do their multiple jobs properly when the administrative arrangements of this place get in the way. I mention the fact that it is only possible for two Members at once to get into the Parliamentary Data and Video Network in the House of Commons Library even though there are some 650 of us. It is important that practical measures are taken so that we can do our job more effectively.

It is important that Select Committees have more resources. I emphasise the fact that other proposals of the Modernisation Committee have been put into effect, so Select Committee reports are now debated in the House properly and in more detail. There has been a fourfold increase in debate on Select Committee reports. That is a valuable addition to the House's scrutiny of legislation.

The sudden conversion of Members on the Conservative Front Bench to the modernisation of Parliament, now that they have the Norton report, is extremely surprising. The Leader of the Opposition's contention that the latest Modernisation Committee report was Government inspired is extraordinary. That report was in response to determined pressure from Labour Back Benchers, and perhaps from some Conservative and Liberal Democrat Back Benchers. Although I welcome the report, as a Back Bencher I do not think that it has gone far enough, and I for one will continue to keep up the pressure on the Modernisation Committee to modernise with rather more will and effectiveness than it has shown already.

Even that report is opposed by the Conservatives. They are opposed to the recommendation that there should be no votes after 10 o'clock at night. I do not know whether Conservatives Members have read what those postponed votes would be on, but the Leader of the Opposition gives the impression that they would be on huge, substantive matters. In fact, they would be on statutory instruments, debatable motions on the membership of Select Committees, which I agree are important—some of us would welcome the opportunity to oppose, with much greater ease, the membership of a Select Committee of the right hon. Member for Bromley and Chislehurst (Mr. Forth) if he were to try for it again—prayers against statutory instruments, and money and ways and means resolutions.

The other night, again as a parliamentary device, MPs were kept walking round the Lobby for more than an hour voting on a number of statutory instruments, some of which I suspect the Conservatives had no particular reason for opposing, but they did so because they decided to express their displeasure about the Football (Disorder) Bill by keeping us all here for an extra hour. Again, that sort of thing brings Parliament into disrepute.

The Opposition are out of touch when it comes to the reform of Parliament. In particular, I think of their attacks on so-called family friendly measures. I make no apology for saying that if the House of Commons is to attract high calibre people of both sexes—in particular, those who are still young enough to have young children—it needs to introduce family friendly practices. That would bring this Parliament up to date with all but the most reactionary employers out in the real world. We should not apologise for that.

The Norton report states:

> An effective Opposition is essential to a healthy political process.

I agree. The problem is that the Conservatives at present are not an effective Opposition and no amount of parliamentary reform, desirable though it is in itself, can overcome that fact. They are not a credible Opposition. They need some credible policies and then they might start to oppose effectively.

4.21 pm

Mr. John Butterfill (Bournemouth, West): In the 17 years I have been a Member of Parliament, I have seen a progressive reduction in the power of Back Benchers to influence what happens here, not just in the Chamber but throughout the House. I include the way in which the House is run, our procedures and the way that Government power has progressively increased. That disturbs me.

I sympathise with many of the objectives of the Modernisation Committee. I entered the House when my children were at primary school and, to a large extent,

[Mr. John Butterfill]

being here stopped me seeing much of their growing up into young adults. I have seen the pressure that my being a Member of Parliament put on my family and on my wife in particular. If we can do something to improve that situation, it should be done. As the hon. Member for Milton Keynes, South-West (Dr. Starkey) said, that will encourage a wider section of the population to view coming here as a realistic possibility.

The problem with some of the Modernisation Committee's proposals is that the Committee does not realise the impact that they would have on the Opposition or the way in which they would limit the Opposition's power to call the Executive to account. I agree that voting at 3 o'clock in the morning is not very desirable. It does not happen much nowadays, but it used to happen far more often a few years ago. To the extent that it does happen, it does not improve the quality of debate or of decision making. It is true that the power of the Opposition to delay and even frustrate Members on the Government Benches is a powerful weapon and can be used to wring concessions from a reluctant Government. If it is to be removed—there are good arguments for timetabling—it must be replaced with something more effective than what the Modernisation Committee has suggested.

I also have grave reservations about the idea of holding votes that have not taken place after 10 o'clock in the evening on the following Wednesday. I know that it is done in the Dutch Parliament, but important issues should be the subject of proper debate and should be voted on by people who have taken part in the debate. As one of my hon. Friends pointed out earlier, we could have a situation in which some of those voting had no experience of what happened in the debate and some of those who took part in the debate were unable to vote because of other commitments. That is unsatisfactory, and I hope that the Committee will reconsider that proposal.

There are severe problems in that Back Benchers do not control this place and that the House does not control its own affairs. Significant improvements need to be made for the benefit of all who serve here. Many of the suggestions that have come forward are good ones, including many from the Modernisation Committee. The Liaison Committee's recommendations about the selection of members of Select Committees and increasing the powers of those Committees are important, but I do not think that they go far enough.

One of the problems is that only one Member in any particular office is elected, and that is the Speaker. Madam Speaker has been an inspiration to us all, but more holders of the great offices of the House should be truly democratically elected if we are to take control of our own affairs once again.

There will always be the need for political parties to have influence in the way in which the House is run. However, it is not a good idea to have all members of a Select Committee effectively appointed through their respective Whips' Offices. Membership of the Chairmen's Panel, on which I have the honour to serve, and your own position, Mr. Deputy Speaker, is gained effectively through the nomination process. That is not a good idea. We should have a Committee of Selection that genuinely selects Members on the basis of their expertise, their talent and the contribution that they can bring to bear in the positions in which they are placed. Therefore, we need a new form of Committee of Selection.

Mr. MacShane: I shall make a brief intervention because I hope to speak later in the debate. A Committee of Selection will have a majority and a minority. Presumably, the majority will be composed of Government Members. The hon. Gentleman will not get away from that problem. Is he aware that Select Committees, which are supposed to be stuffed with Government placemen, bring fear and terror to the hearts of many Departments? When their reports come out, most Ministers seem to have been kissed by a cobra. If Select Committees are stuffed with placemen, how do they cause so much trouble?

Mr. Butterfill: I am not suggesting that they are stuffed with placemen. I know from my own experience that many members of Select Committees behave extremely well and are active in calling Ministers to account. I am saying that we have lost control of the levers of power in this place. We need to rebalance the power between the Executive and the House.

Mr. David Taylor (North-West Leicestershire): Will the hon. Gentleman give way?

Mr. Butterfill: No. I ask the hon. Gentleman to forgive me. There is a limited time for debate.

We need to regain the balance. It is wrong that the Government control what is legislated upon, the timing of it and the procedure. The House should be deciding on procedure. In an appropriate Committee, the House should be deciding what is a reasonable amount of time to allocate. The House must take control of its own proceedings.

It is intolerable that either the Government or the usual channels have such great power in this place. It is vital, therefore, that we consider again the way in which we are run. It is important that we take on board the recommendations of the Liaison Committee and the Norton report. Ideally, it is important that the Government initiate a debate and a programme of change that will give back to hon. Members power over the proceedings of Parliament.

Mrs. Beckett: The hon. Gentleman talks about giving back powers to the House. He has proposed that the Government should not control the legislative programme, should not appoint Members to Select Committees and, if I understood him correctly, should not be the final arbiter on any of the matters that the Government now control in the House. He talks about going back to a certain time. Will he tell me of a time when any Government of whatever party have not had such powers?

Mr. Butterfill: The right hon. Lady makes a powerful point, but she will know that that is the situation in other legislatures. Perhaps I was wrong to talk about giving back. Perhaps giving to the House would be a better phrase.

4.29 pm

Mr. Derek Twigg (Halton): I have never heard such a load of claptrap from the Opposition as I have heard today. The thought that the Conservative party has suddenly become the upholder of democracy and is to improve it, given the Conservatives 18 years in power, is unbelievable. The performance of the Leader of the Opposition was somewhat lacking, and that is being as kind as I can.

Mr. St. Aubyn: Will the hon. Gentleman give way?

Mr. Twigg: I have only just started and will carry on for a while.

It was difficult to spot the substance of the Leader of the Opposition's speech. Interestingly, an article in *The Daily Telegraph* earlier this week stated that the right hon. Gentleman said that

in principle, he agreed with the analysis

in Norton's report. We await with bated breath to find out which line the Tories take on the recommendations.

Today, we have heard so much hypocrisy from the Tories, but less than half of the parliamentary party was here when the debate started. If it is such a crucial issue for them, why were they not all here? Why did they all disappear as soon as William Hague went home? It is such an important issue for democracy—

Mr. Deputy Speaker: Order. The hon. Gentleman must remember to call other hon. Members by their correct titles.

Mr. Twigg: The Leader of the Opposition went and Conservative Members disappeared. If the matter is so important, why did they do that? Really, this is about playing politics; it is not a serious debate.

Mr. St. Aubyn: Will the hon. Gentleman give way?

Mr. Twigg: In a minute.

At Trade and Industry questions this morning, no more than 10 Conservative Back Benchers were present. I am not even sure that most of them tried to ask a question. If that is parliamentary scrutiny, it backs up my argument that the Tories are not interested—it is all about making political points.

I will be happy to give way to the hon. Member for Guildford (Mr. St. Aubyn) now.

Mr. St. Aubyn: Would the hon. Gentleman remind the House which party was in power when the Select Committee system was introduced? Does he support the principle of that system of Select Committees scrutinising the role of the Executive?

Mr. Twigg: I want to talk about Select Committees for a minute. Would the hon. Gentleman have supported the decision to get rid of the hon. Member for Macclesfield (Mr. Winterton) as the Chairman of the Select Committee on Health? Clearly, that was done by the previous Government's Whips. If that is the way in which the Conservative party wants to do it, that is fine, but I wonder whether the hon. Gentleman would have supported that move had he been here. I did not hear many Conservatives say what a terrible thing it was at the time. If that is the way that the Conservative party operates, it brings me back to my main point that this is not a serious debate about democracy; it is about political point scoring.

Sir Patrick Cormack *rose—*

Mr. Twigg: Given the hon. Gentleman's position, I will give way once more.

Sir Patrick Cormack: As one who objected to that action against my hon. Friend the Member for Macclesfield (Mr. Winterton) and who has been in the House for a long time, I must point out that we are recognising that things have not been perfect in the past. That is why we give such strong support to the report of the Liaison Committee.

Mr. Twigg: I love the way in which the Conservative party goes back to year zero, as though nothing happened before. Suddenly, the Conservatives are enlightened—they are in opposition now. What it comes down to is that they do not like the fact that the Labour party is in government with a massive majority. It also comes down to the fact that they are an ineffectual Opposition. They cannot make any headway in the way that they oppose us. In fact, some of the Opposition are not even worthy of discussion. Their failure to oppose the Government is what this is about—their frustrations and trying to score political points.

Let us deal with the Leader of the Opposition. I asked the Library to look up how many Opposition day debates the right hon. Gentleman had attended—I was interested to find out how important those days were to the Conservatives and to their leader. For some reason, the right hon. Gentleman did not manage to get to more than 50 per cent. of the Divisions on those days. The Conservative party and its leader say that they are serious about democracy and making an impact, but the right hon. Gentleman cannot get to a majority of the votes on Opposition days, which shows that they are not serious about opposition—really, it is about political point scoring. The idea of having more democracy is lost on the Conservative party.

I welcome the inroads that my right hon. Friend the Leader of the House has made with her Modernisation Committee—a number of hon. Members have also made important contributions—into making more democratic the way in which the House works. They have made great strides. They have certainly done better than the Conservatives when they were in power and much credit for that should go to my right hon. Friend. In just three years in government, they have made great strides.

The Conservative party, unfortunately, seems to have missed that point—perhaps it is fortunate, depending on which way one looks at it—and they do not seem to want to talk too much about their record. We all remember what they did when they were in government.

I mention the point that was made by the right hon. Member for Haltemprice and Howden (Mr. Davis) and by my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) about the support for Back Benchers, which has been pretty derisory. When I came here in 1997, I could not believe that we were left looking around for weeks for offices, for support for staff and

[Mr. Twigg]

for information technology support. Again, some improvements have been made, but if we are talking about accountability and giving Back Benchers real power to do things and to scrutinise, we must have proper resources. It is not good enough at the moment.

Again, I have not seen too many Conservative Members jumping up and saying, "We must have more resources." They did not do so when they were in power. We have seen some improvements, but I want more. Back-Bench Members should have better support on both staff and resources generally, so that they can do their job better, particularly in research. That is important.

We must come back to the main issue: which party in the House is serious about making reforms and improving things? It is clear from the record that I have talked about that it is the Labour party, the Government party, that is trying to do that. The Opposition have an abject history of failure on the matter. They are not interested because they are a derisory Opposition. They cannot oppose the Government. The debate is about one simple thing: the Opposition's frustration that they can make no inroads into the Government. They are a poor Opposition and should be condemned for it.

4.36 pm

Mr. Robert Maclennan (Caithness, Sutherland and Easter Ross): The trouble with the Opposition's motion is that it seems to be based on a premise that history began in 1997. For Francis Fukuyama, history has ended, but few of us with any memory of the past 18 years of the Conservative Government could restrain a hoarse laugh when we listened to the Leader of the Opposition. The importance of the debate and the subject matter of it are undeniable. Therefore, I welcome the fact that it has come forward. I greatly welcome the evidence of thinking belatedly beginning to bubble up inside the Conservative party.

I remember—I say it to the former Prime Minister, the right hon. Member for Huntingdon (Mr. Major)—as a member of the Hansard Society committee on the reform of the legislative process, under the chairmanship of Geoffrey Ripon, bringing forward repeatedly to him in this place the request that its proposals be debated and discussed in the House, and they were not. There was a clear and deliberate decision by the Government of the day to stifle any serious discussion of constitutional reform. Time after time, Bills were brought forward to introduce a Bill of Rights in this place. Time after time, Conservative Ministers stood in the way.

It must be said that the problem did not even begin when the Thatcher Government came to office. It goes back even further. Some of us will remember how, when the House voted to establish a Parliament in Scotland in 1978, it was opposed by the Conservatives on the ground not that they were utterly opposed to devolution for Scotland, but that they did not like those particular proposals for a Scottish Parliament. We were led to believe that they would bring forward their own proposals.

It is plain in the memory of everyone that no such proposals were brought forward when the opportunity to legislate was given. Even the undertakings of the late Sir Alec Douglas-Home on the matter were totally ignored. It is not only in particulars; it is in the wider understanding of the Conservative party. Its failure to act when it has an opportunity calls into question the validity, if not the good faith, of what Conservative Members utter when in opposition.

Lord Hailsham did not make his oft-quoted criticism of our system of government as an elective dictatorship as Lord Chancellor; he made many speeches about the virtues of our constitution when he was Lord Chancellor. He did that before he became Lord Chancellor. The minute that he became Lord Chancellor in a Conservative Government, his enthusiasm for reform evaporated. Therefore, although I like some of the ideas being canvassed by Conservative Members, I have absolutely no confidence that they would be implemented if there were a Conservative Administration.

My experience is that this Labour Government have done a great deal to change the way in which we do things and make decisions. They are in the middle of major constitutional reform. That reform has been well begun, although it is far from complete. However, it was wrong to couch this debate in the strident, adversarial terms with which it was opened.

I think that this Parliament of ours, set against the Executive, has remarkably little authority. However, that is not new. The situation has been created because Parliament does not choose to use its powers to hold the Executive effectively to account and to cause the Government of the day, of whatever complexion, to change their mind. That is not universally true, and of course it is much less true when majorities are small.

The former Prime Minister, the right hon. Member for Huntingdon, referred to Lord Pym's famous remark—for which he lost his political head—about majorities that are too large. During debates on the Maastricht legislation, the right hon. Member certainly had to listen to Back Benchers. He certainly had also to listen to hon. Members from minority parties, including my own, on that legislation. The reality is that, if there are smaller majorities in the House, there will be more-listening Governments.

Mr. Hope: Will the right hon. Gentleman give way?

Mr. Maclennan: If the hon. Gentleman will forgive me, on this occasion, because of time, I would prefer not to.

I tell Conservative Members that they have never really dealt with how to address the issue of over-large majorities. On the whole, it is desirable that Governments should have majorities. However, over-large majorities clearly are not desirable. If Conservative Members were to examine the whole issue of electoral reform with greater seriousness, they would recognise the virtues of proportional representation and the fact that it would not only greatly diminish the risk of over-large majorities, but enormously strengthen both the position of Opposition parties and the power of this Chamber.

Mr. John Hayes (South Holland and The Deepings): The right hon. Gentleman's thesis is predicated on a situation in which the governing party's Back Benchers do not think that a part of their responsibility is to hold the Executive to account. A large majority gives the Executive unbridled power only if their own Back Benchers do not do their job properly.

Mr. Maclennan: I was going to deal with that point, because I do not take that view. In fact, I take precisely the converse view—that Government Back Benchers have a dual role. They certainly have to support their Government in some measure, as that is what they have been elected broadly to do, but they have also to exercise their own independent judgment. That has not been done with the frequency that I should have wished. However, that is not an entirely new phenomenon—*[Interruption.]*

The hon. Member for Harrow, East (Mr. McNulty), whom I have never noticed in the Chamber before, speaks from not very long experience, and certainly not from experience that goes back to the days when I was a member of the Labour party. In those days, the Labour party was known to have a greater amount of independence than it seems to have now. There was one very important occasion, which at least history records, when 69 Labour Members voted against a three-line Whip on the issue of the European Union. Had it not been for that, I question whether we would have joined the European Union until many years later.

There were a number of other occasions when Labour Members thought it right to dissent. For example, the right hon. Member for Ashton-under-Lyne (Mr. Sheldon) was one of a number of Labour Members who supported the Government most of the time, but voted against their proposals for the reform of the upper House. That resulted in the defeat of those Government proposals. May I say to the hon. Member for Harrow, East, the Government Whip who is sitting below the Gangway, that, in those days, that was admirable independence. This is a short debate and a short speech, but the problems that I am addressing will not be resolved by mechanistic means.

The hours at which the Prime Minister chooses to come before us are as nothing compared with the powers of those sitting behind him to hold him to account if they choose to stand up to him. We have had metaphysics and mechanics from the Government—metaphysics about Parliament being the heart of the nation's debate, when in reality the public feels very divorced from it. I believe that the solution lies in ourselves.

4.46 pm

Mr. Ivan Lewis (Bury, South): First, let me say that I genuinely believe that certain Opposition Members have strong and independent views on the subject of this afternoon's debate, but I am touched by the number of ex-Ministers—particularly among the Opposition, but one or two on the Government side—who suddenly develop affection for the independence of Back Benchers once they cease to be Ministers, or indeed Prime Ministers.

There is no question but that since day one of this Parliament the official Opposition have presented the issue in an intensely party political way. They have been distorting the truth, perpetuating a myth and creating their own virtual reality in relation to the Government's attitude towards Parliament. At the root of the problem is their arrogant belief that they were born to rule and that somehow on 1 May 1997 the British people did not quite know what they were doing and made a ghastly mistake, waking up on 2 May to find, much to their surprise, that there was a Labour Government with a significant majority. However, the British people gave the Labour party its majority in the House and the mandate to govern.

From day one, the Opposition's strategy has been deliberate. In the absence of credible policies, they have sought to fuel cynicism about politicians and the political process. They have sought to neutralise the British people's perception that sleaze and arrogance belong to the Conservative party, by implying that all politicians are the same. In a political environment in which all democrats should feel an obligation to enhance the electorate's confidence in their elected representatives, they have cynically embarked on a scorched earth approach.

The Conservatives are so wedded to the sanctity of democratic accountability that they fought to save hereditary peers—the most undemocratic example of people having a say in legislation. They have used every parliamentary rule available to deny the will of the House and the majority of the British people in relation to the banning of hunting with dogs.

The Conservatives are so committed to their role as scrutineers and defenders of the public interest that 73 per cent. of their number register outside interests that are likely to undermine their capacity to do a full-time job as a Member of Parliament. Is it any wonder that they have no desire to reform the office costs allowance, for example? They do not need the resources to do a proper job on behalf of their constituents because they are making so much money through other means.

Mr. Andrew Tyrie (Chichester): Would the hon. Gentleman like to comment on the view of Lord Nolan, which has subsequently been backed up by Lord Neill, that outside interests are an essential part of parliamentary life and enrich parliamentarians' contributions to this place, and that without outside interests Parliament would be much the poorer?

Mr. Lewis: I made a commitment to my constituents when I was elected that I would have one job, and one only—to represent the people of Bury, South. That takes up every single minute of every hour of every day that I have available.

Despite the Conservative party's appalling record, I do not want to attack Tory Members in the abstract: I want instead to deal with some of the issues that they have raised. First, there is the matter of the Prime Minister and his relationship with the House. It has been noted that Prime Minister's Question Time used to take up two 15-minute sessions a week, and that there is now one session of 30 minutes. The Leader of the Opposition uses a significant portion of that 30 minutes. If he was really concerned about Back-Bench Members, he would leave more time for them to contribute.

Mr. Hope: Is my hon. Friend aware that, at the last eight Prime Minister's Question Times, the Leader of the Opposition has failed to raise the matter of education once? Is that a surprise or, given the £24 billion-worth of cuts that would hit education if the Conservatives ever returned to power, is it because the Opposition do not want to talk about education on the Floor of the House?

Mr. Lewis: I agree with my hon. Friend. It has been said that Prime Minister's Question Time is about

[Mr. Lewis]

scrutiny, but it is time for hon. Members to stop conning people. Prime Minister's Question Time has more to do with pantomime than with scrutiny. The right hon. Member for Huntingdon (Mr. Major) addressed the House earlier, but he omitted to mention that he suggested to my right hon. Friend the Prime Minister that it would be a good idea to introduce the current system for Prime Minister's Question Time.

We have heard about a lack of statements from the Prime Minister, but he has made at least as many as his predecessors. As for my right hon. Friend's voting record, do Conservative Members really believe that our constituents want their Prime Minister to be tied down night after night to votes in the House, instead of making the critical decisions about policy—international, social and economic—that will determine and shape the future of the country? If Conservative Members believe that, they are not in the real world.

Mr. Bercow: The hon. Gentleman referred to international policy, and he will recall that my right hon. Friend the Member for Huntingdon (Mr. Major), the former Prime Minister, sat through the debates on the Maastricht treaty. Will the hon. Gentleman tell the House of a single occasion during the Committee proceedings on the European Communities (Amendment) Bill, which ratified the treaty of Amsterdam, when the Prime Minister attended?

Mr. Lewis: No, but I shall write to the hon. Gentleman!

Mrs. Beckett: I hope that my hon. Friend will try and find out how often Lady Thatcher sat through debates—on the Single European Act, for example. I think that he will also find that the presence of the right hon. Member for Huntingdon (Mr. Major) during the Maastricht debates had more to do with the fact that he was fighting his own party than with any other factor.

Mr. Lewis: I agree with my right hon. Friend. As far as I recall, Baroness Thatcher was not known, as Prime Minister, for her commitment to scrutiny, democracy or accountability.

As my hon. Friend the Member for Rotherham (Mr. MacShane) said, Select Committees criticise aspects of Government policy on a regular basis. Ministers fear their reports and the Select Committees frequently demonstrate their independence, so why is there a need for change? The House should remember that the hon. Member for Macclesfield (Mr. Winterton) dared to tell the British people what his party was doing to the national health service. The response from the then Conservative Government was to remove him from the chairmanship of the Select Committee on Health.

If Conservative Members are genuinely worried about the role of Select Committees, why have they not been honest with the British people and welcomed the establishment of more Select Committees, such as the Select Committee on Environmental Audit, and ad hoc Committees on draft legislation? At the risk of prompting a massive reaction from certain Conservative Members, may I ask why the Opposition have not welcomed the enhanced scrutiny that takes place of all European Union business. Why have the Opposition not told the people about what Westminster Hall has done to quadruple the chance to debate Select Committee reports? Why have they not welcomed the Westminster Hall experiment, which has given Back-Bench Members so many more opportunities, on subjects of their choosing, to hold Ministers to account?

As for modernisation of the House, it is right that we seek consensus, but the Conservative party always refuses to reach consensus on modernisation issues, because it wants to portray the Government as arrogant and controlling. That is why it will not play ball on reorganisation and modernisation. Once again, it is a question of being cut off from the real world.

The people in our constituencies do not want us to sit through the night debating meaningless issues. That is not their definition of scrutiny and holding people to account, of running the country in a businesslike fashion. Once the front-line speakers on both sides have finished, are there more than half a dozen hon. Members anywhere in the House when the so-called democratic scrutiny takes place? It is a charade and an illusion.

Another important point is that all our constituents value the role that constituency Members play in their constituencies as community leaders and case workers every bit as much as they value the role that Members play in the House. The new generation of Members, largely on the Labour Benches House, have adopted the role of community leaders in a way never previously seen.

With regard to devolution, my party has given the people of Scotland, of Wales, of London and of Northern Ireland the opportunity to have power returned closer to their communities so that they genuinely have a role in the making of decisions about their affairs. That is really extending democracy, scrutiny and accountability.

Its choice of subject for this Opposition day typifies the modern Conservative party—a dodgy party, selling dodgy goods with worthless guarantees. It seeks the lowest common denominator in politics, because it has no answers on the big issues that affect the everyday lives of the British people: jobs, the health service, schools, crime, transport and Britain's role in the world. I look forward to its pledge card at the next election: "Save the pound for one Parliament", "Privatise the National Health Service", "Ban spin". I can hardly wait for the campaign to begin.

4.57 pm

Mr. Andrew Rowe (Faversham and Mid-Kent): I hope that the hon. Member for Bury, South (Mr. Lewis) will be rewarded by the Whips, even if after receiving that reward his capacity to act as a 24-hour-a-day social worker in his constituency is diminished, because a speech of such egregious loyalty deserves its reward.

Mr. Ivan Lewis: By speaking in such a patronising and arrogant way about Members' role in their constituencies being that of 24-hour-a-day social workers, the hon. Gentleman has demonstrated why Conservative Members are sitting where they are and we are sitting on the Government Benches.

Mr. Rowe: If the hon. Gentleman knew my record well, he would know that I devote a great deal of my time in my constituency to exactly such causes. I would not, however, claim that every minute of every hour of every day was dedicated to that function.

I share with my right hon. Friend the Member for Huntingdon (Mr. Major) two characteristics. First, I am sorry that the debate got off to such a partisan start. The issues in it are much more important than partisan politics. The other thing that I share with my right hon. Friend is that I, too, am retiring at the next election. There the comparison ends—my career cannot really be said to compare with his in any meaningful way.

I think that we do ourselves no good by continuing with a rhetoric that is entirely meaningless and can confuse the public. For example, right hon. and hon. Members on both sides of the House have referred this afternoon to how many people are in the Chamber at any given time. Considering the enormous variety of occupations that Members of Parliament have—working in their constituencies, serving on Select Committees or serving on Standing Committees—we all know that the number of Members present in the Chamber for long periods is meaningless, and I am sorry that we bandy this insult about.

Mr. MacShane: Will the hon. Gentleman give way?

Mr. Rowe: No, I think not, if the hon. Gentleman will forgive me.

The sadness is that there is a kind of Gresham's law of politics: bad politics drives out good. Whatever a Government's bad behaviour, the Opposition will elaborate on it when they get into power. That is one reason why we are in such a mess.

Mr. David Taylor: Will the hon. Gentleman give way?

Mr. Rowe: I will give way once more, and then I will not give way again.

Mr. Taylor: Notwithstanding the fact that it is widely accepted by right hon. and hon. Members on both sides of the House that presence in the Chamber is not a particularly good measure of activity or quality, is it not astonishing that on an Opposition day of this kind, only 8 per cent. of the 165 Conservative Members of Parliament can be bothered to be present at this point?

Mr. Rowe: I do not think that that is any more relevant than the many occasions on which one might expect members of the governing party to be present and they are not.

Being a Member of Parliament is an extraordinary job. It is, I think, the only job left in the United Kingdom for which no qualifications of any description are required. There is a huge and diverse variety of activities open to a Member of Parliament on first coming here, and many people become engulfed. They may take up the chairmanship of outside groups—for sustainable waste management, for example—or may be the spokesman for various charities, which they do out of the best motives.

Back Benchers do not organise themselves, either in their own parties or across the House, when it comes to calling the Government to account. Governments take advantage of that, of course, and as they organise the business of the House, they load people whom they believe may be difficult with the kind of occupations that make it harder for them to be difficult. In that way, we do ourselves no good.

I share the sentiment that we have more power to call the Government to account than we make use of. I am a fine one to talk, because in my career here I have had far too many outside activities—not, I have to say, registrable activities—and have not played as great a role as I should have done in calling Governments to account.

We also have a media-driven obsession with immediacy of reaction. Most of the issues on which Governments need to be called to account are slow burning, such as whether they are delivering the programme they promised; spending the money they were voted; or administering effectively and properly the organisations for which they are responsible. However, we have become obsessed with the idea that if something is said on "Today" and announced to the House later in the day, it gets the press coverage for that day and there is no point in following it up further. The Select Committees, on the other hand, choose a small number of subjects each year and go into them in detail. I believe that Back Benchers should get together in small groups to follow through various elements of Government expenditure and administration and pursue them in depth.

Mrs. Beckett: The hon. Gentleman makes a powerful point; we do not use the powers that we have. Does he share my reservations about the proposal in the Liaison Committee report, and echoed by Norton, that there should be a half-hour debate soon after a Select Committee report is published? There is perhaps less worth in an off-the-cuff reaction—especially to a serious report—than there would be in a more measured response.

Mr. Rowe: I take the right hon. Lady's point. However, there is something to be said for allowing Select Committees to present their reports on the Floor of the House where there could be 10 minutes or so of interchange, rather than issuing them at a press conference. That would be a better way to proceed. If Select Committees have to present their reports to the media instead of on the Floor of the House, we subscribe to our own annoyance when we complain that announcements are made in that way.

We need to consider the working of our party organisations. They make it harder for individual Back Benchers to stand out against their party. An excessive belief has grown up that any form of disagreement is disloyalty. That is wholly wrong. The use of such processes as reselection procedures in constituencies has an enervating effect. I should be sorry if that went any further.

Governments have not helped. Earlier, there was some discussion of whether this is a grown-up Parliament. In many cases, Governments are not grown-up either. They carry to extreme their obsession with not giving way on even one amendment in a raft of legislation that is often complex—whether important or trivial. Members of Standing Committees are constantly made to feel less effective because of the Government's resolute determination not to pay attention to an amendment. That is not grown-up. The public does not think that it is grown-up either. They know perfectly well that we deal with complex and difficult issues; if we disagreed with our party over those issues, people would not shriek, "Ooh, there you are—they're all disloyal."

There has been much talk about using the internet and IT to collect information, opinions and so on. I hope that when the UK Youth Parliament is established, we shall

[Mr. Rowe]

make great use of those technologies. However, the difference between us and everyone else is that, at some point, our decision must be recorded. The man in the pub can change his mind three times in an evening and put his views on the internet. Our decisions are recorded. That means that, despite the internet, this place will remain important.

5.8 pm

Gillian Merron (Lincoln): The quality of our democracy can only be as good as the effectiveness of the Opposition. The Opposition's interesting choice to use five hours of valuable parliamentary time for a debate on this subject is emphasising their shortcomings in effectively holding the Government to account.

The right hon. Member for Richmond, Yorks (Mr. Hague) made a key observation about the content of the parliamentary day with which I agree. He said that the House should apply itself to matters that concern people in their everyday life. I agree that the relationship between Parliament and the Executive must enable that to happen. However, we have to get real. We need to examine how the current arrangements and facilities are used by the Opposition; they already have a number of parliamentary means at their disposal.

Like several of my colleagues, I have looked into the use of Opposition days and how the realities of life outside the House are reflected in their consideration in this place. As we have already heard, there has not been a Tory Opposition day debate on the economy, the new deal or employment. There has not been a Tory Opposition day debate on the economy since November 1998. I wonder why that is.

The official unemployment figures that were published yesterday show that, since the election, unemployment in Lincoln is down by nearly a half and long-term unemployment is down by nearly three quarters. On these issues—the economy, employment and the new deal—there are strong feelings on both sides, and there is clear water between us.

Mr. Bercow: The hon. Lady is simply factually incorrect. Is she unaware of the Opposition day debate on the new deal that was held under the auspices of my right hon. Friend the Member for Wokingham (Mr. Redwood) and my hon. Friend the Member for Ashford (Mr. Green)? That is on the record, so she ought to know about it.

Gillian Merron: The hon. Gentleman must take account of the priority that Opposition Members attach to Opposition day subjects and the way in which they use the debates. For example, there have not been any Opposition day debates on subjects, such as child poverty, that are a great priority in my constituent's lives. Today, I received confirmation from my right hon. Friend the Secretary of State for Education and Employment that more than £2 million pounds of Government money will go to a sure start programme in Birchwood in Lincoln. It will enable the under-fours to get the best start in life. That is one of the priorities of my constituents.

There has not been an Opposition day debate on third-world debt. I am sure that many hon. Members share this experience, but the number of representations that I have received from my constituents on their concerns about third-world debt and their interest in the Government's record has been exceeded only by representations about fox hunting. We should devote the right amount of time to quality debates on the issues that impact on people's lives.

Reference has been made to voting records. Voting is an important means of expressing opinion, and I draw the House's attention to the fact that the top Conservative Member in this regard is the right hon. Member for Bromley and Chislehurst (Mr. Forth) who is ranked 208th on the list.

Mr. Nicholas Winterton: I am not trying to score party political points, but it is important that Members realise that when members of the Chairmen's Panel chair a Standing Committee, they take no part in the progress of that Bill on Report and Third Reading. That can deprive them of the opportunity to vote on many occasions. The record to which the hon. Lady rightly refers does not always accurately reflect Members' work and their commitment to the House of Commons.

Gillian Merron: The hon. Gentleman makes a very fair point. However, I refer to the speech of the Leader of the Opposition who clearly referred to the Prime Minister's voting record. The right hon. Gentleman even compared the voting records of those on the Government Front Bench, to whom the hon. Gentleman's arguments apply, with those of Opposition Front Benchers. We must be cautious in drawing conclusions, but I stick to the point—I shall not labour it any further—that the right hon. Member for Bromley and Chislehurst, at 208 on the list, is the Conservative Member who has voted most often. That point will be of interest to the public.

Mr. Peter Bradley: Will my hon. Friend give way?

Gillian Merron: I will not because I would like to move on to consider the issue of modernisation and change. I am pleased that the Opposition are embracing discussion of those issues. For that, I say, "Welcome to the 21st century."

I am an advocate of modernisation, but the guiding light in that regard should be an effort to achieve more efficient government better to serve the country. That point must run through all our considerations. I know that my constituents would strongly support moves in that direction. I have no doubt that no business would survive if it were run in the way that the House is run. There is no meeting of any value that would allow the time of the meeting to continue without limit. No sensible gathering would allow those in attendance to dominate others for an extraordinary amount of time. I feel that it benefits the House to look at how it conducts business on behalf of the public.

Let us look at some of the progress made by the Government. We have heard about the removal of the inherited privileges from the House of Lords. This has come about almost 100 years after the first attempt and shows the true commitment of Labour Members to ensuring that the Houses of Parliament are more accountable to the people. There has also been the introduction of parallel sittings in Westminster Hall, which has doubled the opportunities for scrutiny—especially for Back Benchers—and has allowed constructive opportunities to debate Select Committee reports. I hope we would all welcome that. There has been improved scrutiny of European business, which has increased coverage of all European business matters.

The words "European" and "dome" create a ripple of excitement among Opposition Members. I wish to draw the House's attention to the menu in the Dining Room, where we can see on offer a Mediterranean vegetable dome. I am concerned that this may cause heartburn to Opposition Members.

One of the Opposition's priorities is that Prime Minister's Question Time should be held twice a week, for 20 minutes each time. In terms of Prime Minister's Question Time, I think we must look at matters of substance, rather than spin. We should listen to the words of a young visitor who said recently that he did not know why it was called Prime Minister's Question Time—Prime Minister's argument time might be better. We must move beyond that. It is up to the Opposition to decide whether they want Prime Minister's Question Time to be the most colourful show on the London stage or whether they want it to be a true opportunity to hold the Prime Minister to account. That is entirely in their gift.

Mr. St. Aubyn: Does the hon. Lady recognise that the main problem we have is that the Prime Minister never answers our questions?

Gillian Merron: As with any relationship, it is a two-way process. Opposition Members should look at how they conduct their questioning of the Prime Minister.

If Parliament is about people's lives, we should be debating the political differences between the parties. I would like to hear more, as would my constituents, about the Opposition's plans to charge for hip replacements; to drive families back into poverty by abolishing the working families tax credit; and to punish the poorest pensioners by taking away winter fuel allowances, just as they scrapped free eye tests and slapped VAT on fuel.

It is the job of the Opposition to challenge and question the Government, and the mechanism must surely allow that. However, in the same way, the mechanism must allow the Government to govern effectively in the interests of the people of this country. This House should strive for efficiency and not make excuses.

5.18 pm

Mr. Peter Brooke (Cities of London and Westminster): I promise to be brief, and it is a pleasure to follow the hon. Member for Lincoln (Gillian Merron).

Given the relatively trivial agenda of some Government Back Benchers today, I declare immediately a series of registered outside interests, one of which is remunerated and which the Government are shortly to nationalise. The Government have indicated that they will continue to remunerate it in future in its revised form.

I should declare an interest also as a member of the Norton commission, which welcomed a number of the reforms carried out in this Parliament, as the hon. Member for Milton Keynes, South-West (Dr. Starkey) was good enough to say. Also, I am a member of the Liaison Committee. I am not a member of the Modernisation Committee.

The Norton commission was appointed by my right hon. Friend the Leader of the Opposition, and therefore its report will not be the subject of a separate debate in this House, beyond the extent to which it has formed part of the agenda for today's debate.

I have understood from the Leader of the House at recent business questions that we shall debate both the Liaison Committee report and the latest Modernisation Committee report on separate occasions, so there will be separate opportunities to catch the eye of whoever is in the Chair on those reports in due course. Any references to them today, therefore, will be glancing.

As the Norton commission's report will not be the subject of a separate debate, I shall take the liberty of contributing to our debate the first three paragraphs with which my noble Friend Lord Norton, an admirable and industrious chairman of the commission, opened the speech that launched the report in the Jubilee Room last Monday. He said:

> Parliament is at the heart of our political system. It is the essential and definitive link between the individual and government. Weaken Parliament and, in the long run, you undermine the health of the whole political system.
>
> In the report, we identify the functions of Parliament and the purpose of parliamentary reform. Too often, reforms are proposed for different purposes. Some are designed to expedite the business of Government, some are for the convenience of Members of Parliament, some are designed to remove archaic practices. Others are designed to strengthen Parliament in calling government to account.
>
> The focus of this report is precise and consistent. We are concerned solely with strengthening Parliament in calling government to account. Parliament fulfils many of its functions well but we believe that it could, and should, be far more effective in forcing government to explain itself, to justify its measures, to answer for mistakes and to heed the concerns of citizens. There is a clear imbalance in the relationship between Parliament and the executive. In the report, we identify the reasons for the imbalance and we put forward proposals to correct it.

I shall not dwell further on the report, save to say that we sought to fulfil the objectives in the report with muscular prose, which one commentator commended as significantly impartial, considering the report's authors.

Mr. Hope: When the right hon. Gentleman was on the commission and proposed strengthening the Select Committee system, did he take into account Conservative Members' appalling record of attendance in Select Committees? The whole debate has rested on the assumption that the Select Committee system works. Clearly, Opposition Members failed to turn up and failed to make the existing system operate well.

Mr. Brooke: I have noticed—indeed, the House cannot have failed to notice—the hon. Gentleman's obsession with people's attendance in Select Committee and their participation in reports, and shall come to that matter before I conclude my remarks.

I hope that the criteria set by the commission will be reverted to in judging the functional virtues of other reform proposals and, as a member of the Liaison Committee, whose chairman, the right hon. Member for Ashton-under-Lyne (Mr. Sheldon) is still sitting loyally in the Chamber, I shall be happy for our report to be subject to those tests. I am not in a position to criticise the Prime Minister for his inability to recognise the Deputy Speaker, as I did the same thing at business questions last week,

[Mr. Brooke]

although I did it only once. The Prime Minister, however, seemed to have difficulty in recognising the Deputy Speaker even once, although today may be the first time that the Prime Minister has been in the Chamber in this Parliament with someone other than the Speaker in the Chair.

I was more troubled when the Prime Minister said that Northern Ireland had been asking for devolution for 100 years, as it has already had it for 50 of the last 100. I know that the Prime Minister has an idiosyncratic definition of conservatism, but reform is best based on a broad understanding of where one has come from as well as where one wishes to go. My membership of the Liaison Committee derives from chairing the Select Committee on Northern Ireland Affairs. The hon. Member for Corby (Mr. Hope) rather leads with his chin with his obsession with attendance at Select Committee meetings. I am content for him to read out my attendance record, but he should not disguise the fact that five minutes' attendance out of, say, 105 minutes, which is the standard duration of our meetings, is enough to secure a Select Committee member a 100 per cent. record of attendance, provided he or she turns up to every meeting.

Mr. Hope: I could not agree more with the right hon. Gentleman. Some Conservative Members have the habit of turning up for five minutes to register their attendance and then leaving, which, in my opinion, is turning up without turning up. Perhaps the right hon. Gentleman could have a word with his colleagues about that further abuse of parliamentary procedure.

Mr. Brooke: Forgive me, but, except for 45 minutes, I have sat through every sitting of the Committee that I have chaired. In fact, I have observed the behaviour of members of all parties, not simply of my own.

Angela Smith: Will the right hon. Gentleman give way?

Mr. Brooke: No, we have a 10-minute rule.

I confess that I once missed 45 minutes of an evidence-taking session in Belfast because planes could not take off from Heathrow. The incidental consequence was that for our Committee's sittings in Northern Ireland yesterday, to mark the marches of the 12th, I had for safety's sake to fly out on Tuesday night, and thus missed the entire substantial business of the remaining stages of the Police (Northern Ireland) Bill, which, as the Select Committee Chairman, greatly and personally embarrassed me. The relationship between a Select Committee's work out of London and departmental business relating to that Committee in the Chamber is itself worth quiet scrutiny in the margins.

The hon. Member for Sheffield, Hillsborough (Helen Jackson) referred to the Jopling report, to which I do not think the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) did. Nor did I catch his references to the Select Committee reforms introduced by the Conservative Government in 1979. The hon. Lady linked the Jopling report to the Modernisation Committee report. Although I acknowledge that the commencement order for the introduction of the Jopling reforms was delayed by the then Opposition Chief Whip, the right hon. Member for Bishop Auckland (Mr. Foster), until, as he said a year or two ago, he was confident that Labour would win the election—significant words in themselves—the final report was unanimous, to the credit of the Chairman, my noble Friend Lord Jopling, and other members of the Committee.

I listened to the hon. Members for Hillsborough and for Milton Keynes, South-West, and I sensed that they found my right hon. Friend the Member for North-West Hampshire (Sir G. Young), the shadow Leader of the House, wanting for not having been prepared to allow the latest Modernisation Committee report to be adopted unanimously. I will simply say that they should judge my right hon. Friend's views, which are in the report, by the criteria set out in the Norton commission's own parameters. Ultimately, to strengthen Parliament's scrutiny of the Executive, reforms need to concentrate on that central objective rather than on the convenience of the Government or individual Members of Parliament.

Mr. Andrew Love (Edmonton): As a member of the Norton commission and a long-standing Member of the House, is the right hon. Gentleman at all concerned that the hijacking of the commission's recommendations means that the only one that has appeared in the press is the proposed change to Prime Minister's Question Time?

Mr. Brooke: When he launched the report, my right hon. Friend the Leader of the Opposition said:

> However, I am conscious that previous Oppositions have launched policy commissions with great fanfares, and then conveniently left their reports on the shelf gathering dust when they return to Government. To make sure that that does not happen with the Norton Report, I can today make three specific commitments that will form part of our manifesto for the next general election.

However, my right hon. Friend had also said:

> It would be an insult to the work of the Commission to announce within minutes of the Report's publication which recommendations my party accepts, and which we reject.

The Leader of the House did an admirable job of exegesis when she explained to me what her deputy, the hon. Member for Sherwood (Mr. Tipping), had meant by his crystalline adage in the debate on House of Lords reform:

> Being democratic does not necessarily mean having elections.—[*Official Report*, 19 June 2000; Vol. 352, c. 124.]

I look forward, in a separate debate on the Modernisation Committee report, to the Lord President's exegesis as to why that report is intended primarily to strengthen Parliament's scrutiny of the Government. It was to her deputy, during one of the Leader's very rare absences, that I remarked that the Government's initial reaction to the Liaison Committee report had seemed to exemplify what the Prime Minister would describe as the evils of conservatism.

I hope that the debate on parliamentary reform will go on. I speak as the Member for a constituency whose franchise before 1832 was so generous that after the great Reform Act the electorate fell. We owe it to future Parliaments to ensure that we are intellectually honest during the debate that we are having.

5.29 pm

Mr. Peter Bradley (The Wrekin): There have been many thoughtful contributions to the debate, and I do not intend to add to them because that is not the purpose of the debate. The tone was well and truly set by the Leader of the Opposition. This was an extraordinary topic to choose for a six-hour Opposition day debate. As I heard him galloping on at the Dispatch Box, he reminded me of the charge of the Light Brigade, but without the magnificence because he was leading his troops into the gunfire.

As the right hon. Gentleman progressed, I thought more of the eccentric Peruvian goalkeeper, El Loco. Those who remember his performance in past world cups will know that he used to take the ball out of his penalty area, dribble it up field, lose possession and then have to trudge back to his goal to pick the ball out of the net. Such was the inspiration that characterised the right hon. Gentleman's speech.

Conservative Members have been trying to make a fist of conducting a serious and principled debate, but they were all waving their Order Papers in the air when the Leader of the Opposition sat down. As other right hon. and hon. Members have point out, Opposition Members are not very good at opposition. They do not like it. *[Interruption.]* I hope that they will get used to it and get better at it. Currently, they regard it as an unwelcome and irritating interval between periods of uninterrupted, unfettered power. They simply do not have time for opposition. That is the problem.

As my hon. Friend the Member for Bury, South (Mr. Lewis) said, Opposition Members are interested only in power—the power that they wield in this place. They come to this place without a vision, and too infrequently with a sense of duty. They come to exercise power and, often, to benefit from it. Today's debate is another little tantrum on the part of a party that has had its favourite toy taken away from it.

Mr. Hayes: Does the hon. Gentleman agree that it does the debate no favours, and himself no favours, to suggest that hon. Members come to this place without a vision? Most come to the House with a vision, regardless of political party, and most come with a desire to do some good. They do not come principally because they are interested in power. They come because they are interested chiefly in the power to do some good.

Mr. Bradley: That is the second U-turn that I have heard from the Conservative party this week.

The Conservatives want to hold the Government to account. They want tougher scrutiny of Ministers, Departments of State and policy. In launching the Norton report earlier this week, the Leader of the Opposition said:

> The people of Britain deserve a stronger Parliament, better government and a revived and refreshed democracy, and I believe it is our duty to provide it.

In those circumstances, it is not unreasonable to ask, as other hon. Members have done today, about the Conservatives' record in the past three years. If the Opposition do not hold the Executive to account, who will? Of course it is the function of Back-Bench Members of the Government party to ask questions and scrutinise the Government. If that is their duty, it is all the more the duty of the Opposition to do so.

Mr. St. Aubyn: Will the hon. Gentleman give way?

Mr. Bradley: I would prefer to make a little more progress, but I shall be delighted to give way if the hon. Gentleman will be patient.

Mr. St. Aubyn: On that point—

Mr. Bradley: No. The hon. Gentleman will recall that I almost lost my voice trying to intervene on his party leader. I only preserved enough of it to make this speech. *[Interruption.]* If the hon. Gentleman made more appearances in the Division Lobbies—I hear from my hon. Friends from a sedentary position that he is 400th out of 650—perhaps I would recognise him better when he sought to intervene on me.

Mr. St. Aubyn: Will the hon. Gentleman give way?

Mr. Bradley: No, I will not give way. The hon. Gentleman can huff and he can puff, but I am on my feet.

The House of Commons Library has just published a digest of Members' participation in Commons Divisions. This is not my interpretation—not my spin. These are the figures from the House of Commons Library. The average attendance at votes by Labour Members of Parliament is 67 per cent. It could be argued that that is not high enough—I am sure that the Whips would agree. The Liberal Democrat participation in votes is a pretty woeful 57 per cent. That is woeful, but it is as nothing compared with the average participation of Conservative Members of Parliament in Divisions, at 54 per cent.

Mr. St. Aubyn: Will the hon. Gentleman give way?

Mr. Bradley: No. I may give way later, but I want to make progress. I have more to say.

I have also studied the returns from November to April. As my hon. Friend the Member for Lincoln (Gillian Merron) said, the top Conservative came in at 208, and there were only five Liberal Democrats in the top 200.

The Leader of the Opposition made much of the voting records of Cabinet Ministers. I can tell the House that the Home Secretary outscores the shadow Home Secretary. Perhaps the right hon. Lady is too busy promoting her books. The Secretary of State for Social Security outvotes his opposite number. The Chief Secretary to the Treasury votes in 80 per cent. of the votes, compared to 52 per cent. for his opposite number. I could go on. Is that why hon. Members on the Opposition Front Bench are called shadow Ministers? If turning up and voting is a test of what the Leader of the Opposition called

> "a stronger Parliament, better government and revived and refreshed democracy",

the Conservatives have flunked that test.

On Monday, in launching the Norton committee report, the Leader of the Opposition referred to his experience

> as a former member of the Select Committees, as a former Minister who has been cross-examined by them.

He said:

> I agree that we need to make them stronger and we need to start with the membership.

He could not have made a stronger point. The sessional returns of Select Committees for 1998–99 show that Labour Members attended 71 per cent. of meetings. Liberal Democrats attended 67 per cent., and Conservatives attended a pretty poor 61 per cent.

Angela Smith: Has my hon. Friend had an opportunity to examine the Standing Committee figures? He may be doing the Opposition a great disservice: there was a tremendous attendance from Opposition Members on two of the Standing Committees on which I have served. They turned up in force for every sitting of the Committee that considered the Minimum Wage Act 1998, to try to stop the minimum wage, and they did so on the Committee that considered the Wild Mammals (Hunting with Dogs) Bill, so as to protect fox hunting.

Mr. Bradley: My hon. Friend must not rush me: I have not finished with the Select Committees. On some of the most important and controversial policies, the Conservative performance is the worst. On the Education and Employment Committee, their turn-out rate is 34 per cent.; on the Trade and Industry Committee, it is 43 per cent.; on the Health Committee, 52 per cent. They say that they are the pensioner's friend on the Social Security Committee—

Mr. St. Aubyn: Will the hon. Gentleman give way, as I am a member of a Select Committee?

Mr. Bradley: No.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. All the hon. Member for Guildford (Mr. St. Aubyn) has to do is ask the hon. Gentleman to give way. There is no need to offer credentials when asking to intervene.

Mr. St. Aubyn: On a point of order, Mr. Deputy Speaker. Is it not the custom of the House to give hon. Members the opportunity to respond to any attack that is made specifically on them?

Mr. Deputy Speaker: We are having a debate; there was no attack as such.

Mr. Bradley: There is a convention to allow injury time in such debates, for which I am grateful. If time allows, I will certainly allow the hon. Gentleman to intervene.

On the point made by my hon. Friend the Member for Basildon (Angela Smith), Conservative members are no better at attending Standing and Delegated Legislation Committees. Their attendance on the Committee that considered the Care Standards Bill, of which they made so much last night, was as low as 69 per cent., compared with Labour's 89 per cent. On the Fifth Standing Committee on Delegated Legislation, from 2 December to 7 June, it was 73 per cent. compared with Labour's 95 per cent. If they are not doing their job—I suggest that they are not—where are they?

Mr. David Taylor: Will my hon. Friend give way?

Mr. Bradley: No, no; I must be impartial in not giving way.

I shall tell the House where Conservative Members may be. As other hon. Members have suggested, the Register of Members' Interests shows that, while 14 per cent. of Labour Members have outside interests that may take them from the House, the figure for Conservative Members is 73 per cent.; and that 40 of the 64 Front-Bench spokespersons have outside interests. No wonder they have no time to hold the Government to account, to scrutinise or to do the job of the Opposition.

Mr. Taylor: Will my hon. Friend give way?

Mr. Bradley: No. I want to conclude my remarks before my time is up.

If the Conservative voting record is poor in office hours, it is even worse in the evenings—at 52 per cent. However, my analysis does not show how many Conservative Members turn up to vote in their dinner jackets.

I do not want to be complacent about the need for change. Change is needed, but that was not the purpose of today's debate. We do not need to take lessons from Conservative Members. They are failing in their duties. They are so incompetent that most of the damage that the Government have sustained in recent years has been self-inflicted. They are so ineffectual that the media and the press think that they have to do their job for them. They should be judged not on their rhetoric, but on their record. Their record clearly shows that they are no more than part-time parliamentarians, less interested in Parliament than in their pay cheques. That is the reason why they are no better in opposition than they were in government.

5.39 pm

Mr. Nicholas Winterton (Macclesfield): First, may I apologise to hon. Members for being absent for part of the debate after the opening speeches? I had to leave the Chamber to chair the Select Committee on Procedure, and I returned as soon as it had finished taking evidence from a Minister.

The debate is about the relationship between Parliament and the Executive, and I follow the closing remarks of the hon. Member for The Wrekin (Mr. Bradley) by saying that I hope that I am accepted for my record in this place and for no other reason. I have limited outside interests. I am a full-time politician and I take my work in the House extremely seriously. It may be appropriate if I, like my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke), refer to the Committees to which I belong. I am a member of the Modernisation and Liaison Committees. I am a member and the Chairman of the Procedure Committee, and I also sit on the Select Committee on Standing Orders. In addition, I am the senior member of Madam Speaker's Chairmen's Panel and one of four members of the panel appointed to chair sittings in Westminster Hall. I hope that that shows that I take my job in the House very seriously.

I say to the hon. Member for The Wrekin that I have been a Back Bencher for all the 29 years that I have had the honour to serve the people of the county constituency of Macclesfield in the House of Commons. I have relished that job, and in answer to people who ask, "Nicholas, why have you never got anywhere in politics?", I explain, "God gave me a mouth and I have used it." That has not always endeared me to the establishment, whether that establishment be my own party or the Labour party in government.

I take the role of Back-Bench Member of Parliament very seriously, whether it be scrutinising legislation in the House or looking after the interests of my constituents in Macclesfield or my constituency as a whole. I also take seriously a constitutional role of the Opposition, which is to oppose. For that reason, I am deeply concerned about some proposals in the latest Modernisation Committee report, which is yet to be debated in the House. However, as those Members who take an active interest in these matters know, it will be debated in the roll-over period. I shall hope to catch your eye, Mr. Deputy Speaker, or that of another Deputy Speaker. I was about to refer to Madam Speaker, but who knows what the position will be after 23 October?

Ms Bridget Prentice: I enjoy listening to the hon. Gentleman as much as I enjoy listening to the right hon. Member for Cities of London and Westminster (Mr. Brooke). Both make elegant speeches in the House, but as the hon. Gentleman has referred to the Committees of which he is a member, I wonder whether that self-justification is the opening salvo of a campaign to become Speaker.

Mr. Winterton: It is not an opening salvo—but all right. I am happy to declare to the House that I intend to put my name forward. I do not think that I have said something that I should not, because I have been challenged. I had not intended to raise the matter in my brief speech, but the hon. Lady, for whom I have the greatest respect, has been kind to me and I feel that I must respond honestly. In this place, I have sought to match my vote to my voice. Perhaps for that reason, I have remained an evergreen Back Bencher, although I believe that Back Benchers have a vital role to play.

Referring briefly to the Modernisation Committee report, one thing worries me about programming legislation, although I shall not comment at this time on the timing of votes. As those on the Treasury Bench and many other Members of the House well know, traditionally, Back Benchers have been guaranteed the chance to take part in a debate on an important Bill only on Report. In many instances there has been no guillotine, and debates have continued until the number of Members wishing to speak has run out.

I am deeply worried about the position of those who are not called to speak on Second Reading, and those who are not appointed as members of Standing Committees. I accept that certain clauses of Finance Bills are debated on the Floor of the House, but in general such Members will be able to table amendments, or speak about a part of a Bill that concerns them, their constituents or their constituencies, only on Report. I fear that the programming of legislation will seriously restrict Back Benchers' ability to express themselves.

Mr. Hope: Will the hon. Gentleman give way?

Mr. Winterton: I will, but for the last time because time is short.

Mr. Hope: I thank the hon. Gentleman for giving way, and also for announcing his candidature. We are all paying particular attention to what he is saying about parliamentary procedure. Would he care to offer an opinion on the failure of Back-Bench members of his party to attend Select Committees, and to take part in a key element of the parliamentary process—scrutiny of the Executive?

Mr. Winterton: I was going to raise that, on the basis of my experience as Chairman of the Select Committee on Procedure. Our Committee does not have a full complement of members, because the House decided that there should not be a full complement at this stage. Let me add, however, that four Labour Members are currently conspicuous by their absence. Unfortunately, one of my colleagues is also an infrequent attender, but I have received an accurate report that one Member—although still on the Committee—has not attended for more than a year. I understand that the Government Whips have told him that he need not turn up. As yet, however, the usual channels—those representing the establishment in the House—have not replaced him, or others. For instance, the absence of the hon. Member for West Ham (Mr. Banks), who has had responsibilities outside the House in relation to football, is very noticeable.

I do not make the accusation that all Labour Committee members who have not turned up have done so because they are not working. One distinguished new Member cannot turn up because he sits on another Select Committee which he considers more important than the Procedure Committee. It is, in fact, the Public Accounts Committee, whose importance I must acknowledge.

If we are not to make the position of Back Benchers totally irrelevant except in the context of voting, we must keep their opportunities in mind. I am delighted to see that the right hon. Member for Ashton-under-Lyne (Mr. Sheldon) is present. As a member of the Liaison Committee, I fully backed its report entitled "Shifting the Balance: Select Committees and the Executive". It is important to establish an alternative career structure for those who are prepared to devote a great deal of time, energy and commitment to Select Committees—and, in particular, to Chairmen of Select Committees, who undertake an immense amount of work without any additional staff or remuneration. It is clear that, if that is to happen, the usual channels must not dictate the membership of Select Committees, or have such a powerful influence on the appointment of Chairmen.

I have personal experience in this regard. I believe that my party behaved disgracefully back in 1992. The Liaison Committee, which is concerned with who chairs Select Committees, has sought to redress the balance, and to ensure that Back Benchers have a meaningful purpose and a meaningful job in the future.

5.49 pm

Helen Jones (Warrington, North): It is a privilege to follow the hon. Member for Macclesfield (Mr. Winterton), who presented his job application, but I want to make a few remarks from the other end of the spectrum.

I am a recently elected Member of the House, but I am nevertheless conscious of what a privilege it is to be here and of the duty that the House has to carry out proper scrutiny and to hold the Government to account. Those rights were hard fought for and dearly won. I am particularly conscious that our ancestors, especially those

[Helen Jones]

of Labour Members, had to put up with a great deal and had to make many sacrifices for us to be represented in Parliament. We should bear that in mind, and the fact that the right to representation was fought every step of the way by the ancestors of Conservative Members. It is because I take the rights and privileges of this place very seriously that I believe the Chamber should address issues of real concern to our constituents.

Mr. Cash *rose—*

Mr. St. Aubyn *rose—*

Helen Jones: If the hon. Gentlemen will forgive me, I shall give way later.

The Chamber should be a cockpit of democracy. Sadly, that has not been the case today. We have not addressed the issues of real concern to people in the country. The official Opposition have missed the opportunity to do so. The Leader of the Opposition proved once again that he is still stuck in the sixth form. He wants to be the leading light of the school debating society rather than a serious politician. *[Interruption.]*

What does the debate tell us about the priorities of the Conservative party? Is it concerned about the future of agriculture? Clearly not, because it wiped that subject off the agenda. *[Interruption.]* Will we have a chance to debate its latest education policy? *[Interruption.]*

Mr. Deputy Speaker: Order. The hon. Lady is doing all right. She does not need any other voices.

Helen Jones: I always appreciate the support of my hon. Friends, Mr. Deputy Speaker.

Will we have a chance to debate the Opposition's new education policy? Clearly not, but perhaps that is wise bearing in mind what the hon. Member for Maidenhead (Mrs. May) let slip about primary schools selecting their intake. What about manufacturing industry?

Mr. St. Aubyn: Will the hon. Lady give way?

Helen Jones: No, the hon. Gentleman has had several goes. I want to proceed if I may.

Do the official Opposition want to debate manufacturing industry or the national health service? No. Instead, we have had from them a bout of navel gazing brought on by a tantrum because they objected to the statement on the Government's annual report. They decided to stamp their collective feet. Last year they threw a hissy fit because there was not a statement on the Government's annual report. That says a lot about them.

Perhaps we can move on from the tantrums and, in a spirit of cross-party co-operation, consider how the Opposition have managed to hold the Government to account by having a look at their record. Opposition Members have quoted the Norton report and have rightly referred to the need for an effective Opposition and proper debate in the House. Is that what Opposition Members did when in government? Of course not. They guillotined Bill after Bill. They functioned so well in what their motion calls

the essential . . . link between citizen and government

that they introduced the poll tax. They guillotined that Bill. That was the biggest example ever of a Government not being in tune with their own people.

There is always a possibility that the sinners have repented and have now accepted the need for parliamentary scrutiny, and are beavering away in Parliament.

Mr. Rowe: Do I get the impression that the hon. Lady thinks that guillotines are a bad idea if we are to call a Government to account? If so, how does she explain the present Government's record in that respect?

Helen Jones: The hon. Gentleman is wrong. I agree with the Leader of the Opposition, who said in a recent speech that it is worth considering the programming and timetabling of Bills. This is an Opposition debate, and they are talking about calling Government to account, so it is only right that we consider their record.

Mr. St. Aubyn: Will the hon. Lady give way?

Helen Jones: No. As I said, the hon. Gentleman has had several goes.

Do Opposition Members turn up and vote so as to hold the Government to account? Many of them do not. As has been said, of the top 114 places, all but one are occupied by Labour Members. Conservative Members tell us that they are off pursuing their outside interests because that contributes to the debate. I will believe that when I see them stacking shelves in supermarkets, working in factories or in call centres. Then I would believe that they were doing that to gain experience of the real world, but not until then.

If Conservative Members are not in the Division Lobby, perhaps they are on Select Committees. My hon. Friend the Member for The Wrekin (Mr. Bradley) rightly quoted the Leader of the Opposition on the need to make Select Committees stronger. The only thing I can say is that perhaps the right hon. Gentleman should communicate that view to his Back Benchers. He could start with the hon. Member for Chichester (Mr. Tyrie), who wrote a pamphlet on this subject, in which he said that

too much of the Select Committee system is worthy but also ignored.

He should know, because he spent most of the 1998–99 Session ignoring it. As we have heard, he managed to attend only seven out of 36 meetings of the Select Committee on Public Administration. His hon. Friend the Member for Bury St. Edmunds (Mr. Ruffley) did even better. He managed to grace us with his presence on only one occasion.

Mr. Crispin Blunt (Reigate): As the hon. Lady seems not to have notified my hon. Friend the Member for Chichester (Mr. Tyrie) that she intended to raise his name in the debate, she should be aware that he was sitting on the Finance Bill Standing Committee, which was a great commitment of time. If she had been present often enough, she would know that he has already explained that to the House.

Helen Jones: The hon. Member for Chichester was present, but attaches so much importance to this debate that he is no longer here. I understand that he did not always attend the Standing Committee either. I do not believe that his membership of that Committee accounts for all his absences.

As the hon. Member for Reigate (Mr. Blunt) refers to other Committees, let us consider them. We have already heard about the Opposition's record on the Care Standards Bill, even though they chose to keep us voting in the House. I want to be charitable to them, so perhaps we should consider their record on delegated legislation. Conservative Members frequently tell us that there is not enough opportunity for the House to scrutinise delegated legislation. To prove that, on Tuesday night they decided to call votes on all the motions dealing with delegated legislation. That is their perfect right, and I do not contest that.

However, what did they do when those orders were in Committee and how much time did they spend scrutinising them? They spent 58 minutes on the draft Education (School Government) (Terms of Reference) (England) Regulations 2000, 38 minutes on the Local Government Finance (England) Special Grant Report (No. 63) on the Invest to Save Grant, and a grand total of 23 minutes on the two orders taken together dealing with the transfer of functions to Wales. If the Opposition were really serious about holding the Government to account, they would have done so in the correct place when those orders were debated in Standing Committee, but we know very well that they are not serious.

We have seen the same pattern repeated in the Chamber time and again. On Opposition days, there are vast acres of green space on the Conservative Benches. At Education and Employment questions last week, there were so few Opposition Members that even those on their Front Bench looked embarrassed. They are not serious about holding the Government to account, and they never have been.

We need to debate issues such as how to improve the performance of the House and the Select Committee system. I believe that the Select Committee system needs to be strengthened, but the Opposition are not interested in those issues. They are only interested in making cheap, political debating points. If they want us to take seriously their views about improving the scrutiny role of Parliament, they must first use the means that are open to them, but they are not doing that.

6 pm

Mr. William Cash (Stone): I looked up some references to the questions that arise in relation to this debate and I came across the following quotations. In the reign of Henry III, it was said:

> The parliament moderateth the king's prerogative, and nothing grows to abuse, but this house has power to treat it.

In the 18th century, Dunning's version read:

> The influence of the Crown has increased, is increasing, and ought to be diminished.

The real issue at the heart of this debate is not merely questions about the procedures of the House, but the craven attitude of Members of Parliament and how they give way to the power and influence of the Executive instead of relying on their own opinions as elected representatives. They neglect the influence that they could exert if they were prepared to do so. It is incumbent on all of us to remember that as individuals—whether the Prime Minister, Cabinet Minister or ordinary Member of Parliament—the ultimate test is whether we are prepared to take our own decisions and not be pushed around by other people, often in the pursuit of preferment or patronage.

Regrettably, on several occasions, people who could have changed the course of events have, for one reason or another, declined to do so. One example occurred in the Maastricht debates. Nottingham university produced a confidential survey of opinion of Back Benchers and others in the aftermath of those debates. The survey was not organised by Eurosceptics but was partially Government-funded, independent research. It transpired that 60 per cent. of those who had voted with the Government did not want to vote for the Maastricht treaty. That debate and subsequent debates of similar importance, which go to the heart of how we govern ourselves, give some indication of the necessity for all of us to consider the extent to which we simply follow what the Whips decree.

It is not only a question of the Whips. Should not Ministers who have a profound disagreement with their Government resign? I pay tribute to those members of this Government who have resigned—there have been several—and to others in past Conservative Governments who have done so. However, such resignations are not as frequent as I would like.

We should also think hard about the way in which the organisation of the House affects Committees. We have heard about the recommendations of the Liaison Committee on Select Committees, which I thoroughly endorse and I am glad that my right hon. Friend the Leader of the Opposition will take a strong view on those recommendations. We might also usefully improve the value of the opinions and judgments of individual Members of Parliament in Standing Committees. It is right that if a Government have made an express manifesto commitment to a Bill, they should expect it to get a Second Reading. However, when the Standing Committee addresses the nuts and bolts of how a Bill will work, it is a different matter.

I have sat on many Standing Committees, some of which—such as that considering the Broadcasting Act 1990—went on for six months or so. So few amendments are ever accepted against the wishes of the Government Whips that it is worth asking whether we should have a freer and more flexible arrangement in Committee, with the re-imposition of the Whip on Report, after the Government has had an opportunity to reflect on the opinions formed in the free judgment of the members of the Committee. Under such a system, Members of Parliament would feel more confident about their role and, at the same time, the legislation would more truly reflect not only the exhortations of the Whips—or the desire of the Prime Minister or Cabinet Minister responsible for the Bill—but the genuine opinions of Members of Parliament. That is why we are elected to this House.

The hon. Member for Warrington, North (Helen Jones) mentioned our ancestors. One of mine was John Bright and I am sure that nobody would suggest that anyone who came from a family of his independence of mind would willingly accept the criticism that we are Lobby fodder and merely represent the interests of the landed gentry. If

[Mr. William Cash]

one considers the great issues of the past 200 years, such as the Reform Act 1867, tariff reform, home rule, the India Acts of the 1930s or appeasement—

Mr. Tony McNulty (Harrow, East): Or Maastricht.

Mr. Cash: Yes, and I would include the treaty of Amsterdam and what is to come on the treaty of Nice. On all those great issues, which were the defining moments of our political development in the past 200 years, the one characteristic which stood out, and which represented the reality of the strength of Parliament vis-a-vis the Executive—whether or not the parties were divided, which they often were—was that it was those people who stood out from the crowd and spoke their minds who created the circumstances for change on those issues. In that way, we moved forward to a more democratic system of government over the past 200 years.

The Whips have an important role to play, which may be necessary because of the need to organise business. However, at the heart of the debate lies the quotation from "Julius Caesar" by Shakespeare:

> The fault, dear Brutus, lies not in our stars,
> But in ourselves, that we are underlings.

When we consider the relationship between Parliament and the Executive, it is important for all of us to remember that the question of whether we truly represent our constituents, and the country as a whole in the national interest, depends on whether we are prepared to stand up to the attacks made on us by others and the power and influence that is brought to bear by an Executive that wants its own way, but which should not be allowed to get away with it so easily.

Mr. MacShane: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: I think I know what is coming.

Mr. MacShane: This has been a rich and rewarding debate, which we have all enjoyed. However, not many hon. Members have been present. I wonder whether more hon. Members might have attended if a list of speakers had been published. Now that the secrets of Fatima have been revealed, cannot the Speaker's list be made public before debates take place?

Mr. Deputy Speaker: I do not know anything about a list.

6.10 pm

Mr. Paul Goggins (Wythenshawe and Sale, East): I am grateful to have the opportunity to contribute to the debate. It seems that at times our discussion has suffered from the same difficulties that the Opposition face, which is a confusion between the distinct functions of scrutiny and opposition. The media often portray these functions as though they are the same. For example, they suggest that only Labour Members who defy the Whip are truly carrying out their scrutiny function.

I am not embarrassed to say—indeed, I am proud to say—that the people of Wythenshawe and Sale, East did not elect me to oppose the Government. Instead, they elected me to support the Government. They voted for me because they wanted young people who had been thrown on the scrap heap to have the opportunity to work, because they believe in a free national health service and because they want to see higher standards of numeracy and literacy. Of course, they expect me to do my best to ensure that legislation stands up, as it were, and works in practice.

I take great exception to the comments of the hon. Member for South Holland and The Deepings (Mr. Hayes), who questioned whether it was possible—in fact, he said that it was impossible—for a loyal Member of the Government party effectively to operate his scrutiny role.

There is a large international airport in my constituency, and I sought reassurances on air safety during the passage of the recent Transport Bill. As a member at the time of the Select Committee on Social Security, following a controversial inquiry I joined my Committee colleagues in strongly recommending to my right hon. Friend the Chancellor of the Exchequer that when the working families tax credit was introduced it should still be possible for non-working partners to be able to claim that tax credit, as they had previously done with family credit.

As a member of the Select Committee, I was proud to be involved in the innovative inquiry into the draft Bill relating to pension sharing on divorce. The Committee made 32 recommendations and suggested 107 amendments. I think that we played our part in ensuring that when the Welfare Reform and Pensions Bill was considered a year later, it was a more robust piece of legislation. That was because of the Committee's pre-legislative scrutiny.

Mr. Hope: Does my hon. Friend agree that the debate is an admission of failure? The Tories have been incapable of providing an effective Opposition. Like a bad workman who blames his tools, the Opposition are suggesting scrutiny mechanisms that would not be effective.

Mr. Deputy Speaker: That was far too long an intervention.

Mr. Goggins: It may have been too long, Mr. Deputy Speaker, but my hon. Friend moved directly to the next part of my speech.

The Tories find great difficulty in opposition and they are hopeless in that role. Of course, the Government do not have the devaluation crisis that faced the Wilson Government. We do not have the trade union disquiet of the 1970s or the urban riots of the 1980s. For three years in office, we can claim credit for 1 million extra jobs, higher achievements in schools, higher incomes for the poorest pensioners and billions of extra pounds that are being used to help reduce the problems of children who previously had been consigned to poverty.

The problem for the Opposition is that they are unable to mount any credible opposition to our policies. They keep trying but that does not wash with the electorate. They were against the minimum wage and they had to back off. They had a tax guarantee and again they had to back off. I am sure that when they have finished whingeing about the new deal, they will similarly have to back off.

Having abandoned the role of constructive opposition, the Tories seek to claim the high moral ground of scrutiny. However, if we scratch the surface, we find that there is little substance. For example, there were the schoolboy antics on Tuesday night. Between midnight and 1 am the House divided five times. As I have already made clear, I am happy to stay in the House and vote for orders that will help the Government to deliver their programme. I accept that the Opposition have every right to oppose. However, we were dividing on measures that had previously been debated in Standing Committee.

It is worth considering the quality of the scrutiny that took place in Committee. On the two matters relating to Wales, as my hon. Friend the Member for Warrington, North (Helen Jones) said, three of the five Tory Members were absent, including their Front-Bench spokesperson, who, according to the Whip, was carrying out other duties. Presumably, they were more important duties than scrutinising legislation in his area of responsibility.

On the measure relating to local government finance, four Tory Members attended the Committee. They did not dissent from an order that relates to the £45 million invest-to-save initiative and important grants to improve health and social care. I am happy for the record to show that the Opposition were against making such grants, but let us not dress that up as democracy or scrutiny. At best, that sort of nonsense means that we lose a little sleep. At worst, it makes Parliament a laughing stock.

I join my hon. Friend the Member for Milton Keynes, South-West (Dr. Starkey) in urging the Opposition to pay close attention to paragraph (3) on page 6 of the Norton report, which refers to the core functions of Parliament. The third core function outlined by Lord Norton is the provision of "credible opposition". The report recommends that Select Committees should offer an alternative career path to ministerial office and that appointments to Select Committees should be taken out of the hands of the Whips.

In my book, it is not what we say that counts but what we do. Perhaps it was thoughtful of the Opposition to bring forward this debate on 13 July. The hon. Member for Macclesfield (Mr. Winterton) will know that this is the eighth anniversary of the day when the Conservative party threw him off the Select Committee on Health. Those who were Members of this place then will remember better than I do the trumped up charges that he faced, having been a member of the Committee for three consecutive terms. It seems that relevant experience did not count for very much.

During the debate that took place on departmental Select Committees on that day—my hon. Friend the Member for Shipley (Mr. Leslie) will be interested in this—the hon. Member for Banff and Buchan (Mr. Salmond) asked Sir Marcus Fox, the Chairman of the Selection Committee, why Sir Nicholas Fairbairn was a member of two Select Committees. Sir Marcus replied:

> The answer is quite simple: . . . he happens to be a friend of mine.—[*Official Report*, 13 July 1992; Vol. 211, c. 915.]

How can anyone take seriously proposals from the Conservative party that there should be an alternative career structure on Select Committees when events and comments illustrate the involvement of the Opposition Whips? During that week in July 1992, *The Times* stated:

> The extent to which committees are manipulated by the Tory Whips casts a cloud over the independence of the select committees system.

Without credible policies, the Tories seek in vain the high moral ground of scrutiny. Of course the relationship between Parliament and the Executive is an important one. However, if the best that my Tory opponent can offer at the next election is an extra 10 minutes for Prime Minister's questions, I shall be more than happy to take him or her on with the continuing commitment from Labour to create jobs and modernise public services.

6.19 pm

Mr. John Hayes (South Holland and The Deepings): First, before the substantive part of my speech, I shall deal with what the hon. Member for Wythenshawe and Sale, East (Mr. Goggins) said about me. I said in an intervention on the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) that if Government Back Benchers were doing their job properly, we would have less to fear from a Government with a large majority because they would be contributing to the accountability that is so important to the health of our democracy. That is what I said, as the record will show.

The constitution is important and Parliament is important. To say that would once have been regarded as self-evident, but no longer. A significant number of people who are involved in politics do not believe in their heart that Parliament is at the heart of our democracy or our nation, or

> at the heart of our political system,

as Lord Norton rightly said in his recent report.

Mr. Hope: The hon. Gentleman talks of the primacy that he places on Parliament in scrutinising the Executive. The record of Members' participation in Divisions shows that he is in 538th position.

Mr. Hayes: I am delighted that the hon. Gentleman has done so much research on me. I am flattered that he thinks that I am so important. I am delighted also that he has had the opportunity to intervene in the debate, because the Library figures reveal that, since he was elected in 1997, he has spoken in the Chamber on only 42 occasions. I have spoken 162 times. In fact, I barely recognised the hon. Gentleman when he came into the Chamber.

Dr. Starkey: Will the hon. Gentleman give way?

Mr. Hayes: No, I must make some progress.

The fact that Parliament is pivotal to our democracy is a matter that all Members of this House should hold dear. It is a great irony that some hon. Members—I speak in particular of Labour Members, although it is also true of some Members of the other opposition parties—do not regard Parliament in that way. Their view is summed up by the comments of the Secretary of State for Northern Ireland, who made it clear that he no longer believes that representative democracy has an important part to play in our political future. He believes that it is invidious to have adversarial debate in this place and he said so during a brief period as a Back Bencher.

While this is clearly part of a process—indeed, the Leader of the Opposition made that clear in his opening remarks—that has continued for a considerable number of years, it is true to say that this Government have exacerbated and accelerated the decline of the importance

[Mr. Hayes]

of Parliament. That is partly because so-called big-tent politics are injurious to the genuine exchange, development and scrutiny not merely of policies but of ideas themselves. Politicians of all parties should regard such a threat with the greatest suspicion.

When elected to this House, every Member's solemn duty is to pursue and promote the public good and to defend the national interest. Surely that is something that we can all share. I heard Labour Members claiming this afternoon that they are the only Members who come to this House with vision or with good intentions and commitment, but I know that they must realise that that is not so. Every hon. Member has that duty and most take it very seriously, regardless of the party of which he or she is a member.

Edmund Burke summed up the matter best when he said that a Member

> is in Parliament to support his opinion of the public good, and does not form his opinion in order to get into Parliament or to continue in it.

Breached in practice more often than not, that definition was at least preserved in theory until Tony Blair became Prime Minister. Soon after he did—*[Interruption.]*

Mr. Deputy Speaker: Order. The hon. Gentleman knows the conventions of the House.

Mr. Hayes: When the Prime Minister came to power, that convention was put in real jeopardy. There is no doubt that the Government have preferred to use the media to launch their policies and argue their case than to use Parliament.

Mr. Rammell: Will the hon. Gentleman give way?

Mr. Hayes: In a moment.

Most typical of the decline that I described is the Prime Minister's personal performance in this House. I am speaking in particular of Prime Minister's questions. My research reveals that on countless occasions the right hon. Gentleman has—I can only assume through ignorance because it would be unparliamentary to suggest that it was anything else—given inaccurate information *[Interruption.]* I repeat that he must have done so in ignorance, of course. On even more occasions, he has failed to answer questions. Indeed, he has failed to answer more than half the questions put to him in Question Time since he began to lead the country. That is an abuse of Parliament.

That rare occasion when hon. Members can question the Prime Minister in the House is itself pivotal to good and healthy democracy and should be respected by Prime Ministers, as it was by previous Prime Ministers. *[Interruption.]* I am not saying that they did not use Prime Minister's questions to advocate their case and put their arguments, but they also took seriously the need at least to attempt to give a straight answer to a straight question. That is not the case with the present Prime Minister.

Parliament is—*[Interruption.]* That was a pause for effect. Parliament is desperately important to the people. When the hon. Member for Lincoln (Gillian Merron) talks of Parliament having to reflect the everyday needs of the people of her constituency, does she not understand that we, the elected representatives, speak for those very people?

It is not good enough for the Prime Minister to say that he wants to speak more frequently directly to the people—perhaps, through referendums, certainly through the media and today he told us through letters that are sent to Downing street—because the people can speak directly to the Government, hold them to account and make their judgment on them only once in every five years at an election.

In practical terms, holding the Government to account is the job of elected representatives. It is representative democracy that is at stake in this debate and in this Parliament.

Mr. St. Aubyn: Does my hon. Friend agree that a part of that holding to account must be done by Select Committees? What are his feelings about the fact that Labour members of the Education and Employment Committee have tried to gag Opposition Members, such as me, to prevent us scrutinising witnesses on the effect of the Chancellor of the Exchequer's attack on our leading universities and the fact that this is denying students the opportunity to go there?

Mr. Hayes: I note from a debate that took place in 1981, which reviewed the work of Select Committees, that when they were established it was made clear that their role was to take evidence based on judgments that were unfettered by the considerations of the Executive or the concerns of Government and to produce guidance and issue opinion that reflect not what the Government want for the nation, but what the Select Committee believes is right for the nation.

When the Prime Minister would not give evidence to the Select Committee on Public Administration, he quoted precedent. In fact, the previous Prime Minister, my right hon. Friend the Member for Huntingdon (Mr. Major), gave evidence to a Select Committee. There is therefore a precedent for Prime Ministers giving evidence to Select Committees and my hon. Friend the Member for Guildford (Mr. St. Aubyn) is right to say that they have an important role to play. The Norton committee advocated strengthening that role.

Mr. Leslie: Will the hon. Gentleman give way?

Mr. Hayes: No, I will not, because time is pressing.

The right hon. Member for Chesterfield (Mr. Benn) is not in his place and I think that we are all disappointed that we have not had a contribution from him. Perhaps better than most Members of the House, the right hon. Gentleman understands the role of Parliament in holding the Executive to account. He said in an early-day motion that Members have a duty to pursue their convictions and a responsibility for maintaining the role of this House as a democratic legitimate body

> holding all governments to account, having been elected by the people for that purpose.

He went on to say:

> I believe that that is the right responsibility for all of us.—[*Official Report*, 9 November 1999; Vol. 337, c. 1042.]

regardless of which party we serve. Tonight, we have an opportunity, in considering this matter, to put aside our party interests and look at this institution as a guarantor of the rights and freedoms of the people—something of which we should all be justly proud.

Mr. Deputy Speaker: Order. Time is up. I call the right hon. Member for North-West Hampshire (Sir G. Young).

6.28 pm

Sir George Young (North-West Hampshire): I do not always agree with the hon. Member for Rotherham (Mr. MacShane), but a moment ago he said that this had been a "rich and rewarding" debate. He said so on a bogus point of order, which I think prevented him from taking part, but it has been a good debate, with the temperature rising and falling. Most contributions have focused on the key issue—the relationship between Parliament and the Executive. Some of the contributions have not quite hit the target, but on the whole the House has responded to the challenge of confronting an issue that concerns all of us as Members of Parliament.

I regret the fact that more hon. Members could not speak in the debate. As my right hon. Friend the Member for Huntingdon (Mr. Major) said, the Government broke with convention and took up Opposition time with a statement that did not have to be made today. The fact that they chose to do so underlined one of the arguments that we have been trying to make through this debate: that, when it is convenient for them, the Government disregard the conventions of the House and erode the rights of the Opposition and Back Benchers.

Many of those who contributed spoke warmly about the Norton report. Anyone who is concerned about the issue will be grateful to the Norton committee for a non-partisan, objective analysis—*[Laughter.]* Oh yes, hon. Members should read the report. It is a non-partisan, objective analysis of the transfer of power from Parliament to the Executive. It comes up with some concrete proposals to reverse that process. The following sentences from the report get the message over:

> Undermine the authority of Parliament and ultimately you undermine the authority of Government. The more Government seeks to achieve autonomy in making public policy, the harder it has to work to maintain its capacity to achieve desired outcomes. The more it distances itself from Parliament, the more it undermines popular consent for the system of government.

That sums up the message from Norton.

Mr. Love: Will the right hon. Gentleman give way?

Sir George Young: May I make a bit of progress?

What I found worrying about the Prime Minister's speech was that it became clear that he does not accept that there is a problem. It was a pity that he could not stay to listen to the contribution by the hon. Member for Stoke-on-Trent, Central (Mr. Fisher), who said that the issues raised by the debate go to the heart of the democratic process. Indeed, our ability to represent our constituents on all the issues that have been raised—on jobs, health, education and law and order—and our ability to hold the Government to account on those key issues is undermined if power has transferred from Parliament to the Executive and the Government are less accountable. I fear that, in his speech, the Prime Minister failed to see the wood for the trees.

The Prime Minister referred, as does the Government amendment, to constitutional reform. I felt that he was perhaps misguided to refer to some of the proposals to tilt the terms of trade back as piddling points. Those were serious propositions to arrest a problem that has gone on for some time. He spoke about modernising Parliament—his favourite word. My view is that Parliament does not need so much modernising as strengthening.

The Prime Minister and the Government amendment seek refuge behind constitutional reform. It refers to some of the things that the Government have done. I am not sure that that provides a convincing alibi. A fortnight ago, we had a much-delayed debate on Lords reform, in which the Government were criticised by hon. Members on both sides of the House for shooting first and asking questions later, and for having no clear timetable or plan for the key second stage of reform. On devolution, we have criticised the Government for the instability and inequity of the settlement for England, and we have come up with proposals, endorsed by the Norton commission and by the right hon. Member for Birkenhead (Mr. Field), for changing the procedures of the House for English and Welsh Bills.

Mr. Chisholm: Will the right hon. Gentleman give way?

Sir George Young: May I make a bit more progress? Then I shall probably give way to the hon. Member for Edmonton (Mr. Love)

We have debated the Government's approach to the voting system, where there is the small matter of a broken manifesto pledge to hold a referendum on an alternative to first past the post. We learned that the pledge was not to be kept not because the House was told so, but because the Prime Minister chose to tell viewers of the Frost programme. We learned from the Secretary of State for Northern Ireland of the prospect of an alternative voting system, which to our surprise is even less proportionate than any other system and has as its consequence—indeed, as its objective—the removal of as many remaining Conservative Members of Parliament as possible, so the Government's approach to constitutional reform is not a happy one.

Mr. Chisholm: Is not the significance of the constitutional reform that the Labour Executive gave up a vast amount of power through devolution, whereas the Conservative Executive between 1979 and 1997 concentrated more power in itself than any other Government in British history?

Sir George Young: The language was the language of devolution. The reality was the retention of central control. We saw that when it came to choosing the First Secretary in Wales. We have seen it all over the place. The language is devolution, but No. 10 wants to keep a close grip on what happens.

I was grateful to the leader of the Liberal Democrats for agreeing with my right hon. Friend the Leader of the Opposition that the Government are too big and too powerful and that there are not enough independently minded people here. My right hon. Friend the Member for Huntingdon captured the mood of the House in a way that the Prime Minister did not. He referred to the decline in popularity of all Members of Parliament and the decline in the status of the House. He said that the House must not be putty in the hands of the Executive and emphasised the need for reform. He said that the House and Back Benchers had lost power and that they should seek to repatriate power to the House and away from the Executive.

The hon. Member for Edinburgh, North and Leith (Mr. Chisholm) was one of a growing number of Labour Back Benchers who voiced their support during the debate

[Sir George Young]

for the Liaison Committee. My right hon. Friend the Member for Haltemprice and Howden (Mr. Davis) reminded us that we have a good system, but that the abuse of the House has accelerated over recent years. He focused on the Chamber, and on restructuring the time in the Chamber to make more effective use of our time and to make the Chamber again the focal point of the nation's interest in politics—proposals to make the Chamber more topical and more relevant. He was rightly cautious about consensus and rightly criticised the current procedures for dealing with estimates.

My hon. Friend the Member for Bournemouth, West (Mr. Butterfill) confirmed that, in his view, after 17 years in the House, the powers of the Executive had increased and that there had been a decline in the authority of the House. He was concerned about the proposals of the Modernisation Committee that would limit the power of the Opposition. He advocated the proposal for more senior people in the House to be elected.

The right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) made the point that a number of hon. Members have made: Parliament does not use its powers to the full and it is up to Members of Parliament to repatriate, if they so wish, some of the powers that have gone to the Executive. My hon. Friend the Member for Faversham and Mid-Kent (Mr. Rowe) favoured a bridge-building approach to the strengthening of Parliament and rightly made the point that attendance in the Chamber is not a good proxy for activity in Parliament. He also said that Back Benchers can be badly organised and therefore constitute less of a threat to Government.

I am grateful to my right hon. Friend the Member for Cities of London and Westminster (Mr. Brooke), who is a co-author of the Norton report, for his balanced and sensible speech, and his determination not to be distracted by some of the obsessive interventions from Labour Members. The hon. Member for The Wrekin (Mr. Bradley) made a rather unworthy contribution and has developed a new constitutional theory that the Government should hold the Opposition to account. I suspect that, if he looked at the voting record in the previous Parliament, he would find that Government Members voted more often than Opposition Members. There are all sorts of reasons for that. Any Government need to protect their majority. Often, the Government will vote against the Opposition amendment and the Liberal Democrat amendment, whereas the Opposition parties will vote on their preferred one. There are many reasons for Government Members voting more often than Opposition Members.

The democratic process is not something that happens once every four or five years at a general election. It is also about holding Government to account between elections. There are signs that the Government have forgotten about that, relying on their majority at the last election to keep them out of trouble and focusing all their efforts on trying to get in again next time.

The concerns expressed at the beginning of the debate by the Leader of the Opposition have been shared throughout the debate by a number of Labour Members. The right hon. Member for Chesterfield (Mr. Benn) said recently:

> The more I look at this place, the more I fear that the House of Commons has surrendered its responsibility for representing people and has become a queue for office or for people hoping to get on the "Today" programme.—[*Official Report*, 1 February 1999; Vol. 324, c. 627.]

In response, his fertile mind drafted the "Modernisation of the Premiership" Bill, which somehow never reached the statute book.

Between elections, the Government are accountable to the House. If policy changes are announced outside the House, they are not subjected to the critical examination by Members that they should be. Those announcements should be tested where it matters, not launched from a comfortable sofa with some tame questioner at a location of the Government's choice, with the questioner selected not by Madam Speaker, but by Alastair Campbell.

Mr. Rowe: Before my right hon. Friend finishes his excellent speech, would he care to say a little more about the enormous extension of direct patronage—one of the instruments with which the Government increasingly control Parliament?

Sir George Young: There was a recent report, the Fritchie report, on health service appointments, which I hope we can debate in the near future.

On the issue of presentation, it was interesting to read what Peter Riddell said a few days ago in *The Times*, that many of the Government's problems are precisely because of their focus on presentation and their determination always to dominate the media battle and headlines every day.

May I ask the Leader of the House about the Liaison Committee's report? Her responsibilities extend to both sides of the House. I wonder whether, on reflection, she accepts that she was wrong to dismiss the Liaison Committee's recommendation on Select Committees. Paragraph 7 of the Government's response states:

> The Government are not convinced that a change to the current system is needed.

The Liaison Committee, with a majority of Labour Members, believed that a change was needed. Opposition Members are inclined to agree.

The Leader of the House said that the House can have a free vote on the issue. May I ask that, when we have a debate, we have a debate on a substantive motion, so that the House is enabled to express itself clearly on this issue and take a decision? If the Government want to counter some of the criticisms that we have made today, the Leader of the House could do no better than to admit that the Government were wrong and say that she will think again.

Substantial criticisms have been made against the Government in this debate, and perhaps I can summarise the charge sheet. The ability of Parliament to monitor legislation and to control the Executive has been reduced. Select Committees have been prejudiced by their reports being leaked in advance to the Government. Our tradition of Ministers being served by an independent and professional civil service has been injured. The convention that taxpayers' money should not be used for party advantage has been damaged. The dissemination of information about Government—the oxygen of democracy—is no longer freely available to Parliament, but is being distributed to favoured channels. Parliament is being confronted with too many badly drafted Bills, which are being driven through with inadequate scrutiny. Cabinet Government has been weakened, and special advisers have too much power.

The Opposition do not say that all those problems began in 1997, although I believe that they have got a lot worse since then. I think that it would have been optimistic of us to have expected the Government to plead guilty as charged. However, what has been worrying is that the Government apparently do not accept that there is a problem. Unlike almost every other commentator, they either deny that the process of power transfer has occurred, or assert that it does not matter.

Therefore, the key question that I ask myself at the end of this debate is whether it has identified any common loyalty to the institution that we all belong to that transcends the party loyalty that secured our entry. I also ask myself whether, if there is that common loyalty, there is a will to exercise the powers more effectively.

On the first question, there have been many speeches, from both sides of the House, indicating that there is now concern about the issue that we have raised today. The hon. Members for Hackney, North and Stoke Newington (Ms Abbott), for Stoke-on-Trent, Central and for Sheffield, Hillsborough (Helen Jackson) all conceded that there is a matter of concern here. I believe that there is now a recognition that Parliament needs to get its act together.

I was interested in the proposition from my right hon. Friend the Member for Huntingdon that Parliament should now address the issue in a more structured way. I personally doubt whether much is going to happen in the remainder of this Parliament. I think that it will fall to the next Administration to follow through this debate.

Opposition Members are pledged to get the balance right, to give authority back to the place from which we all derive our legitimacy. That is why we have chosen this debate. Nothing would give us greater pleasure than if the Leader of the House responded positively to the case that has been made today. If she does not, people will conclude that my party is the party that can best respond to the challenge that we have debated today.

6.44 pm

The President of the Council and Leader of the House of Commons (Mrs. Margaret Beckett): This debate has been not only interesting, but—more than that—unexpectedly revealing. Conservative Members have claimed that Parliament's ability to scrutinise the Executive has in some unprecedented way been diminished since the election of this Government, and that, consequently, not just Parliament but democracy itself is endangered. That is what they claim justifies the truly unprecedented proposals that they are now putting to set tests for us—to put pressure on us as a Government—which have never been set for any Government in this party's history, and which they certainly could never have passed.

Conservative Members pray in aid the Norton commission report as justification for their case. However, there are at least two fundamental flaws in that argument. The first is that it comes from a party which—as my hon. Friends the Members for Edinburgh, North and Leith (Mr. Chisholm) and for Bury, South (Mr. Lewis) and the right hon. Member for Caithness, Sutherland and Easter Ross (Mr. Maclennan) said—after 18 years in government left us a Parliament in which hon. Members still wore a top hat to raise a point of order in this place, and in which the other place was in the permanent control of the Conservative party—not least because 750 people were entitled to sit in it on the basis of heredity. The Conservative party's credentials as a reforming party are therefore not just shallow but non-existent.

The second fundamental flaw in Conservative Members' argument is that it begs the question whether they leapt into this debate before they had read the Norton report. A little surprisingly, Professor Lord Norton and his colleagues themselves seem to have overlooked the fact that many of the worthwhile changes that they recommend have already been made—made by this Government, and not infrequently opposed by Conservative Members.

Conservative Members call for an improvement in scrutiny of European legislation. Although I acknowledge that Conservative Members acknowledge that the Government have substantially extended the House's opportunity to scrutinise that important part of our work, they do not point out that, under the rules and Standing Orders that we inherited from them, large parts of European Union business were outwith the scrutiny of this House.

Professor Norton suggests that at least some debates should terminate earlier in the day—perhaps at 8 or 9 o'clock. I hope that it will not have escaped the House's attention that, when we made just such proposals a week ago, Conservative Members attacked them as a denial of democracy—as they have repeatedly done today.

Professor Norton recommends more effective provision of resources for hon. Members. We have been trying for months to get Conservative Members to agree to consider those issues. Norton calls, too, for greater support for research, both for the Opposition and for Select Committees. As I have already said to the House, support for Select Committees is a matter for the House of Commons Commission. However, on the whole, although I am only one member of that body, I am not unsympathetic to that proposal.

As for the notion that the Opposition should receive still further funding, it is an interesting proposal. It comes oddly, though, from hon. Members who—while complaining that the Government have increased the number of special advisers whom we employ—never acknowledge, not even for a second, that we have almost trebled the money that the Opposition receive for staff to work alongside and back up their Front Benchers.

The proposal comes particularly oddly from Conservative Members when we look at their record in government. In the previous Parliament, the Short money settlement had not been updated for five years—a period in which inflation had continually been in double figures. Nevertheless, that devotee of democracy, the then Chief Secretary to the Treasury, the current shadow Chancellor—I do not see him in the Chamber—resisted our claim that funding for the Opposition should at the very least be inflation-proofed, and tried to impose a below inflation settlement.

Mr. MacShane: Can my right hon. Friend confirm that the Leader of the Opposition receives a higher salary than

[Mr. MacShane]

the Prime Minister? Does she know of any other country in the world where the Government give more money to the Leader of the Opposition than to the Head of Government? With all the money that they have from Lord Sleaze of Belize and, now, from Mr. Paul Sykes, why are we so generous with them?

Mrs. Beckett: I am not certain whether the Leader of the Opposition receives more money than the Prime Minister, but I am certainly well aware that he receives more than I do. It is also certainly true that the Leader of the Opposition draws the full salary awarded, whereas members of the Cabinet do not.

Before I leave the point about the inflation proofing of Short money, let me pay tribute, quite sincerely, to my predecessor, Lord Newton, for accepting and fighting for our case that inflation proofing at least was a democratic due. There was certainly no three times increase for us under the Tories.

Lord Norton further recommends that we debate more Select Committee reports. That is precisely what the opportunities for scrutiny in Westminster Hall have offered—200 extra opportunities for debate in all, and four times as many opportunities to debate Select Committee reports. Although I hear noises off from the Opposition Front Bench, let me tell the House that as soon as those opportunities became available, twice as many right hon. and hon. Members applied for Adjournment debates, because they knew that they stood a much better chance of getting them. Indeed, under this Government, 64 Select Committee reports have already been debated, whereas in the whole of the last five-year Parliament we debated only 50.

Dr. Starkey: Will my right hon. Friend also confirm that when the reports of the Select Committee on Science and Technology and the Select Committee on Environmental Audit were discussed in Westminster Hall, the only Members present representing the official Opposition were the Chairmen of those Select Committees? All the Back Benchers who participated in those debates were Labour or Liberal Democrat Members. That scarcely demonstrates a real concern about scrutiny through Select Committees.

Mrs. Beckett: My hon. Friend makes a powerful point, to which there is clearly no answer from the Opposition.

Lord Norton's committee recommends the creation of an independent statistical office—the Government have done that. It suggests better access for the media in this place. That is precisely what the Modernisation Committee which we set up recommended to the House authorities and it has been done—sweeping away petty and grave restrictions that have lasted for many years.

Lord Norton recommends that the House should be prepared to carry over Bills from one Session to another. Indeed, he goes so far as to say that he believes that

> this should be the norm, not the exception.

The Modernisation Committee has recommended that, but the Conservative party has been most reluctant to accept the idea and has done so only once. Lord Norton makes a number of other proposals for extra salaries for Select Committee Chairmen and other measures designed to make attendance at Select Committees more attractive to Members.

Who are the Members who fail to take part in this important work of scrutiny? The House owes a debt of gratitude to my hon. Friend the Member for The Wrekin (Mr. Bradley), who commissioned a study of attendance at Select Committees. Of the 17 departmental Select Committees generally recognised as monitoring the principal Departments of State in the 1998–99 Session, on average Tory Members attended only some 61 per cent. of those sessions, compared with 67 per cent. attendance by the Liberal Democrats and 71 per cent. by Labour Members. Although I recognise the point made in the debate by the hon. Member for Chichester (Mr. Tyrie), membership of Select Committees is proportionate, so the same burden falls on Members on both sides of the House.

Mr. Dominic Grieve (Beaconsfield): Will the right hon. Lady give way?

Mrs. Beckett: I do not have much time. I shall give way later if there is time.

Several hon. Members *rose*—

Mr. Deputy Speaker: Order. The right hon. Lady is not giving way.

Mrs. Beckett: Lord Norton draws on the proposals of the Liaison Committee, as did my hon. Friend the Member for Stoke-on-Trent, Central (Mr. Fisher) and the right hon. Member for Cities of London and Westminster (Mr. Brooke)—*[Interruption.]*

Mr. Deputy Speaker: Order. I cannot tolerate the hon. Member for Beaconsfield (Mr. Grieve) shouting during the right hon. Lady's speech.

Mr. David Drew (Stroud): He has only just come in.

Mr. Deputy Speaker: Order. I have not just come in and I know how long the hon. Gentleman has been sitting there.

Mrs. Beckett: The proposals made by the Liaison Committee are indeed far-reaching and profound—so far-reaching and profound that they raise questions as to whether they would create a two-tier membership in the House.

Although I understood the debate to be about the Norton committee report and not the Liaison Committee report, which will be the subject of a separate debate, the right hon. Member for North-West Hampshire (Sir G. Young), the shadow Leader of the House, asked for the Government's view. He asked whether there would be a free vote on the Liaison Committee report. Indeed, there will. He and other Opposition spokesmen have said that the Opposition will have a free vote too. That is an interesting proposal as I am well aware that many Opposition Members have even stronger reservations about that report than I do. However, we do not know whether that is a promise, a pledge or a guarantee.

Much has been said by Opposition Members about their wish to abjure the influence of the Whips. That comes from the party which in 1996, under the premiership of the right hon. Member for Huntingdon (Mr. Major), who spoke with such feeling about the need to strengthen the power of Parliament against the Executive—he is surely a sinner come to repentance—made a Government Whip a member of the Select Committee on Members' Interests. That was unprecedented.

The right hon. Member for Huntingdon spoke about our proposals for what he described as removing the weapon of delay. However, he will remember as clearly as I do that he was a Minister at the Department of Social Security when the then Tory Government first guillotined all discussion on their legislation and then put in an entire new section on widows benefits, the consequences of which my right hon. Friend the Secretary of State for Social Security has been trying to deal with in recent days.

Lord Norton stresses the importance of delegated legislation. The Government share his view, but again Labour Members are the highest attenders at those debates. When we argue—as we do in the most recent Modernisation Committee report—for more effective use of parliamentary time and fewer sittings that are unnecessarily prolonged into the small hours, we get the jibe that Labour Members do not want to be here late; yet more Labour Members take part in votes after 7 o'clock.

The hon Member for Bournemouth, West (Mr. Butterfill) and the right hon. Member for South-West Norfolk (Mrs. Shephard) showed a more measured understanding and even acceptance of some of the proposals, which were more strongly supported by my hon. Friends the Members for Sheffield, Hillsborough (Helen Jackson) and for Milton Keynes, South-West (Dr. Starkey).

The debate was also marked by serious contributions from the Leader of the Liberal Democrats—the right hon. Member for Banff and Buchan (Mr. Salmond), the right hon. Member for Haltemprice and Howden (Mr. Davis), the hon. Member for Faversham and Mid-Kent (Mr. Rowe) and my hon. Friend the Member for Lincoln (Gillian Merron).

Sadly, that cannot be said of the contribution of the Leader of the Opposition, in which the right hon. Gentleman showed, as he often does, that neither facts nor figures are his strong point. He complained about my right hon. Friend the Prime Minister's attendance in the House, yet the record shows that my right hon. Friend has attended all but five of 101 sessions of Prime Minister's Question Time, whereas his predecessor—perfectly properly, on Government business—missed some 47 out of 173. That was a consequence of having Prime Minister's Question Time twice a week instead of once a week.

The right hon. Gentleman repeated—as did other Opposition Members—that the Government's programme was unprecedentedly large. It contains some 39 Bills, but sadly for the right hon. Gentleman, in 11 out of the 18 years of Tory rule there were more Bills than that. The maximum number was 71 Bills, closely followed by 60, which compares very unfavourably with our record.

The right hon. Gentleman claimed that there had been an unprecedented number of guillotines, and that is not true either. He claimed numbers that can only include programme motions, although as recently as last week the Conservative party claimed to support the use of programme motions—as did the right hon. Gentleman himself in a speech two years ago, as was pointed out by hon. Friend the Member for Watford (Ms Ward).

We have had a strange debate this afternoon. The Leader of the Opposition made a phoney speech based on the totally phoney premise that under this Government we have seen unprecedentedly bad treatment of the House. The only thing that is unprecedented about this Parliament is the length of time since his party was in opposition—clearly much too long. As my hon. Friend the Member for The Wrekin pointed out, they resent it, and that is what today's debate is all about. It has been a mixture of the pent-up resentment of Conservative Members at seeing a Labour Government in office and their desperate desire to obscure the Government's record. Theirs was a case without honesty and substance. They argued that we could not change Britain for the better, and now they are desperate to pretend that we are not doing so—but we are. Hospitals, jobs, the health service and education have all seen changes for the better.

Mr. James Arbuthnot (North-East Hampshire) *rose in his place and claimed to move,* That the Question be now put.

Question, That the Question be now put, *put and agreed to.*

Question put accordingly, That the original words stand part of the Question:—

The House divided: Ayes 165, Noes 304.

Division No. 266] **[7 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Baldry, Tony
Beggs, Roy
Beith, Rt Hon A J
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Body, Sir Richard
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brand, Dr Peter
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burnett, John
Burns, Simon
Butterfill, John
Campbell, Rt Hon Menzies
(NE Fife)
Cash, William
Chapman, Sir Sydney
(Chipping Barnet)
Chidgey, David
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth
(Rushcliffe)
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Fearn, Ronnie
Flight, Howard
Forth, Rt Hon Eric
Foster, Don *(Bath)*
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gorrie, Donald
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Harris, Dr Evan
Harvey, Nick
Hawkins, Nick
Hayes, John
Heath, David *(Somerton & Frome)*
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Jackson, Robert *(Wantage)*
Johnson Smith,
Rt Hon Sir Geoffrey
Kennedy, Rt Hon Charles
(Ross Skye & Inverness W)
Key, Robert
King, Rt Hon Tom *(Bridgwater)*

Kirkwood, Archy
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
Maclennan, Rt Hon Robert
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Rendel, David
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
Russell, Bob *(Colchester)*
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Tonge, Dr Jenny
Townend, John
Tredinnick, David
Trend, Michael
Tyler, Paul
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Willis, Phil
Wilshire, David
Winterton, Mrs Ann *(Congleton)*
Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Ayes:
Mr. John Randall and
Mr. Geoffrey Clifton-Brown.

NOES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blair, Rt Hon Tony
Blears, Ms Hazel
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda
(Edinburgh Pentlands)
Clarke, Charles *(Norwich S)*
Clarke, Eric *(Midlothian)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Etherington, Bill
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Heal, Mrs Sylvia
Healey, John
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hodge, Ms Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Ilisley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Helen *(Warrington N)*
Jones, Ms Jenny
(Wolverh'ton SW)
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kumar, Dr Ashok
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle
(B'ham Yardley)
Morris, Rt Hon Sir John
(Aberavon)
Mowlam, Rt Hon Marjorie
Mullin, Chris
Murphy, Denis *(Wansbeck)*

Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Radice, Rt Hon Giles
Rammell, Bill
Rapson, Syd
Roche, Mrs Barbara
Rogers, Allan
Rooker, Rt Hon Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Snape, Peter
Southworth, Ms Helen
Starkey, Dr Phyllis
Steinberg, Gerry
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Mike Hall and
Mr. Gerry Sutcliffe.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith, pursuant to Standing Order No. 31 (Questions on amendments):—*

The House divided: Ayes 323, Noes 137.

Division No. 267] [7.13 pm

AYES

Abbott, Ms Diane
Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barnes, Harry
Barron, Kevin
Bayley, Hugh
Beard, Nigel
Beckett, Rt Hon Mrs Margaret
Begg, Miss Anne
Beith, Rt Hon A J
Bell, Stuart *(Middlesbrough)*
Benn, Rt Hon Tony *(Chesterfield)*
Benton, Joe
Bermingham, Gerald
Berry, Roger
Best, Harold
Betts, Clive
Blair, Rt Hon Tony
Blears, Ms Hazel
Blunkett, Rt Hon David
Borrow, David
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brand, Dr Peter
Brown, Rt Hon Nick *(Newcastle E)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnett, John
Butler, Mrs Christine
Byers, Rt Hon Stephen
Campbell, Rt Hon Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Cann, Jamie
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Chisholm, Malcolm
Clapham, Michael
Clark, Rt Hon Dr David *(S Shields)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Corbett, Robin
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Rt Hon Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, John
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim
Drew, David
Drown, Ms Julia
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Etherington, Bill
Fearn, Ronnie
Field, Rt Hon Frank
Fisher, Mark
Fitzpatrick, Jim
Flynn, Paul
Follett, Barbara
Foster, Rt Hon Derek
Foster, Don *(Bath)*
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Foulkes, George
Fyfe, Maria
Galloway, George
Gardiner, Barry
George, Bruce *(Walsall S)*
Gerrard, Neil
Godsiff, Roger
Goggins, Paul
Golding, Mrs Llin
Gordon, Mrs Eileen
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grocott, Bruce
Grogan, John
Hain, Peter
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Harris, Dr Evan
Harvey, Nick
Heal, Mrs Sylvia
Healey, John
Heath, David *(Somerton & Frome)*
Henderson, Doug *(Newcastle N)*
Hepburn, Stephen
Hesford, Stephen
Hewitt, Ms Patricia
Hinchliffe, David
Hodge, Ms Margaret
Hood, Jimmy
Hope, Phil
Hopkins, Kelvin
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Hurst, Alan
Hutton, John
Illsley, Eric
Jackson, Ms Glenda *(Hampstead)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Ms Jenny *(Wolverh'ton SW)*
Jones, Jon Owen *(Cardiff C)*
Jones, Dr Lynne *(Selly Oak)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kelly, Ms Ruth
Kemp, Fraser
Kennedy, Rt Hon Charles *(Ross Skye & Inverness W)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Ms Oona *(Bethnal Green)*
Kirkwood, Archy
Ladyman, Dr Stephen
Lammy, David
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher

Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McCafferty, Ms Chris
McDonagh, Siobhain
Macdonald, Calum
McDonnell, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKenna, Mrs Rosemary
Mackinlay, Andrew
Maclennan, Rt Hon Robert
McNamara, Kevin
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, Rt Hon Peter
Marsden, Gordon *(Blackpool S)*
Marsden, Paul *(Shrewsbury)*
Marshall, David *(Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, Rt Hon Michael
Meale, Alan
Merron, Gillian
Michael, Rt Hon Alun
Michie, Bill *(Shef'ld Heeley)*
Miller, Andrew
Moonie, Dr Lewis
Moore, Michael
Moran, Ms Margaret
Morgan, Ms Julie *(Cardiff N)*
Morley, Elliot
Morris, Rt Hon Ms Estelle *(B'ham Yardley)*
Morris, Rt Hon Sir John *(Aberavon)*
Mowlam, Rt Hon Marjorie
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
Norris, Dan
O'Brien, Bill *(Normanton)*
O'Hara, Eddie
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pearson, Ian
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, Rt Hon John
Prosser, Gwyn
Purchase, Ken
Quin, Rt Hon Ms Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd
Rendel, David
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Rooney, Terry
Rowlands, Ted
Roy, Frank
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(Chester)*
Ryan, Ms Joan
Salter, Martin
Sawford, Phil
Sedgemore, Brian
Shaw, Jonathan
Sheerman, Barry
Shipley, Ms Debra
Short, Rt Hon Clare
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Angela *(Basildon)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns)*
Southworth, Ms Helen
Starkey, Dr Phyllis
Steinberg, Gerry
Stoate, Dr Howard
Straw, Rt Hon Jack
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Taylor, Rt Hon Mrs Ann *(Dewsbury)*
Taylor, Ms Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Temple-Morris, Peter
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Tonge, Dr Jenny
Touhig, Don
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr Desmond *(Kemptown)*
Turner, Dr George *(NW Norfolk)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Ward, Ms Claire
Wareing, Robert N
Watts, David
White, Brian
Wicks, Malcolm
Williams, Rt Hon Alan *(Swansea W)*
Williams, Alan W *(E Carmarthen)*
Willis, Phil
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D *(Gt Yarmouth)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Mr. Mike Hall and
Mr. Gerry Sutcliffe.

NOES

Ainsworth, Peter *(E Surrey)*
Amess, David
Ancram, Rt Hon Michael
Arbuthnot, Rt Hon James
Atkinson, David *(Bour'mth E)*
Baldry, Tony
Beggs, Roy
Bell, Martin *(Tatton)*
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, Rt Hon Mrs Virginia
Brazier, Julian
Brooke, Rt Hon Peter
Browning, Mrs Angela
Bruce, Ian *(S Dorset)*
Burns, Simon
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clark, Dr Michael *(Rayleigh)*
Clarke, Rt Hon Kenneth *(Rushcliffe)*
Collins, Tim
Cormack, Sir Patrick
Cran, James
Curry, Rt Hon David
Davies, Quentin *(Grantham)*
Davis, Rt Hon David *(Haltemprice)*
Day, Stephen
Dorrell, Rt Hon Stephen
Duncan Smith, Iain
Emery, Rt Hon Sir Peter
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Forth, Rt Hon Eric
Fowler, Rt Hon Sir Norman
Fox, Dr Liam
Fraser, Christopher
Gale, Roger
Garnier, Edward
Gibb, Nick
Gill, Christopher
Gorman, Mrs Teresa
Gray, James
Green, Damian
Greenway, John
Grieve, Dominic
Gummer, Rt Hon John
Hague, Rt Hon William
Hamilton, Rt Hon Sir Archie
Hammond, Philip
Hawkins, Nick
Hayes, John
Heathcoat-Amory, Rt Hon David
Hogg, Rt Hon Douglas
Horam, John
Howard, Rt Hon Michael
Howarth, Gerald *(Aldershot)*
Jack, Rt Hon Michael
Johnson Smith, Rt Hon Sir Geoffrey
Key, Robert
King, Rt Hon Tom *(Bridgwater)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, Oliver
Lidington, David
Lilley, Rt Hon Peter
Luff, Peter
Lyell, Rt Hon Sir Nicholas
MacGregor, Rt Hon John
McIntosh, Miss Anne
Maclean, Rt Hon David
McLoughlin, Patrick
Madel, Sir David
Major, Rt Hon John
Malins, Humfrey
Maples, John
Maude, Rt Hon Francis
May, Mrs Theresa
Moss, Malcolm
Nicholls, Patrick
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Ottaway, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, Rt Hon Michael
Prior, David
Redwood, Rt Hon John
Robathan, Andrew
Robertson, Laurence
Roe, Mrs Marion *(Broxbourne)*
Rowe, Andrew *(Faversham)*
Ruffley, David
St Aubyn, Nick
Shephard, Rt Hon Mrs Gillian
Shepherd, Richard
Simpson, Keith *(Mid-Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spring, Richard
Stanley, Rt Hon Sir John
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher & Walton)*
Taylor, John M *(Solihull)*
Taylor, Sir Teddy
Townend, John
Tredinnick, David
Trend, Michael
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Wells, Bowen
Whitney, Sir Raymond
Whittingdale, John
Widdecombe, Rt Hon Miss Ann
Wilkinson, John
Willetts, David
Wilshire, David
Winterton, Mrs Ann *(Congleton)*

Winterton, Nicholas *(Macclesfield)*
Yeo, Tim
Young, Rt Hon Sir George

Tellers for the Noes:
Mr. John Randall and
Mr. Geoffrey Clifton-Brown.

Question accordingly agreed to.

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House congratulates the Government on carrying out in three years the biggest programme of constitutional reform for a century, including devolution to the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly, and incorporation of the European Convention on Human Rights, bringing government closer to the people; and welcomes the fundamental reform of the House of Lords and the establishment of the Select Committee on the Modernisation of the House of Commons which has doubled the number of backbench debates and quadrupled the opportunities to debate Select Committee reports as part of the 48 recommendations implemented so far.

BUSINESS OF THE HOUSE

Motion made, and Question put forthwith, pursuant to Standing Order No. 15 (Exempted business) and Order [25 October 1999],

That, at this day's sitting, the Motion in the name of Margaret Beckett relating to Business of the House (Football (Disorder) Bill) and the Second Reading of the Football (Disorder) Bill may be proceeded with, though opposed, until any hour.—[*Mr. Robert Ainsworth.*]

Question agreed to.

Business of the House (Football (Disorder) Bill)

7.24 pm

The Parliamentary Secretary, Privy Council Office (Mr. Paddy Tipping): I beg to move,

That, at this day's sitting, as soon as the proceedings on this Motion have been concluded, the Order for the Second Reading of the Football (Disorder) Bill shall be read.

I will speak only briefly, as I suspect that the House will want to discuss the substance of the issue in the Second Reading debate that will follow very shortly, if this motion is agreed.

There has been support right across the House for further urgent measures to combat football hooliganism. I am grateful for the advice, ideas and proposals that Members of both Houses have already made. My right hon. Friend the Home Secretary has made it quite clear that he wishes to proceed by consensus as far as possible. A draft Bill has been available since last Friday. A number of meetings have been held and the Bill has been improved already as a result.

I have suggested that the House will want to make progress quickly on this matter, while at the same time ensuring adequate scrutiny. The Second Reading debate will give us an important opportunity to make judgments on the degree of consensus and support for the measures that we propose. I look forward to that debate.

7.25 pm

Sir Patrick Cormack (South Staffordshire): The Opposition share the hon. Gentleman's desire to move on to the substantive business as quickly as possible. My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) will, of course, outline the Opposition's position on the Bill with clarity and vigour.

Although we are far from happy about many of the things that have happened over the past week in the background to the Bill, nevertheless we wish the Second Reading debate to begin soon. We wish it to be a thorough debate, and we want the Bill to be properly and carefully scrutinised on Monday.

Question put and agreed to.

Resolved,

That, at this day's sitting, as soon as the proceedings on this Motion have been concluded, the Order for the Second Reading of the Football (Disorder) Bill shall be read.

Football (Disorder) Bill

Order for Second Reading read.

7.26 pm

The Secretary of State for the Home Department (Mr. Jack Straw): I beg to move, That the Bill be now read a Second time.

In my statement on 4 July, I told the House that additional measures were required to prevent a recurrence of the appalling scenes witnessed in Brussels and Charleroi during Euro 2000. I outlined what those measures should be and why it was important that they were introduced as soon as possible. However, I pointed out that Members of this House and the other place quite properly take their responsibilities for examining legislation very seriously and recognise the need to combine speed with careful scrutiny.

The next international game for the England football team will be against France in Paris on 2 September. The National Criminal Intelligence Service is of the opinion that this is a high-risk game. I hope that in view of this, right hon. and hon. Members will understand why we need the proposed measure in place before the House rises at the end of this month, if that is at all possible.

To assist the House and the other place, I published this Bill as a preliminary draft on Friday last, and I have made myself available ever since to discuss the proposals with Members of both Houses. A very constructive all-party meeting for Members of both Houses was held on Monday, attended by about 60 peers and Members of this House. In the course of that meeting, among many other constructive comments that were made about the Bill, two specific proposals were made by a senior former Law Lord and by a member of the Opposition, the noble Lord Ackner and the noble Lord Alexander of Weedon. Both their suggestions, as I will explain later, have been incorporated into the Bill as presented. I have received other suggestions for improvement from a number of hon. Friends, and I am giving those active consideration.

The Bill is a considered response to the Euro 2000 experience. The extensive United Kingdom policing operation for the tournament, which I have outlined to the House on a number of occasions, was a success in the terms set for it, which were to prevent known football hooligans from attending that competition. Few of the 1,000 football hooligans known to NCIS were involved. It is a sobering thought that only 30 of the 965 arrests of people from England during Euro 2000 were of people known to NCIS—an agency which dedicates a significant proportion of its time and expertise to monitoring the activities of football hooligans.

Whenever there has been crowd trouble in the recent past, some of those involved were not previously known football hooligans. However, it had been thought that if known hooligans were prevented from attending, the likelihood of wider disturbances would be significantly reduced. During Euro 2000, we had to revise that opinion; the disorder at that tournament was of a different dimension. In the main, it was prompted not by a small core of known football hooligans, but by the xenophobic, racist and offensive behaviour of a significant number of drunken white males, typically aged between 20 and 35, although—as we now know—many of them had previous convictions for violence or disorder.

Recent analysis by NCIS reveals that of the 965 English individuals arrested during the tournament, 391 had previous convictions. That figure—40 per cent.—is not a startling statistic in itself, given that about 30 per cent. of all men have a previous conviction for some offence by the age of 30, as I have previously explained to the House. The difference in this case is that the profile of previous convictions of those arrested in Brussels, Charleroi and the Netherlands is skewed powerfully towards violence and disorder. Of the 391, 133 had convictions for violence, 200 for disorder, 38 for possession of an offensive weapon and 122 for criminal damage. I stress that those convictions were, in the main, not football-related.

The Euro 2000 experience may not be unique, but it is the best documented in respect of the profile of arrested English hooligans. As I pointed out, 97 per cent. of those arrested were not convicted or known football hooligans. That is of great importance in framing further legislative measures to tackle the phenomenon.

As Members will have seen from the structure of the Bill, extensive legislation against football disorder has been developed over a 15-year period. That is spelled out in the opening pages of the—as usual—excellent brief provided by the Library. The legislation has progressively widened the powers of the court and the police to deal with the problem. The Bill underlines the fact that the current legal framework has been carefully put in place over the years. However, although the measures currently at the disposal of the police and the courts may be extensive, they were not designed to catch thugs and yobs whose violence and disorderly ways are usually displayed in a non-football setting.

Sir Nicholas Lyell (North-East Bedfordshire): The Home Secretary or those advising him will have studied television and video clips and other evidence. I have not done so. Will the right hon. Gentleman tell the House what proportion of the 965 and what proportion of the crowds seemed to be committing what would be criminal offences?

Mr. Straw: NCIS is currently studying the available videos. I have not studied them in the way suggested by the right hon. and learned Gentleman, although I have seen the television pictures. I cannot give him an exact estimate at present. If he is anxious about the fact that a large number of people were arrested in Brussels and Charleroi, I can assure him that I have already made it clear in the record of the House that, given that one of the Belgian police chiefs said publicly that a proportion of those arrested were innocent of any crime at all—even under the Belgian criminal code—I am not willing to publish the names of any of those arrested. As we do not know which of them were innocent in the eyes of the Belgian police, it would be oppressive to those people if the information were used indiscriminately.

However, it is palpably the case that, whatever the exact proportions, there was serious violence and disorder during the tournament, although it was not caused exclusively by people purporting to be English fans. A number of German fans were arrested in Charleroi, although most of the disorder was by English fans.

As the House has increasingly realised during the past three years, a legislative loophole allows yobs and hooligans to go abroad to cause the mayhem we saw in

Brussels and Charleroi and to escape unpunished either in the territory in which they misbehaved or in our courts. If the England team and our club sides are to continue to be able to play abroad, we have to accept as we find them the criminal justice systems of the countries involved. We cannot impose as a condition of our engagement in tournaments abroad that the judicial systems of other countries are changed to suit us, or to suit people from our country who might get into trouble with the law.

We have already tried to close the loophole. Before Euro 2000, I went to considerable lengths to persuade the Dutch and Belgian Ministers of the Interior and of Justice that English offenders should not only be arrested if they caused trouble, but brought to justice through the courts of those countries and, where there was proper evidence, convicted. Formal memorandums of understanding between the United Kingdom and both the Netherlands and Belgium were signed. In the UK, we legislated through Orders in Council to enable our courts to impose banning orders on those subject to convictions in Belgium, the Netherlands and France. However, although there were 965 arrests in total, there were only five convictions: four in the Netherlands—mainly for ticket-touting offences—and only one in Belgium.

I intend no respect to the Kingdom of Belgium—[HON. MEMBERS: "No respect?"] I intend no disrespect to the Kingdom of Belgium. We have had good times discussing Belgian issues—*[Laughter.]*. We all remember the great legacy to the House and the country from the work of the now famous Mr. Victor d'Hondt, without whose mathematical algorithm we should not have been able to implement that wonderful and impressive counting system for the European elections that received such approbation from the voters.

In a similar vein, I intend no disrespect to Belgium when I point out that, if comparable disorder had occurred in England, we would expect a significant number of convictions and banning orders to result. That is the truth. However, it is also true that, if we participate in events in other countries, we must accept their legislative and criminal justice systems.

We need legislation to prevent individuals who have a demonstrable propensity for violence and disorder from inflicting further suffering on host populations and on their fellow supporters. We must deny them the cloak of football and the associated opportunities to abuse whoever they choose, either because of their distorted notions of patriotism or through simple thuggery.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): I understand my right hon. Friend's suggestion that people with demonstrable problems should be dealt with. Does he accept, however, that some of us are extremely concerned about the provisions in the Bill that give enormous powers to constables to detain people? Will he make it clear during his speech exactly which criteria will be used? There are thugs who own suits; they are capable of carrying in their elegant luggage the clothes that will transform them when they get to the other side of the channel.

Mr. Straw: I shall deal with the detail of the Bill in a moment. I hope to be able to reassure my hon. Friend and the House that the proposed powers for the police are not large and indiscriminate. They are specific powers of direction so that people with records of disorder or violence can be brought before the courts, and the courts—not the police—will decide whether it is appropriate to impose a banning order.

Our criminal justice system has many merits but, as the House has long recognised, it does not deal effectively with so-called lower level violence or disorder, which can seriously be disruptive of other people's lives. That is why in the Crime and Disorder Act 1998 we introduced anti-social behaviour orders and why we need to introduce similar measures in respect of football hooliganism.

The original proposal was to seek banning orders on known but unconvicted hooligans. That was aired during the passage of the Crime and Disorder Act 1998 and of the Football (Offences and Disorder) Act 1999 and during the build-up to Euro 2000. However, for the reasons that I have sought to explain, it is widely accepted that we need to go further. The measures before the House have been prepared with that in mind. They are intended seriously to tackle the menace that this country now faces from English hooligans who go abroad and cause the kind of mayhem that we saw in Charleroi and Brussels. The measures enjoy the overwhelming backing of NCIS, the Association of Chief Police Officers and the Police Superintendents Association of England and Wales as well as that of the Football Association and the vast majority of bodies that are confronted by hooliganism and its impact on our national game.

To pick up on another point raised by my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody), all those who deal with criminal behaviour know that there is no legislation in the world that can eliminate criminal behaviour altogether. What we can and must seek to do, however, is to reduce its occurrence.

I will now take the House through the four key measures proposed in the Bill.

Sir Robert Smith (West Aberdeenshire and Kincardine): The Home Secretary mentioned the anti-social behaviour orders, but will he reflect on the fact that, during the passage of the Bill that introduced them, Ministers assured us that they would be a last resort and that guidelines would make sure that they would be used in a limited way? Once the Bill became an Act and the orders became a power, the Home Secretary and the Prime Minister have both lambasted councils for not using more of them.

Mr. Straw: The general view is that the orders have been used too much as a last resort. There was confusion for which I was partly responsible—I have made that quite clear—about the circumstances in which the orders should be used. What we and, more important, the local authorities and the police have said and what is obvious from the Act is that anti-social behaviour orders should be used where the circumstances are appropriate. In some cases, they need to be used very quickly, but in other cases they may be used where other methods, which it is thought would operate, have not succeeded.

The hon. Gentleman represents a Scottish constituency so he will know that, in Scotland, Dundee city council and the police on Tayside have been in the vanguard of successfully using the Scottish equivalents of anti-social behaviour orders.

Mr. Alun Michael (Cardiff, South and Penarth): Will my right hon. Friend confirm that, far from saying that

[Mr. Alun Michael]

ASBOs would be used as a measure of last resort, we said that the measure of success would be the understanding by those who indulge in anti-social behaviour that police and local authorities intended to nip their activities in the bud? We said that prevention and a reduction in the amount of anti-social activity would be the true sign of success.

Mr. Straw: My right hon. Friend is correct.

Dr. Lynne Jones (Birmingham, Selly Oak): My right hon. Friend the Home Secretary mentioned the organisations that want such legislation. Will he also mention the organisations that have made representations to him expressing their concerns?

Mr. Straw: I cannot give a full list, but I will ask the Minister of State, Home Office, my hon. Friend the Member for Norwich, South (Mr. Clarke), to provide one when he winds up the debate. It will come as no surprise to my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) that Liberty has expressed its reservations.

Mr. Douglas Hogg (Sleaford and North Hykeham): And the Law Society.

Mr. Straw: I am grateful to the right hon. and learned Gentleman.

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. I do not want the right hon. and learned Gentleman to provide a litany of organisations.

Mr. Straw: Some of the organisations are listed in the Library briefing that I commend to my hon. Friend.

Let me deal with the four key measures that are proposed in the Bill. It is laid out in a way that fits in with existing football hooliganism legislation. It has seven relatively short clauses, and the operative provisions are to be found principally in schedule 1 on page 4.

The proposed new section 14A of the Football Spectators Act 1989 is relatively non-controversial and effectively combines domestic and international orders into one entity. That is vital because, at present, only those people subject to international bans can be prevented from travelling overseas. That is just 106 of the current crop of about 560 people who are subject to football banning orders.

The proposed new section 14E makes passport withdrawal mandatory in respect of the new combined banning order unless there are exceptional circumstances. To provide reassurance to hon. Members, I shall explain what will happen when a passport withdrawal condition is imposed, which we have suggested should be mandatory except when there are exceptional circumstances. It is not the case—nor should it be—that, when a passport condition is inserted into a banning order, the person concerned has to surrender his or her passport so that he or she is not allowed to travel abroad during the period in which the banning order obtains. The arrangement will not work like that in any particular.

The passport condition is designed to restrict someone from travelling only during a controlled period—typically five days before and until the end of a relevant international or club game in Europe. When it is a club game, the football banning authority, which is part of NCIS, will ensure that if the person concerned is not a supporter of that club, he will typically not have to hand in his passport and report to the police station during the controlled period. It is a very constrained arrangement, which is specific to the need to stop these people who have been identified by the courts as known hooligans travelling abroad for particular matches.

Because the matter has been raised by hon. Members on both sides of the House, I also point out that, if there is an emergency during the period in which someone has to hand in his passport and cannot travel abroad—for example, the person concerned may want to travel abroad to see a relative who is critically ill—he can apply to the banning authority to have the passport restriction lifted. If, for any reason, the banning authority refuses to do that, a series of appeals can be entered into very quickly.

The third and fourth provisions in the Bill have not previously come formally before the House, but one part has been discussed in some detail in the past. The proposed section 14B introduces the concept of banning orders by complaint where they would be subject to the civil jurisdiction of the magistrates court in the way that the anti-social behaviour order is at present. That is the proposal that we and the hon. Member for West Chelmsford (Mr. Burns) made last year and that we hoped to include in the Football (Offences and Disorder) Act 1999.

The provision is designed to catch hooligans who may not have football-related convictions but who have caused or contributed to any violence or disorder in the UK or elsewhere and in relation to whom there are reasonable grounds for believing that the imposition of such an order would help to prevent football violence or disorder. I say to hon. Members who are concerned about the use of the police power, which is the fourth limb of the arrangements, that the power relates directly to the power that we are suggesting should be provided to the courts to make a banning order on a complaint. The key point is that the court can make such a football banning order on a complaint only if it believes, first, that there is evidence that the individual concerned has caused or contributed to any violence or disorder in the UK or elsewhere and it is then satisfied that there are reasonable grounds for believing that the imposition of such an order would help to prevent football violence or disorder.

Mr. Jeremy Corbyn (Islington, North): Earlier, my right hon. Friend rather flippantly passed over the criticisms of the Bill that have been received from Liberty. Should he not take seriously the fact that Liberty—the former National Council for Civil Liberties—has deep misgivings about the Bill and the powers within it, and particularly deep misgivings about the powers of the police to take people's passports away, thus putting the police in the position of being both prosecutor and executor of the law? Does he not think that Liberty's objections alone are enough for him to stop in his tracks and look to some other means of campaigning against racist violence at football matches?

Mr. Straw: I was not in the least flippant in respect of Liberty, but Liberty has one view of the matter. Liberty typically takes this view; it did so over anti-social behaviour orders which, Liberty suggested, would be completely outwith the European convention on human rights. There is no evidence whatever to support that case.

The House faces a choice. We have been through a series of proposals and measures to seek to control this kind of terrible disorder and violence which is perpetrated by so-called English fans. The simple fact of the matter is that, so far, the current arrangements have worked in part, but they palpably have not worked in full. We have a choice; if we do nothing, we can—I apologise to the Opposition for using this word—guarantee that such problems will continue in the future, whatever co-operation we seek with the police services abroad. We must act proportionately, justly and within the European convention. As I will explain, I believe that we are doing that.

My hon. Friend the Member for Islington, North (Mr. Corbyn) knows that we cannot have our policy determined by one particular organisation. That would be risible in the extreme.

Mr. Dominic Grieve (Beaconsfield): The Home Secretary has accepted that it is likely that a substantial number of people deported from Belgium after the last football match violence were completely innocent. How does he reconcile that with the provision in new section 14C under which magistrates can rely, or may rely, on any decision of a public authority, whether in the United Kingdom or elsewhere? That must mean that a person who has been deported—possibly arbitrarily and wrongly—will thereafter have a taint that will be taken into account by the magistrates court in deciding on future banning orders.

Mr. Straw: I remind the hon. Gentleman that the phrase is not that the court has to take account of this, but that it may. He knows that the courts are well able to weigh evidence; that is what they are there for. In this case, they are weighing up whether the person has caused or contributed to violence or disorder in the UK or elsewhere.

Proposed section 14C defines violence and provides examples of behaviour constituting disorder. The examples given are not new, and reflect current public disorder criteria as contained in the Public Order Act 1986. As the hon. Member for Beaconsfield (Mr. Grieve) said, the Bill also sets out matters that the court may take into account in deciding whether or not to impose a banning order. These include: convictions for violence against persons or property, including threatening violence and doing anything to endanger the life of a person; convictions for disorder, including, importantly, stirring up hatred against persons on the basis of their colour, race, nationality, or ethnic or national origins; any relevant convictions received outside England and Wales; any decision of a public authority; deportation or exclusion from a country outside the UK; removal or exclusion from football stadiums here or elsewhere; and conduct recorded on video or by any other means—for example, documentary evidence of involvement in football-related violence or disorder, such as film of the street brawling in Copenhagen.

In the real world, no police officer would make an application to the court for a banning order where the only evidence was that someone had been arrested during arrests that were indiscriminate in any event and where the police chief concerned had said that many of those arrested were innocent. However, there may be occasions where the evidence before the court includes a string of other evidence and the fact that, on another occasion, the individual concerned had been arrested, detained and released without charge by the court.

In those circumstances, it is reasonable to include those criteria. If there are positive suggestions about the way in which we can better amend the Bill, I am happy to talk to hon. Members outside and inside the House, as my hon. Friends and I have done repeatedly over the past 10 days.

For the measures to impact in a short time, it is vital for the magistrates courts to take account of conduct or convictions inside or outside the UK, whether the relevant behaviour took place before or after the Bill becomes law. Orders will be made under civil law to ensure that all available evidence can be used, but breaching the order would be a criminal offence. In this regard, the order is similar in construction to the anti-social behaviour order.

Ms Claire Ward (Watford): What decisions of a public authority does my right hon. Friend envisage being taken into account by a magistrates court?

Mr. Straw: They could be decisions by the banning authority, or other similar decisions. Again, if my hon. Friend and the House are concerned, we can provide more information. If we can seek to amend the proposal, we shall do so.

Mr. James Clappison (Hertsmere): The point that my hon. Friend the Member for Beaconsfield (Mr. Grieve) made was important. The Home Secretary said that other evidence of disorder will be required besides the fact that the person has been deported. How can a person who has been deported in those circumstances—when innocent of an offence—establish that, when all the events have taken place overseas?

Mr. Straw: First, we do not intend to make public the list of those arrested in Belgium in any event. Secondly, the hon. Gentleman knows enough about the law to know that it is for the police officer making an application to establish the case, not the respondent to the application. Although the process takes place within the civil jurisdiction of the magistrates court, the standard of proof that is imposed on civil jurisdiction cases such as this is relatively high—and quite properly so.

The court has to decide whether the evidence is admissible and accurate and then has to use that evidence to make a judgment on whether the first condition of new section 14B has been fulfilled: that the person concerned has

> caused or contributed to any violence and disorder in the United Kingdom or elsewhere.

Secondly, the court must decide whether there are reasonable grounds for believing that a banning order should be made so as to prevent further violence and disorder.

Wherever they can, I believe that the police will want to apply for these orders well in advance of a particular fixture in order to prevent suspected hooligans from even setting out for the game. Inevitably, however, there will be people who will not have come to the notice of the

[Mr. Straw]

police until they reach the port of embarkation. During Euro 2000, there were a number of examples of people travelling to Belgium without tickets who had previous convictions for violent offences. The police had no powers to prevent such individuals from leaving the country and although they were able to pass such information on to authorities abroad, no action was taken by them.

New section 21B empowers a police officer to issue a notice requiring a person to appear before a magistrates court for a banning order to be considered and to prevent him or her from leaving the country in the meantime.

The power will be available only when matches outside England and Wales are due to be played, and for overseas games when the control period is operating. The officer needs to believe that the person has at any time caused or contributed to any violence or disorder in the United Kingdom or elsewhere, or that the behaviour, not the appearance, of the person is such that immediate inquiries need to be made to determine whether or not that condition is met. The Bill is explicit. If authorised by a police officer of the rank of inspector or above, the person may be issued with a notice to appear before a magistrates court within 24 hours and not to leave England and Wales in the meantime; and they may be required, if necessary, to surrender their passport.

One of the proposals made by Lord Ackner during the meeting that I held on Monday was that the draft Bill should be amended to make it clear that the police officer had to spell out the reasons for the direction in writing at the time the direction was given. I have included that in the Bill. However, the Bill has also been revised to draw a distinction between being detained to make immediate inquiries and being issued with a notice effectively commencing a banning order by the complaint process.

In the aftermath of Charleroi, there were many demands, in some cases from surprising quarters, that we should replicate the powers that the German police had taken to turn back people at the borders without any further process. That power is not consistent with our tradition of policing or our respect for the rule of law, and it is not in the Bill. Instead, we are providing that where the police believe there are grounds for obtaining a banning order against an individual, they can, but only for a matter of hours, stop that person leaving the country so that they can take them to court. It is then for the court to determine whether a banning order should be made.

Mr. Simon Hughes (Southwark, North and Bermondsey): The Home Secretary suggested that powers are being given to police officers to act if they believe that people have previously caused or contributed to violence. Why does the Bill give police constables the power to detain somebody for up to 24 hours, simply on the basis that they believe that the behaviour would lead them to make inquiries? There is no requirement that the police officer even believes that the person has a record of causing or contributing to violence.

Mr. Straw: I am happy to discuss that point with the hon. Gentleman outside, as well as inside, the House, but that is not my reading of the Bill. The purpose of the measure is to enable the police, where they are faced with people whom they believe to have previous convictions for, in the main, violence, to stop those individuals, check who they are, and find out whether there is evidence against them. If there is such evidence, they will be able to serve them with a notice and get them into court. The 24-hour period will start from the moment the direction is made.

There has been much speculation about people being stopped at the whim of a police constable or because of their appearance. That is unfounded. Behaviour at the point of exit from England and Wales will be relevant, but only if that behaviour is violent or disorderly or gives grounds for thinking that the person has been involved in violence or disorder in the past.

Those deported for minor administrative offences such as passport irregularities, or arrested by way of a preventive detention under Belgian public order powers, will not, as I have already spelled out, face bans unless there is other, better evidence that they have caused or contributed to violence or disorder. The genuine and decent football supporter has nothing to fear, irrespective of their appearance.

I recognise that the last two measures are new. During the meeting on Monday, Lord Alexander of Weedon suggested that because the powers were new, it would be advisable if there were a period when they were on the statute book but the House would then be able to consider whether to continue with them. He suggested also that, if possible, there should be a sunset provision in the Bill, so that after a certain period the powers could expire altogether unless they were replaced by additional legislation. I have accepted both those proposals in full, and they are be found in clauses 3 and 5.

Clause 3 requires the orders to be made by affirmative resolution. Clause 5 states that there will be an initial period, which cannot last for more than a year, and that the Secretary of State must ask both Houses for an affirmative resolution if the powers are to continue. Clause 5 also makes it clear that the whole Bill ceases to operate after five years unless other, primary legislation is passed. I hope that that provides important reassurance to right hon. and hon. Members, and I am grateful to Lord Alexander for that proposal.

As I made clear in my statement on 4 July, we have to act with speed to avoid disorder in Paris and during the European club campaign next season. But we must have careful scrutiny of what is proposed. That is why I agree with the Opposition that it would be wrong to try to deal with all the proceedings of the Bill in one day, although I believe that that sometimes happened with emergency legislation under the previous Government. The Committee, Report and Third Reading stages have therefore been delayed until next week. Obviously, we will listen carefully to what right hon. and hon. Members have to say this evening.

Mr. Ronnie Campbell (Blyth Valley): I was casting my mind back to the miners' strike in 1984 and 1985, when we tried to travel to other parts of the country but were stopped and sent back home. Would the powers in the Bill have the same effect and make such travel illegal?

Mr. Straw: I am glad that my hon. Friend raised that point, because there was much evidence to suggest that those powers, which were used by the police before the

Police and Criminal Evidence Act 1984 came into force, were arbitrary and without foundation in law. I say to my hon. Friend that many of us saw those powers being used, and many police officers deeply regret today that they were forced to use them improperly and arbitrarily. That soured relations between the police and the public for many years thereafter, to the regret of the police.

Why is this different? There are two reasons. First, almost as soon as the Bill comes into force—if it does so, as I would prefer, at the end of this month—the Human Rights Act 1998 will come into force. If that Act had been in force in the 1980s, in no way could the police have acted arbitrarily, as they did towards the miners. Secondly, the only power in the Bill that is exercisable by a police officer during a control period—an international tournament or an overseas club game—is the power to detain someone and direct them into court. That is completely different from the arbitrary power that was exercised during the miners' strike.

It is plain that if the Bill is to get through the House and the other place in time, it has to have the active support of the official Opposition. The Government have proceeded in good faith on the basis that that support existed. Just three weeks ago, on the Monday following the disgraceful scenes at Charleroi, I made a statement to the House. At that stage, the right hon. Member for Maidstone and The Weald (Miss Widdecombe) called for police powers similar to those used by the German police and much wider than those in the Bill. She said that my hand would have been very much strengthened if I had

> taken all measures that other countries have taken.—[*Official Report*, 19 June 2000; Vol. 352, c. 38.]

The next day, 20 June, in an Opposition day debate, the right hon. Lady promised that if I brought forward emergency provisions, the Opposition would support me.

On 22 June, the Leader of the Opposition gave a speech in Bradford in which he made what he described as an "important offer" to the Prime Minister. He criticised us for a "lack of political will" to tackle football hooliganism and pledged his party to support, in the words of his press notice,

> any moves in Parliament to restrict English football hooligans following the trouble witnessed at Euro 2000.

He went on to say:

> I am today making this important offer to the Prime Minister. The Conservative Party will give full support and co-operation in Parliament to Government legislation.—

[HON. MEMBERS: "Another guarantee."]

Mr. Straw: Full support—no ifs, no buts, no maybes—in the Commons and the Lords. The pledge was unequivocal, unconditional, unrestricted and without qualification. I took the Leader of the Opposition at his word. I apologise to my right hon. and hon. Friends for my naivete and innocence.

Within days of that promise being made, it had disintegrated into thin air. The tough talk had been exposed as weasel words. We saw that at the beginning of last week, with the right hon. Lady's less than unconditional response to my statement in the House. Last night that pusillanimous position was confirmed. Within just three weeks of that "important offer" of unconditional support in both Houses, we were told on the wires that the shadow Cabinet had decided not to support the Bill, but merely to abstain.

How different—

Sir Nicholas Lyell *rose—*

Mr. Straw: I am coming to the conclusion of my speech.

How different the Leader of the Opposition's clarion call for new powers would have sounded in Bradford if he had set out what now appears to be the case—that on this issue, the Opposition are neither for what we are proposing, nor against what we are proposing. Instead, they intend to sit on their hands and abstain—saying one thing and doing another, all in the space of three short weeks.

The Bill in all its parts can become law before the recess only if the Opposition stick to the pledges that their Leader made three weeks ago. I hope, even at this stage, that they will measure up to their responsibilities.

Meanwhile, I tell the House that we all have an obligation to deal with the dreadful scourge of English football hooliganism abroad. The Bill contains provisions necessary to achieve that end. The Bill is measured, proportional and consistent with the European convention on human rights. I commend it to the House.

8.13 pm

Miss Ann Widdecombe (Maidstone and The Weald): The Opposition have said throughout that we would support appropriate legislation to combat football hooliganism. [HON. MEMBERS: "Any."] Obviously not any. No Opposition, nor any Government, would pledge themselves to support any old bad legislation, would they?

Mr. Straw *rose—*

Miss Widdecombe: Sit down while I finish. *[Interruption.]* If the right hon. Gentleman wishes to proceed by consensus, he is not giving much of an example.

We have said throughout that we would support appropriate legislation to combat football hooliganism, and that we were happy to have a Bill and to ensure that it reached the statute book before the House rises for the summer recess. I made it very clear to the right hon. Gentleman, both in statements in the House and in letters to him, that although we were prepared—I will go on to describe how we are still prepared—to support a Bill.

None the less, I made it very clear that we were not prepared to proceed without due scrutiny. The right hon. Gentleman was seriously suggesting that we got the Bill through in one day. We made it clear that we expected due scrutiny, and that we held out the right to amend the Bill, to oppose parts of the Bill and to try to get it right. *[Interruption.]*

The Minister of State, Home Office, the hon. Member for Norwich, South (Mr. Clarke), from a sedentary position, talks about weasel words. If he seriously believes that it is not the duty of both the Opposition and the House to scrutinise legislation properly, to amend it, to oppose parts of it where that is appropriate, and to try to put a decent Bill into statute at the end of the process, he should not be here, because he does not understand the duties of the House.

Mr. Straw: I am so grateful to the right hon. Lady, and also for her earlier courtesy.

[Mr. Straw]

The right hon. Lady is now making the offer of full support conditional. Did not a Conservative party news release, under the headline

> Hague offers Blair help on football hooligans

state:

> Conservative Leader, William Hague has pledged that his Party will support any moves in Parliament to restrict English football hooligans following the trouble witnessed at Euro 2000?

Did the right hon. Gentleman say that, or did he not? Is it not the truth that having given that undertaking, the Opposition are now rowing back from it?

Miss Widdecombe: The operative word in that is "hooligans". *[Interruption.]* That is the operative word. The fourth provision that the right hon. Gentleman has introduced goes way beyond convicted football hooligans and way beyond football-related offences. It is not that I do not see merit in that provision, as I shall explain, but we are helping the right hon. Gentleman and the Prime Minister by giving them a decent Bill at the end, rather than the highly undesirable Bill as currently drafted in its fourth provision.

Mr. Straw: I am grateful again to the right hon. Lady. Of course the operative word is "hooligans". That is what we have been talking about. Her wriggling just now reminded me of the occasion when President Clinton said that it all depends what one means by the word "is".

Miss Widdecombe: All I can say is that if the right hon. Gentleman is not interested in scrutiny, in trying to improve the Bill, and in having the help of the Opposition to improve the Bill, he is not taking his own Bill seriously. I am taking the Bill seriously. I want to see it improved. If the right hon. Gentleman will now have the courtesy to listen, I will tell him how I want to see it improved.

No one wants to see in the coming months a repeat of the scenes that we witnessed in Brussels and in Charleroi during the Euro 2000 tournament, or the violence that flared in Marseilles two years ago, during the 1998 World cup. However, it is vital that the whole House ensures that the right Bill is enacted. History tells us that emergency legislation that is not properly considered can all too often be bad legislation.

The Bill in its current form is not wholly satisfactory. There are several possible loopholes, as the right hon. Gentleman has acknowledged in my discussions with him. Several important loopholes have been highlighted and need closing.

Dr. Lynne Jones: Will the right hon. Lady give way?

Miss Widdecombe: No. I shall finish my point.

It may be that when the Bill has been scrutinised and revised in Committee and on Report, it will then be the right Bill. If so, the right hon. Gentleman can look forward to active support from the Opposition. Meanwhile, there are too many questions, especially on the fourth provision, on police powers of arrest, which the Home Secretary outlined in his speech.

Mr. Edward Leigh (Gainsborough): Will my right hon. Friend allow me?

Miss Widdecombe: I will finish the point, then I will give way.

It would be quite wrong to obstruct due consideration of the Bill, given that there is a necessity for appropriate legislation. We want to promote due consideration, so we shall not vote against the Bill in Lobby tonight. If it is substantially improved, we may be able to support it. *[Interruption.]* All I can say is that over on the other side of the House, Labour Members, with the exception of a few who take the Bill seriously, want anything rather than the right thing. We want the right thing, which is what we are trying to work towards.

Mr. Leigh: Can my right hon. Friend reassure me on one point before I determine how I shall vote? A cardinal principle of any civilised society is that people should not be prevented from leaving their country on the say-so of a policeman. There should be a properly conducted hearing. The Home Secretary tells us that a hearing would take place within 24 hours, but that is not good enough. Will she reassure me that the Opposition will press for an immediate and properly constructed hearing to be held in a suitable place so that policemen cannot prevent a person from leaving the country if they have only the flimsiest of evidence?

Miss Widdecombe: I have already asked the Home Secretary about such a measure and he has already said that he will see whether it is possible to include a provision that magistrates will be able to hold hearings at ports so that it is not necessary to wait 24 hours. I do not know whether he will be able to include such a measure, but I have asked him to do so. I share my hon. Friend's view that such a provision is crucial and I shall press for it.

Mr. Straw: We are already making arrangements for court hearings to be held as quickly as possible—we can talk about that—but is the right hon. Lady seriously suggesting that instead of a hearing being held, for example, at Dover magistrates court, which would offer security, a spatchcock court with trestle tables should be erected in the departure hall of Dover port? What is she proposing? Of course a hearing would be held in the nearest available court. That is made clear in the Bill in any event.

Miss Widdecombe: If that is the right hon. Gentleman's approach to serious suggestions, he probably will end up with an absolutely daft Bill that sensible people will not support. Outside the Chamber, he took a more reasonable approach to what I have asked him for. I can at least assure my hon. Friend the Member for Gainsborough (Mr. Leigh) that we shall indeed press for that provision and have already tabled amendments to that effect.

Dr. Lynne Jones: Will the right hon. Lady give way?

Miss Widdecombe: Presently.

We saw the first draft of the Bill less than a week ago. Yesterday afternoon, we saw a revised draft. Today—the very day of Second Reading—we have received the final version, with only hours in which to study it. I welcome the efforts that the Home Secretary has made in the limited time available to ensure that the Bill is in good order, but he cannot hold it up as a shining example of detailed and satisfactory pre-legislative scrutiny.

The Home Secretary surely must expect Members of the House and of the other place to give close consideration to a Bill produced to such a truncated timetable. If he cannot accept that without pouring scorn and ridicule on serious suggestions, he is himself destroying the spirit of consensus, of which he makes much. Madam Speaker—*[Interruption.]* It is catching, Mr. Deputy Speaker. That is unfortunate because the Government have had two years to get things right. The House finds itself in this position soley because of their delay and vacillation.

More than two years ago, after the disgraceful scenes in Marseilles, my right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) tabled amendments to the Crime and Disorder Act 1998 that, to an extent, are mirrored by some of the Bill's provisions. More than a year ago, during the passage of the private Member's Bill promoted by my hon. Friend the Member for West Chelmsford (Mr. Burns), the Minister for Sport said categorically that further Government legislation was necessary. However, as was made plain in the debate initiated by the Opposition last month, the Government failed to act during that period, despite repeated promises to do so. That is the background against which the House is considering this rushed measure. The Home Secretary has deliberately and consistently refused to act over two years, so it is a bit of a cheek to criticise the Opposition for daring to want to amend the Bill.

Dr. Lynne Jones: If the right hon. Lady and her colleagues eventually support the Bill, will that tell the House that she is confident that these measures will deal with the problems of British football hooliganism abroad once and for all?

Miss Widdecombe: The short and simple answer is that I would not have total confidence, which is exactly why we ask for a sunset clause. We are attempting to proceed helpfully, but cautiously, precisely because we are trying to get the Bill right and trying to achieve a measure in which we can have confidence.

Ms Ward: Will the right hon. Lady give way?

Miss Widdecombe: If I may, I want to make progress on the main part of the Bill.

As the Home Secretary said, the Bill contains four main provisions. Conservative Members have no difficulties in principle with the first two, which combine the two types of banning order and require the imposition of a condition on the surrender of passports, which at present is discretionary. I share his view that that provision is too little used. In addition, we anticipate no practical difficulties with those two provisions. Having studied the Bill in more detail, we may wish to table amendments, but there is no fundamental disagreement between the Government and the Opposition on those proposals. Indeed, we have asked for them, as we have also asked for the third provision, which allows banning orders to be made against persons convicted of no criminal offence whatever. However, that has clear civil liberties implications. Therefore, there will have to be a more substantial debate.

In the context of Euro 2000, it will be important to consider whether the grounds for the power to make the new banning orders under proposed new section 14C have been drawn in such a way as to allow orders to be made against genuine fans who were simply in the wrong place at the wrong time and subjected to administrative arrest and deportation in Belgium, despite not being involved in violence. Despite the tone that the Home Secretary took towards the end of his speech, I agree with him utterly, and must put it more bluntly, that the Belgians did not handle these matters as I would wish our European counterparts to handle similar occasions.

If we are to legislate to control the behaviour of our own nationals abroad, it is not unreasonable to ask that other countries put those same nationals through their due procedures when they commit crimes on foreign territory. I for one am disappointed that Belgium reacted by rounding up an awful lot of people, some of whom had committed no offence and just happened to be in the wrong place. I consider that an unsatisfactory way to proceed. In addition to whatever measures we take, we should press hard for other countries to ensure that people who commit offences on their territories during such matches pay penalties at law in those countries.

I have received representations from people who argue that they should not be branded in the same way as persistent hooligans simply because of how they were dealt with by the Belgian authorities as a result of happening to be in the wrong place at the wrong time.

Mr. Andrew Miller (Ellesmere Port and Neston): Will the right hon. Lady give way?

Miss Widdecombe: Imminently; let me finish this passage. I should be surprised if we could not find a means to agree on the detail of such a provision.

Mr. Miller: Does the right hon. Lady agree that the scenes that we saw on television—scenes that did not result in prosecution—of young men hurling chairs at police officers and members of the public, breaking windows and so on, constitute evidence that ought to warrant a banning order?

Miss Widdecombe: The hon. Gentleman makes my point for me. *[Interruption.]* The hon. Gentleman has had his say; let me finish my reply. That is precisely the sort of behaviour that we think should be the subject of a banning order. That is why I just said that I would be surprised if we could not find a means of agreeing on the detail. What is not acceptable is that people to whom such evidence is not available should also be subject to an order.

Mr. Miller: The right hon. Lady heard the Home Secretary's statistics about those who appeared in court and were subsequently thrown out of Belgium. NCIS is likely to have evidence in respect of some of those people relating to similar violent activities. Surely the right hon. Lady does not want people with a history of violence to represent this country abroad.

Miss Widdecombe: The hon. Gentleman assumes that we object to a part of the Bill to which we have no objection. Let me remind him of what I have just said. I would be surprised if, on the basis of the provisions that we are discussing—provisions that are very similar to those requested by my hon. Friend the Member for West Chelmsford a long time ago, when they could have been

[Miss Widdecombe]

acted on—we could not reach an agreement on the detail. I do not think I can put it more positively than that, although what I have said does not mean that I cannot express reservations about the drafting of the Bill.

Mr. Tony Banks (West Ham): Is it not a fact that a number of people were scooped up by the Belgian authorities, almost at random? The right hon. Lady should join my right hon. Friend the Home Secretary in saying that the Belgian authorities should have prosecuted those people, rather than our having to rely on video evidence.

Miss Widdecombe: I know that the atmosphere here can be quite soporific, but I have just spent a lot of time saying precisely that. Indeed, I put my view of what Belgium did in rather stronger terms than those used, rather diplomatically, by the hon. Gentleman.

The real problems, however, arise not from the first three provisions but from the fourth, which gives the police new and substantial powers to prevent British citizens from leaving the country—or, more precisely, from leaving England and Wales. We shall seek to establish exactly how the powers are intended to be exercised. Concerns have been voiced by members of all the main parties, not just here but in another place. Given the accelerated timetable proposed by the Government—with which the Opposition are co-operating—it is important for us to take those views into account, and to seek to achieve the maximum agreement on the Bill.

There is a general, if not universal, view in the House that such powers should not be exercised without the sanction of a court that has considered all the facts. I am therefore grateful to the Home Secretary for incorporating my request—which was also made by others—for the inclusion of the necessity for the police to give reasons to persons prevented from travelling, so that they may have the opportunity to prepare a defence. The absence of such a provision in the initial draft is just one example of the way in which, given proper scrutiny, we will make this a better Bill.

As my hon. Friend the Member for Gainsborough pointed out, the Bill allows a 24-hour delay before a court hearing. Despite the rather scornful reaction that I just received—which does not reflect the reaction that I have had from him outside the Chamber—I hope that the Home Secretary will be able to accommodate my suggestion that magistrates should be present and able to conduct hearings at ports in order to reduce the delay, as there will undeniably be urgent cases.

Of course it is true that there are courts in Dover, but if we want this to be a seven-day provision, and if the period designated by the Home Secretary happens to fall over the weekend—which is quite likely—they will not be functioning. My point is not that, where there are courts, we need not ask people to go there immediately; it is that we can prevent 24 hours from becoming the norm rather than the maximum. That is what I seek to achieve.

The Home Secretary will acknowledge that some people will want to travel for urgent family reasons or business reasons—reasons that are nothing to do with football. Indeed, perfectly reasonable football fans who would miss the match if they had to wait 24 hours may want to travel.

Despite the reservations that I am expressing, I see merit in the general principle. The police have footage of offences, both in this country and on foreign soil, following which there has been no conviction. The merit of this provision is that it offers a mechanism whereby such people can be prevented from behaving similarly in Paris, Munich or wherever.

However, there are serious implications for civil liberties, for the principle of "innocent until proven guilty", and for the role of the police vis-a-vis that of the courts. That is why I am so keen to get it right. I cannot believe that Labour Members really disagree with that simple proposition.

Mr. Geraint Davies (Croydon, Central): The right hon. Lady seems to be saying that the Opposition intend to abstain because they want time to table amendments, but the only amendment that she has suggested is a provision to put courts in the ports. We already have a 24-hour turnaround time. It is absurd if that is the only suggestion that she can make.

Miss Widdecombe: If the hon. Gentleman goes to the Table Office, he will find that, far from that being our only suggestion, we have already tabled a substantial number of amendments to various parts of the Bill. He does not want me to give details of every amendment on Second Reading; I am picking out those that I consider to be most important. As I have said, I am trying to help to produce the right Bill.

Ms Ward *rose—*

Mr. Ashton *rose—*

Miss Widdecombe: The hon. Member for Watford (Ms Ward) asked me to give way before, so I shall give way to her now.

Ms Ward: I am sure that Members on both sides of the House will want a good Bill, but what will happen if we do not get this Bill through and if, at the beginning of September, English fans go to France and a minority of football hooligans cause havoc in Paris? Will the right hon. Lady tell me how she and other Members who oppose the Bill will feel if that happens?

Miss Widdecombe: I regret that I gave that intervention precedence, because it was not worth having. I have already made it clear that the Opposition are keen to help to get the Bill right to try to prevent a repetition of such behaviour. Otherwise, why would we co-operate with one of the most truncated timetables that we have ever been offered? We are co-operating precisely because of the point that the hon. Lady makes. There seems to be an attitude among Labour Members that, unless we agree to any old thing regardless of its merits, we are not helping. We are trying to get it right.

Mr. Ashton: Is the right hon. Lady aware that the all-party football group met Scotland Yard's criminal intelligence unit a few days before the big riot occurred, and they told us exactly what was going to happen? They had the information on a database, which is why a clause in the Bill provides that that information can be disclosed. Every club in the country has a list of about 150 supporters who have had their season tickets cancelled, have been evicted for obscene chanting, disruption or racist chanting or have a known history but do not have a conviction. That evidence could and should be used. Is the right hon. Lady arguing that, if those people do not have a conviction, that record should not count?

Miss Widdecombe: I am sorry that the hon. Gentleman was not listening. Just now I specifically said that the merit of the Bill is that it allows us to move against those who do not have convictions. I was then going to describe the demerits. Instead of hearing total opposition in everything that is said, he should listen to what is actually being said and he may even be convinced.

Mr. Jim Murphy (Eastwood): Will the right hon. Lady give way?

Miss Widdecombe: I shall give way once more and then make progress.

Mr. Murphy: I thank the right hon. Lady. I have listened closely to her arguments. She has said that the Opposition are no longer willing to support any legislation against football hooliganism. I ask her for a yes or no answer to this question. Are any of the amendments that she and her hon. Friends have tabled a matter of principle such that she will not ultimately support the Bill here or in the other place, so that we do not have the legislation through the House before the recess?

Miss Widdecombe: I do not know how long the hon. Gentleman has been in the House, but he presumably understands how Parliament works. I have not tabled any amendments for frivolous purposes. The purpose of the amendments, as a body—

Mr. Banks: Is that a yes or a no?

Miss Widdecombe: I am answering the question.

The purpose of the amendments is to reduce the undesirable effects of the Bill. I shall have to see what the Bill looks like when it has been through its stages, but tonight we will not obstruct it. We have accepted the timetable, and we are producing amendments. We are doing our best to help, and all we are getting is complete non-comprehension from hon. Members who apparently believe that their duty is slavishly to approve anything that is put before them without going through it in any detail.

I shall now make progress before taking any more interventions. The Bill has serious implications for civil liberties, for the principle of innocent until proven guilty, and for the role of the police vis-a-vis that of the courts. That is why we must get the Bill right. The definition of behaviour that might cause an officer to prevent travel is too widely drawn—or at any rate it appears to be. In new section 14C(3)(b) we are told that such behaviour is not limited to

conduct which constitutes a crime.

Bearing in mind the fact that almost all disorderly behaviour is conduct that constitutes a crime, that behaviour likely to cause a breach of the peace is a crime, and the very wide net that constituting a crime would throw over such behaviour, I must press the right hon. Gentleman to tell me what behaviour would not constitute a crime but would be deemed serious enough to prevent travel.

When I put that question to the right hon. Gentleman in his more reasonable frame of mind, he explained to me—and subsequently followed it up with a letter—that his problem with that argument was that what constitutes a crime in Britain may not constitute a crime in other jurisdictions, that he would have to obtain evidence not only of the behaviour but of the specific offence that such behaviour constituted in other jurisdictions and that that would be time consuming and would be difficult to obtain in a short space of time, would be administratively complex and could lead to a considerable number of challenges. That is perfectly fair, so let me ask him this. Why can he not limit the conduct to that which would constitute a crime under our law even if that conduct had taken place in some other jurisdiction? There would remain a requirement for that behaviour to constitute criminality under UK law.

Mr. Straw: The right hon. Lady raised this question with me yesterday, and we are thinking hard about the point. I understand her concern and that of her right hon. Friends that the Bill should not inadvertently be too wide. She accepts that it is appropriate that, if behaviour abroad were adduced as evidence in this country for a banning order, we should not have to prove that the behaviour was an offence abroad, because that would cause immensely complicated problems.

The problem then is whether we keep the other limb of that provision which says that the behaviour need not constitute a crime in this country. Although I am happy to listen to the House's opinion and to discuss it with the right hon. Lady further outside the Chamber, that provision is there, as I explained in the third paragraph of my letter, to deal with the issue of intent. It will be the case, almost without exception, that the kind of behaviour that—under the Bill as drafted—would be adduced in court as evidence justifying a banning order would meet the actus reus of one or more offences under English law. However, in many cases, no evidence will exist to prove intent, for the reasons that I set out. That was the point with which the draftsmen were trying to deal. If there are other ways to deal with it, while still ensuring that the Bill covers behaviour likely to cause violence or disorder, we will be happy to discuss them.

Miss Widdecombe: That was exactly the spirit in which I had hoped that this debate would be conducted. The Home Secretary has just admitted that there is a problem with the Bill, that it might have undesirable consequences, that trying to tighten it up is not as straightforward as it might seem and that, therefore, he will have to reconsider it. He will understand why we want to reserve judgment to see what he comes up with. That is the spirit in which I hope that we can resolve many, if not all, of the difficulties outstanding on the Bill.

The next difficulty arises over what will be section 21A(2). We need to know whether the behaviour referred to in that provision has to constitute a crime, such as a breach of the peace, or whether it could be as simple as an off-the-cuff remark that an officer overheard and took

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exception to. In such cases, a constable will have to take account of behaviour taking place at the port or in his presence. What exactly does that behaviour have to be?

Mr. Hogg: I am grateful to my right hon. Friend for focusing on section 21A(2), because it would give an officer the right to arrest in order to conduct inquiries. She will be aware of the provisions of article 5(1) of the European convention on human rights. Will my right hon. Friend ask the Home Secretary what justification exists for an arrest to be made under section 21A(2) under article 5(1)? I can find no justification for such an act.

Miss Widdecombe: I shall add that question to the one that I have just posed, and I shall give the Home Secretary time to deal with them. We would value it if the Bill could be redrafted so that behaviour that attracts action under section 21A(2) will have to be criminal or very carefully specified.

Mr. David Heath (Somerton and Frome): The right hon. Lady is dealing with the crucial point of the Bill. Does she share my concern that the problem is that the constable would be required to form an opinion, on the basis of behaviour, that somebody has committed a crime or been engaged in violent or disruptive behaviour at some time in the past? I am not sure of any behaviour, other than an assertion by someone that he had been involved in disruptive behaviour, that would fit the bill. That concerns me greatly.

Miss Widdecombe: My reading of new section 21A(2), as opposed to section 14C, with which I have dealt, is that it is the behaviour of someone who is present there and then. I am asking not whether that behaviour is indicative of something that has happened in the past, but whether it would normally attract a charge—that is, whether it would be a crime.

Mr. Heath: I entirely accept the right hon. Lady's argument, but does not the Bill make that the grounds on which the police officer has to decide whether further inquiries should be made? It is a strangely retrospective requirement.

Miss Widdecombe: That is an interpretation of what the section does. It is giving rise to huge concern on the Opposition Benches, on the Labour Benches—the Home Secretary will admit that—and in another place, and indeed, to concern on the part of responsible commentators. All that we are saying is that the present drafting has dangers. We want to get those dangers out of the Bill if we are to support it at a later stage.

Eddie Curtis, head of the hooligan spotting unit, said in an interview with the BBC that the police would use the new powers—in 14C and 21A(2)—against those who may well not have come to their attention but who were attempting to travel abroad with known hooligans, or to prevent those already deported from overseas tournaments from returning to them to cause more trouble. That is his definition.

However, the Minister in another place, Lord Bassam, said that the powers could be used against anyone who happened to be acting randomly in an airport lounge. That is what was driving my most recent question to the Home Secretary about whether an act of rowdiness that does not amount to criminality will be a sufficient condition to invoke that clause. That is a much broader application.

Mr. Hogg: Yes, it will.

Miss Widdecombe: If that is my right hon. and learned Friend's reading of the Bill, it is crucial that the provision is tightened up before it is enacted, otherwise we will have well-intentioned but chaotic legislation.

Mr. Ashton: Is the right hon. Lady aware that it is not possible to forecast the things that these people may do? When Leeds fans went to Turkey, they urinated in public in front of Turkish women and pretended to wipe their backsides on the Turkish flag. Those may or may not be criminal offences in this country. A common complaint against this gang is that they urinate anywhere. One cannot say that this or that should be a condition. The police, who are experienced in football behaviour, must be able to exercise their judgment about what these people do.

Miss Widdecombe: Both the offensive activities that the hon. Gentleman described would be an offence. That is the criterion for which I am asking: that what should define the conduct that we are discussing in these sections is whether it is an offence under our law. Therefore, I ask the Home Secretary who is right, the policeman or the Minister, or are they both right? We must explore those issues further.

The power in new section 14B for the police to detain someone who has

at any time . . . caused or contributed to any violence or disorder

is somewhat vague. The terms "violence" and "disorder" are specifically defined in a wider context than football-related violence or disorder.

Mr. Geraint Davies: Will the right hon. Lady give way?

Miss Widdecombe: No, I have taken a lot of time. Many hon. Members want to contribute. I shall make progress and I shall not take interventions from hon. Members on either side of the House for a long time—in fact, until I finish.

To take just one example, would the power extend to someone who might now be a pillar of the community, hold a position of trust, and be of some standing but who, in his younger days decades ago, organised student protests or demonstrations at university? The House will need to look closely at the definition of behaviour in new section 14B(3).

Will police officers be able to stop someone at a port because of their dress or physical appearance?

Mr. Straw *indicated dissent.*

Miss Widdecombe: The right hon. Gentleman says no, and I am grateful for that, but how widely is the term to be interpreted? I also want to explore in Committee the process by which magistrates will hear the case against someone who has been stopped at a port.

There are concerns that the police will effectively be able to detain someone on mere suspicion, without any evidence and without a court hearing, for up to 24 hours. We must also look at the new court powers that the Home Secretary proposes. For what length of time is it intended that people should be remanded by the court under new section 21C(3)? Should they be remanded in custody? Is that the intention?

Loopholes in the legislation have already been highlighted. For example, one of the Bill's silliest effects is that the new police powers will not extend to Scotland or to Northern Ireland, so the hooligans whom the power is intended to catch, rather than travelling from Manchester, Heathrow or Dover, will instead travel from Edinburgh, Aberdeen or Belfast. As things stand, the police there will be utterly powerless to stop them. I understand that the Home Secretary does not propose to institute border checks along Hadrian's wall, so he will be completely powerless to prevent it happening. When he wrote to me on that point, he effectively said that there was nothing he could do about it, but he described it as a remote possibility. It is not a remote possibility because hooligans are a well organised and highly sophisticated criminal element. Therefore, the proposed power may already be so full of holes that it will be rendered practically useless.

I was surprised to read in the draft explanatory notes published last week that the legislation does not extend to Northern Ireland because, the Home Secretary says, criminal law is a devolved matter. I am sure that many hon. Members will have been equally surprised as criminal law remains a reserved matter under the Government's Northern Ireland Act 1998. If the Home Office cannot even get the constitutional position of Northern Ireland right in its explanatory notes, how can we be sure that the Bill does not contain other far less obvious errors?

I welcome the Home Secretary's decision to accept the request of myself and of others that a so-called sunset clause be present in the Bill, but it is important that we should have the opportunity to revisit those matters, I hope with a more detailed and informed consideration than any of us will be able to give to the present Bill. However, given the exceptional nature of the legislation, we should consider reducing the time limits proposed in the Bill even further.

If the Home Secretary allows the Bill a maximum life of two years instead of five, it would still cover the whole of the 2002 World cup qualifying campaign, after which a considered assessment could be made of the need for and, probably particularly, the operational effectiveness of, its provisions. I have therefore tabled amendments to that effect.

The initial period before renewal is far too long. It is one year but, given the exceptional timetable under which the Bill is being rushed through, I propose that we at least consider and debate properly the merits of a first review after six months.

We have indicated that we will assist the Government in ensuring that appropriate measures are taken to combat football hooliganism and we are co-operating fully with the timetable, so that new legislation can be speedily enacted. That cannot mean that we are willing to give the Government a completely blank cheque, or to abandon the process of parliamentary scrutiny. That is especially the case when the Bill proposes some new and wide-ranging powers that did not even see the light of day until last week.

I know that the whole House will want to ensure that the measures that we put in place are appropriate, proportionate and just. I do not think that the Bill measures up to that as it stands, but we hope that, with the co-operation of all sides, we will be able to bring about improvements in the coming days and before it goes to another place that will make a real difference to that assessment.

I fully acknowledge—I am delighted to acknowledge—that the Home Secretary has already taken on board and adjusted his Bill to reflect concerns that I and others have raised. I for one hope that that same spirit will prevail over the next few days and that the result will be a Bill that all sensible persons can vote for, because the menace of hooliganism is far too great to be treated lightly.

8.59 pm

Mr. Tony Banks (West Ham): I welcome the fact that the right hon. Member for Maidstone and The Weald (Miss Widdecombe) supports the Bill in principle and is prepared to work with the Government to ensure that it meets the desired objectives and goes from here to the other place with all-party support.

I am not a supporter of instant legislation, which usually turns out to be bad legislation, giving rise to confusion and any number of injustices. I well remember being in the Chamber, when we were in opposition, during the passage of the Dangerous Dogs Act 1989, which I said at the time was poorly drafted and misdirected. The right hon. Lady nods. That legislation was seen as very much a knee-jerk reaction to serious injuries inflicted on young people and others by savage dogs. There was a great deal of press clamour for Parliament to do something about that. Often when Parliament is pushed to do something, Ministers rush to pass legislation whose passage we can repent at great leisure.

I believe that the current proposals from my right hon. Friend the Home Secretary do not fall into the category of instant whip legislation. As the right hon. Lady quite rightly said, the legislation's details need to be examined. However, it is not a matter of rushing legislation through. The problem has not just emerged, but changed and evolved. At times, it is difficult for legislators to keep up with all the different manifestations of football hooliganism. It is therefore essential that we discuss the issue in detail on the Floor of the House, to improve the legislation, which is all that we want to do.

The principles in the legislation have already been discussed at great length in the House. In many ways, today, my right hon. Friend the Home Secretary is trying to complete the job started with the Football Spectators Act 1989. Hon. Members should remember that the then Government, supported by us when we were in opposition, thought that that legislation was an answer to the problem of football hooliganism then confronting us. Lamentably, that turned out not to be the case. Consequently, the law needs to be changed to respond to changed circumstances.

I hope that this Bill will complete the 1989 legislation. However, the House has to face up to the fact that, after we pass the Bill, eventually, we might discover that its

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provisions are not adequate to deal with the problem. We are not infallible. We must be prepared yet again to return to the issue. If loopholes are revealed in the legislation which we, in all our wisdom, were unable to foresee, we will have to plug them and further tighten the provisions. This type of legislation is essentially responsive. It cannot be regarded as the final position beyond which the House will go no further.

As we know, hooliganism has been an odious feature of English football for more than two decades. It has earned us a reputation around the world as a nation of soccer thugs. Perhaps that is grotesquely unfair, but that is how we are regarded abroad. Around the world, one can detect in the attitude of football tournament organisers the fact that they dread the English turning up. They also seem mightily relieved when we depart with our national team, usually, and depressingly, quite early in the competition. They are happy to see us go.

I was fortunate enough to be present at the Euro 2000 final in Rotterdam, for the France *v.* Italy match, which was incredibly exciting. There was a carnival atmosphere at the match, where the two countries' spectators mixed. It was a great feeling to be there—I felt relaxed. Why did I feel relaxed? Because there were no English supporters there. I suspect that that is why many other people there felt relaxed.

Suppose that England had been in that final—which would have been a wondrous thing in itself—and had been in Italy's position, conceding that goal so late in play, in the 93rd minute, and then losing on the golden goal principle. What would have been the atmosphere in Rotterdam that night? I think we know what it would have been like—it would have been poisonous. That is the type of thing about which this country has to worry.

Mr. Bob Russell (Colchester): Would the hon. Gentleman care to say why that is? Does he agree with me that the football authorities in this country, the football clubs and some of the players have created that very atmosphere which bedevils the English game as opposed to the others?

Mr. Banks: In my short contribution tonight I shall touch briefly on some of the reasons why I think we have a yob culture in this country. It is no good turning around and blaming the Government, the Football Association or the clubs. The people who behaved thuggishly in Charleroi and Brussels are responsible for their own actions. We can pass as many laws as we want, but if people are not prepared to take responsibility for their own actions, what can we do? I am not pointing the finger of blame and saying that the Government or the Football Association should have done something, or that the previous Government should have passed tougher legislation. I blame the criminals for the criminal activity that they undertake when they are supposedly supporting this country abroad.

It is worth pointing out that the events in Brussels and Charleroi during Euro 2000 and the subsequent threat to kick England out of the competition not only damaged our reputation yet again, but badly damaged our bid for the 2006 world cup. Although this is a Second Reading debate, I do not intend to go into great detail tonight about that campaign. The true story will emerge over the next weeks and months. I understand that the Select Committee on Culture, Media and Sport will be having a hearing on the matter of the bid, and that would seem to be the appropriate time to set the record straight. In the meantime, please spare me the gratuitous hindsight about the bid from sections of the press and some hon. Members. If England's bid was doomed from the outset, it would have been more valuable for them to share that nugget of information with the previous Conservative Government, who launched the bid in 1997, and with the Labour party, which subsequently referred to it in its election manifesto.

Those who believe that our failure stemmed from the so-called gentlemen's agreement should read the letter from Sir Bert Millichip, the then chairman of the Football Association, who was supposedly responsible for making the gentlemen's agreement, in which he denies emphatically that there ever was such an agreement. Copies of the letter will be made available to any hon. Member and to any member of the press who is more interested in the facts than in making cheap political points.

Of course we needed more than one European vote to make our bid successful, and we had high hopes of achieving just that until the dismal events of Brussels and Charleroi and the warning from UEFA that England would be kicked out of the competition. Charleroi might not have done us a great deal of damage in the rest of the world, but in Europe it effectively destroyed us and our overall chances of success.

Mr. Christopher Chope (Christchurch): Why did the hon. Gentleman support an early-day motion in 1996 saying that South Africa was the best location for the 2006 World cup? Did he believe that then, and does he still believe it now?

Mr. Banks: That was before England had launched an official bid. When circumstances change, I change my mind. What does the hon. Gentleman do? A different set of circumstances applied then, and I am quite open about that. In the end, if England was not going to succeed, I should have liked South Africa to have hosted the world cup and, but for the actions of Charlie Dempsey, a Scot who emigrated to New Zealand, South Africa would have been the place for the 2006 World cup. But that is now history and we have to revise our views.

Mr. Jim Murphy: Will my hon. Friend give way?

Mr. Banks: I give way to a Scot.

Mr. Murphy: I am grateful to my hon. Friend. I remind him that the Scottish delegate was the only European delegate who supported England's bid.

Mr. Banks: I pay tribute to Mr. David Will, the Scottish delegate from UEFA on FIFA. Of course he then supported the Germans, but that is the way it goes.

Just to drive home my point about hooliganism, let me say that the events at Brussels and Charleroi caused so much damage that we seriously considered withdrawing England's bid. As will emerge in due course, there was a great deal of discussion. We decided to proceed on the basis that our withdrawal would have been interpreted as a victory for hooliganism and we would have been seen to be surrendering to hooliganism, even though when we went for completion at Zurich, we knew what the likely outcome would be. Hooliganism played a crucial part in the failure, and anyone who says differently is being either stupid or malicious or, potentially, both.

Wherever we went in the world during the campaign, at press conferences we continually came up against the question, "What about your football hooligans?" It came up time and time again. We tried telling people that, if they came to our country, they could see that we had secure, modern, all-seater stadiums just like theirs, with closed circuit television, specialised stewarding, and excellent policing. We have largely driven the problem of hooliganism out of our domestic game, but unfortunately we are still exporting it abroad.

Other countries have worse problems with hooliganism, domestically and internationally, than we do. However, once a country gets a bad reputation, it is a devil of a job to shake it off, and we have something that no other country possesses—a media where the negative is king.

Bad news makes good copy. It seems that we are the only country that sends more reporters to cover crowd behaviour than events on the pitch. No other country ensures that, whatever the level of disruption created by English hooligans, the images of our shame are sent in glorious detail around the world.

I realise how sensitive journalists are about that, and I emphasise that I am not blaming them for the violence. Of course, it would appreciated if they, in turn, did not try to blame the Government or the Football Association for the violence.

Mr. Corbyn: Does my hon. Friend think that there is any connection between the ludicrously chauvinistic and nationalistic statements made by the popular press in the lead-up to any England game—which often have racist undertones—and the subsequent behaviour of the crowd?

Mr. Banks: Absolutely. There are many facets to the causes of football hooliganism, but if a newspaper editor such as Piers Morgan at *The Mirror* cannot understand the contribution to the problem that he makes through the use of xenophobic language, he is even more wilfully malignant than I thought.

Legislation can deal with the symptoms of hooliganism, but it cannot address the underlying causes, which I believe are deep seated. We in this country are too insular, and we live too much in the past. We glorify war far too much. We seem still to believe that God is an Englishman and that his only mistake lay in the creation of foreigners.

Decent and sensible people can handle such statements and attitudes, but they encourage the belief among a significant number of young men fuelled up by alcohol that world war two is a continuous process which is now pursued through football. As well as introducing legislation, the Government should conduct more research into the causes of the yob culture in this country. Many such research projects are in hand but, although we must deal with the symptoms, we have to do more. We therefore need to identify causes as well as symptoms, and I hope that the Government will tackle that issue.

Dr. Stephen Ladyman (South Thanet): My hon. Friend said that hooliganism had been driven out of our national game. I agree that we have driven it out of the grounds, but I am less convinced that we have driven it out of the areas around the grounds. Should not the research that my hon. Friend proposes include the incidence of alcohol-related crime around football grounds?

Mr. Banks: My hon. Friend takes me into an area that I especially want to address. I want the Government to co-ordinate research into such matters and pull together the various studies so that we can have a greater understanding of the problem. We would then be able to implement measures to deal with its various facets.

We have largely dealt with the problem of racism in our football grounds, but I cannot pretend that no racists remain. We have created an atmosphere in which peer pressure makes it impossible for people to stand up and shout the sort of abusive things that they used to be able to shout. For years, such behaviour was indulged in, wilfully and with abandon, even at grounds such as Stamford Bridge, the home of the team I support. That cannot be done any more, because of peer pressure. I am not an idiot, believing that we have somehow dealt with racists. We have not.

We need to understand what creates the sort of atmosphere that there is in our town centres on Saturday nights—not football-related, since, as we have heard in earlier debates, some of our town centres are no-go areas on Friday and Saturday nights because of largely young men drinking large amounts of alcohol. That is the sort of thing we need to examine. It is naturally not dealt with in this legislation, because we are dealing with symptoms, but in a Second Reading debate these matters need to be raised.

I was one of the first in the House to call for more intelligence work on organised football violence. I remember telling the Home Secretary of the day, Douglas Hurd, that we must have more police intelligence. The National Criminal Intelligence Service was a development resulting from some interesting debates. At that time no one in the House was taking the matter seriously. Football hooliganism was something that was happening elsewhere; there was no need for national Government to be concerned. I did not share that view. I pay tribute to the work of NCIS, but it needs more resources, and it certainly needs to have more co-ordination with individual clubs to further identify and isolate potential troublemakers.

I do not want my friends in the House to think that I am turning into a Sir Bufton Tufton type of Member of Parliament. I am not about to call for the restoration of national service, although there are times when it has flitted across my mind. But some sort of national social service might bring back the sense of community. I do not know where it went, and when it went, but I know that it is not there at present. These are matters for us to think about if we want to be thoughtful legislators.

I am not turning into Sir Bufton Tufton, but I have first-hand experience of being surrounded by football hooligans. I was surrounded in Bratislava by a bunch of "Chelsea Headhunters", some of the most notorious football hooligans. I hope that I am not stretching the word "debate" if I say that there was a rather vigorous debate. Perhaps I should say that there was a vigorous exchange between us. It lasted a long time, and at the end

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one of them said, "We wanted to burn you, but now we've got to know you you're not such a bad bloke". I replied, "Let me offer you a bit of advice. Before you decide to burn someone in the future, if you had a bit of dialogue with them you might realise that they are not bad either."

I know what some of these guys are like. I have met them and talked to them, and I know what is at the back of their minds; I know what drives them. I feel that I know exactly the sort of people they are. My God! They certainly frighten me.

I have seen the damage that football hooliganism has inflicted on our national game, in this country and around the world. I have to tell my right hon. Friend the Home Secretary that I am an enthusiastic supporter of his proposed legislation. I hope that all my hon. Friends will join me in supporting it in the Lobby tonight.

9.18 pm

Sir Norman Fowler (Sutton Coldfield): It is a great pleasure and privilege for me, as one of the last national service men, to follow the hon. Member for West Ham (Mr. Banks). I shall also follow the hon. Gentleman in this respect: I shall be very brief. The House was grateful to the hon. Gentleman for his brevity.

Clearly, civil liberty issues arise in connection with this legislation. No one but a fool would deny that. I was concerned with those issues in the same way when, in 1998, I moved a new clause to the Crime and Disorder Bill, in many ways a precursor of this legislation. However, there is not only one question of civil liberties. I am also concerned with the civil liberties of the shopkeeper who has his shop smashed up by hooligans, the civil liberties of the innocent bystander who is injured by thugs and the civil liberties of the police and the emergency services who all too often become casualties in the battles between the thugs and the hooligans. To put it at its most modest, there is a balance to be achieved; there are other civil liberties to be taken into account.

One issue is beyond doubt—the present position is not sustainable. Hooligans and thugs are getting abroad and behaving intolerably. The latest example, before the European football championships, again saw violence, with English so-called fans involved and English hooligans exporting their own violence. That violence led not only to injury but, as the hon. Gentleman said, to enormous damage to our national reputation overseas in soccer and many other areas. We must take that into account.

No one can claim that this is the first example. The same thing happened in 1998 in Marseilles, which is why I introduced my new clause, so I am entirely persuaded that new action is not only justified but necessary in relation to football hooliganism.

Let me make it clear to the Home Secretary that I support the Bill in spite of the rather crude and idiotic party politics that came into play at the end of his speech, which contrasted with the tone of what he said before. However, although I support the Bill, I have two serious reservations about what the Government are doing.

First, it is absurd that the Second Reading debate on a Bill of this kind should start at 7 o'clock on a Thursday evening. It is also absurd that Back-Bench speeches should start at 9 o'clock. If the Government wanted to maximise opposition, they could not have done it better. They have given the impression that the measure is being pushed through without thought.

The Bill is also unnecessary—the Government have had two years' notice of this. I introduced my new clause in June 1998; I withdrew it on the advice of the Home Secretary who said that the Government would consider it. My hon. Friend the Member for Gainsborough (Mr. Leigh), who was here a short while ago, said in the debate on that new clause that it would take only a week or two to examine the Bill and put it into order. The Home Secretary said in his winding-up speech that, given the stage that the Government were at in the parliamentary timetable, two weeks' delay would mean that the Bill could not become law until late October of that year. So we have had not only two weeks' delay, but two years' delay.

A year later, in May 1999, the Minister for Sport also gave support to the proposal. She said that the power to make banning orders in respect of people without convictions was necessary and that we needed to find a way of dealing with those people.

It is a bit rich for the Home Secretary to come to the House and say that the Bill is a matter of such urgency that common sense and the normal rules of Parliament should be thrown out of the window in its consideration. My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) was entirely right to make the points that she did. Speaking for myself, I will not abandon the Home Secretary's ship, but it would be more reassuring if there were any sign that someone was actually steering the vessel.

My second reservation, Madam Speaker—I mean Mr. Deputy Speaker—is this.

Ms Ward: The right hon. Gentleman is at it as well.

Sir Norman Fowler: I know; it is catching. I caught it from the Home Secretary, and I do not know who he caught it from.

I agree with the hon. Member for West Ham about violence in town centres. Football hooliganism is not an isolated offence. Many of the people who are hooligans overseas are also hooligans at home. It is unlikely that football matches are the only setting for their violence. Indeed, we know that that is not remotely the case. Some of those who have been arrested at football matches are precisely the sort of people who cause havoc in our town centres on Friday and Saturday nights.

What concerns me about the Government's attitude is that too often they seem to believe that it is necessary only to pass a law and crime will automatically be tackled. However, that law must be enforced, otherwise it is useless. We all know that some laws in this country are not enforced—for example, those relating to crimes such as breaking into vehicles or to traffic offences. We continue to add to our laws with no thought as to how they will be properly enforced.

That is not a new aspect of British criminological history. Before 1829, the powers of the courts to impose the death sentence were constantly increased. More offences in the UK were subject to capital punishment than in any country in the civilised world. It did little good, because so few offenders were detected and brought to trial. Finally, the penny dropped—an organised police force was needed, and so the Metropolitan police service was formed.

The problem of hooliganism gives rise to a more general point: we need stronger police forces and more police officers on the ground. Detection remains the strongest deterrent. If people think that they can get away with it, they will commit crimes. Too many people really do think they can get away with it. That is a lesson that we must learn.

To enforce the law—let alone the zero tolerance regime to which the Home Secretary referred—we need more police. For the avoidance of doubt, I remind the Government of what has been happening during recent years. Under the Labour Government, police numbers have gone down. The Home Secretary refers to the record of the previous Conservative Government, but under that Government, from 1979, there was an increase—15,398 new officers.

Mr. Bob Russell (Colchester): Crime doubled.

Sir Norman Fowler: The hon. Gentleman says that crime doubled, but he does not dispute the police numbers. I thought that it was now Liberal policy to increase police numbers. I noticed that it crept into Prime Minister's questions the other day.

Mr. Russell: Exactly.

Sir Norman Fowler: I thank the hon. Gentleman. That is the point I am making. I am afraid that I do not know the hon. Gentleman—*[Interruption.]* An hon. Member suggests that I am probably not missing much.

Mr. Straw: The hon. Member for Colchester (Mr. Russell) is another Essex boy.

Sir Norman Fowler: I will leave the hon. Member for Colchester (Mr. Russell) sitting on the Liberal Benches for as long as he can retain his seat—I suspect that it will not be long.

Mr. Vernon Coaker (Gedling): There is a correlation between police numbers and the detection of crime. However, there is a more serious point that should generate consensus in the House. Does the right hon. Gentleman agree with my hon. Friend the Member for West Ham (Mr. Banks) that there is a cultural problem in our society, which, in part, drives football hooliganism? We do not really understand that problem. We need to carry out research into what drives our young men to be generally much more violent and anti-social—especially when they drink—than young people in other countries.

Sir Norman Fowler: I do not want to spend too long on this point. There is no doubt that more research would be extremely useful. However, that will take time. One action that we can take now is to improve and increase the strength of our police forces. While we are doing that, other methods can be considered.

The Home Secretary used to talk about zero tolerance. The zero tolerance policies pursued in New York are good and extremely effective. They were introduced over the past six or seven years, but they require more police. Such policies cannot be adopted while police numbers are being reduced, as they have been in this country during the past three years.

I mentioned the increase of more than 15,000 police officers under the Conservative Government because, during our previous debates on this subject, the Government constantly use the period between 1994 and 1997 when talking about police numbers. However, for all other comparisons they refer to the full lifetime of that Government. The police are crucial. If we are to make progress, we will, as the hon. Member for West Ham said, need a multi-faceted approach. The police are certainly a part of that.

For the time being, we shall have to operate with police forces of their current size. We can at least acknowledge that the Association of Chief Police Officers and the Police Superintendents Association of England and Wales welcome the Bill as a sensible way of combating football hooliganism. I agree with them and I agree with the measures in the Bill. I agree about the urgency of the matter because I recognise that the 2 September deadline of the Paris match is important. Frankly, we would look foolish and we would be failing in our duty if we did not act against that background and in time for that event.

I am persuaded by the evidence that many of those who were arrested in Belgium had previous convictions for violence. The same was also true in Marseilles, and we have now had two years to put things right. We are at last taking action.

I support the banning orders in the proposed new sections 14B and 14C, given that the decision rests not with the police but with the courts, which will have obvious discretion. I also support the important safeguards introduced by my noble Friend Lord Alexander for one-year and five-year limits—the so-called sunset clauses. They are extremely important because they will give the House the opportunity to reconsider the issue again and to review progress.

I said that I would be brief, and I have been. I make no secret of the fact that I think that the handling of the Bill has been lamentable. It is a disgrace that an important Bill should be considered at this time of night, and I do not believe that many people with experience of Parliament would say otherwise. I remain concerned that the Government have not put sufficient emphasis on the enforcement of law in this country and have allowed police numbers to fall. However, the case for legislation was made two years ago and the Government have at last accepted it. I support the Bill as it has been presented tonight.

9.32 pm

Mr. Alun Michael (Cardiff, South and Penarth): I agree strongly with my hon. Friend the Member for West Ham (Mr. Banks) that legislation is a part but not the whole of the answer. He was absolutely right to refer to peer pressure. Indeed, we far too often deal with people only as individuals rather than considering the peer group that has influenced their behaviour. He made a good case for the youth service—a case that I strongly support.

I wish to spend a few minutes on the Bill's underlying principles. It is far too easy to characterise a fast response as disproportionate or intemperate. The words "knee-jerk reaction" roll from the tongue without thought or analysis on the part of far too many commentators. That in itself is a form of knee-jerk reaction.

[Mr. Alun Michael]

A fast response may be intemperate. Indeed, we saw that far too often during the term of office of the man described by the shadow Home Secretary as having something of the night about him, or in the Dangerous Dogs Act 1989 which my hon. Friend the Member for West Ham mentioned. However, it is not necessarily disproportionate or intemperate to respond quickly and firmly.

I do not regard it as disproportionate to seize the assets of those who profit from drug dealing, from the evil trade in people or from violence and intimidation. There need to be safeguards and checks in place, but those tests should not be obstacles that are set so high as to protect the evil and the guilty.

Mr. Chope: Does the right hon. Gentleman support the seizure of money from suspected drug dealers who have no convictions?

Mr. Michael: The hon. Gentleman should listen to what I am saying. The evidence needs to be considered and the response needs to be proportionate to the strength of the evidence. I shall come to these issues shortly.

As for the Bill, I do not regard it as disproportionate to have a due process of law, at the end of which people with serious convictions for violence are told to go home and watch a football match on television. One has only to visit a victim of violence in hospital or see the effect on them months—or sometimes even years—later for it to become clear what it really means to have one's civil rights trampled on. In that context, I agree with the remarks of the right hon. Member for Sutton Coldfield (Sir N. Fowler).

When criminals move fast and change the way they attack the safety of the public, it is the duty of the Government to move quickly to protect the public. The Bill is designed to prevent violence; that is what it is about. Of course there is a need for balance to protect against the abuse or misuse of powers on the part of the police, to protect civil liberties and to be firm but temperate in the measures taken. All of us who are serious about these issues would want to see that balance. It is because these proposals are swift, firm, balanced and temperate that I support the Bill today.

The right hon. Member for Maidstone and The Weald (Miss Widdecombe), the shadow Home Secretary, made great play of seeking a definition of "behaviour". However, the problem is that it is often the context and the culture in which particular kinds of behaviour are displayed that may make them provocative or insulting. To that extent, I agree again with my hon. Friend the Member for West Ham. As Gibbon warned us in "The History of the Decline and Fall of the Roman Empire", it is difficult to frame laws that successfully require people to behave in a particular way or to desist from behaviour of a particular sort. That is why it is not only the enforcement that the right hon. Member for Sutton Coldfield referred to that is important, but the culture in which legislation is applied. That is why we need to be inventive in the way we frame our laws.

What has changed? Events in Brussels and Charleroi show that things have changed, and that is why we are here on a Thursday night: to try to prevent things which might otherwise have happened during the period when Parliament is in recess. I am struck by the stark facts of the new profile of violent offenders becoming involved in hooligan activity during Euro 2000—not just those who have been involved in football-related violence in the past, but those whose past violence was not necessarily related to football.

We are talking here about 133 people with convictions for violence, 200 for disorder, 38 for offensive weapons, and 122 for criminal damage. Given the fact of those criminal convictions, the general public—and decent football supporters—have a right to expect clear and clinical action by the police and the Government.

There are problems with the style of police action when faced with difficult and challenging situations. Policing has not always been perfect in this country, nor can we expect it ever to be so. However, I pay tribute to the capacity of our police to learn to find techniques for defusing and reducing trouble and to use intelligence to prevent trouble and to co-operate with other forces here and abroad to combat the thugs.

It is worrying to see the failure to prosecute abroad, but I pay tribute to my right hon. Friend the Home Secretary because, during the British presidency of the European Union, he organised a conference—for some reason, it happened in Blackburn at a football club—to try to get unity across the European Union on tackling precisely these measures.

Certainly, policing in Holland seems to have been intelligent and sensitive, though firm, and that of the Belgian police seems to have been reactive and sometimes provocative. While we can work across Europe to improve the standards of policing and the reduction of violent activity, we cannot take over responsibility for policing in other countries; nor should we allow such mistakes to excuse the activities of thugs and criminals.

It would be quite wrong to characterise the attitude of the Government as punitive; that would be a wicked caricature. I know the Home Secretary likes his tough image of a man of action—it has spread to junior Ministers lately—but we have also seen him tackle major issues of human rights, with the incorporation of the European convention.

We would not have had the Macpherson report, and the much-needed and dramatic change in police attitudes that it has stimulated, without my right hon. Friend at the Home Office. Nipping things in the bud with young offenders is in their interests, as well as those of potential victims and the public at large. "Tough on crime, tough on the causes of crime" is not an empty slogan—it is a recipe for decent communities.

I have no problem with the way in which an organisation like Liberty defends civil rights; that is what it exists to do. However, I regret its use of intemperate language and the inaccuracy of some of its statements. Liberty said that it

> opposes in principle measures such as the imposition of criminal sanctions on those unconvicted of any criminal offence in any country, let alone any football related offence.

Well, first, we are not talking about criminal convictions in those cases, and surely Liberty should agree that prevention is better than waiting until a conviction is secured, and following that with punishment.

Mr. Hogg: Does the right hon. Gentleman not understand that the banning order, which carries many restrictions on liberty, amounts to a criminal penalty?

Mr. Michael: There are restrictions and, of course, a breach of an order carries criminal penalties. Liberty has failed to understand the inherent principle, which exists in anti-social behaviour orders and sex offender orders, which is to identify behaviour that is damaging to other people and should be prevented. A breach of an order, on the basis of the criminal standard of evidence, leads to criminal penalties, and it is right that it should do so.

Mr. Corbyn: Does my right hon. Friend realise that one of Liberty's serious concerns is that, in effect, one can end up with a criminal prosecution based on a civil standard of evidence? I hope that he has understood that point.

Mr. Michael: Yes, I have, but, with the greatest respect, I do not think that my hon. Friend has. As with anti-social behaviour orders, which were the first attempt to establish a principle of evidence for behaviour that has to be stopped, it is the breach of the order that has to be tested against the criminal standard of proof that can lead to a criminal conviction. The order itself is not a criminal conviction. The application of that point in sex offender orders and in this legislation is right, and that is what Liberty has failed to understand. As a member of the Labour party's civil liberties group, I believe strongly that we should argue these points, but Liberty's intemperate condemnation of the Government's legislation goes too far.

Similarly, the Law Society says:

> we are concerned that the standard of proof adopted by the magistrates' courts would be the civil law "balance of probabilities" standard rather than the higher criminal law standard of "beyond all reasonable doubt". This is despite the fact that any breach of a banning order would be a criminal, not a civil, offence.

The Law Society is right in that it is the breach that has to be tested to the criminal standard that leads to the conviction. I agree with my hon. Friend that the principle is important. The line must be drawn in the right place, as I believe it has been. It should be said that the civil law standard of proof is not terribly low.

The problem is that a series of events over time can be immensely damaging to the public, whether because of disturbance to the local community in the case of ASBOs or violence abroad in this case. We should be able to move in, stop those events and say to people, "If you do not take notice of the court order, you will suffer the weight of the law and receive serious penalties." That will stop the activity, and not misuse the power of the law.

We should learn from experience. I hope that the Conservatives will end their opposition to ASBOs. The message should go out loud and clear from all parties in the House that anti-social behaviour will not be tolerated because we want people to be safe and secure in a decent society, and that where there are gaps in the law, we will fill them as we are doing today.

We need straightforward, clear measures to prevent violence; simple checks and balances to keep abuse to a minimum; fast and firm intervention where it is needed, and a light hand when it is not. That is the recipe in the Bill, and the police regime and the use of the measures need to be sensitive and subject to scrutiny. That is why I pay tribute to my right hon. Friend the Home Secretary for being so willing to listen to Members in the past few days and for giving us an opportunity to comment before the Bill came to the House, a point which has been conceded by hon. Members on both sides of the House. It is a sign of strength to listen and to respond to the concerns of others.

I hope that in the speech of the right hon. Member for Maidstone and The Weald we heard the grudging announcement of a U-turn. I am glad to see the Opposition being persuaded, even in that belligerent style. The test will be whether they help the Government to tackle the scourge of violence, which has dragged in the mud the name of England and, sadly, the name of Britain—I see that there were some Welsh hooligans as well, but what they were doing there, I do not know. We should all unite in seeking to avoid such disgrace in the future.

9.45 pm

Mr. Simon Hughes (Southwark, North and Bermondsey): As we discovered in the general debate on the subject on 20 June, there is a large measure of agreement around the House about the fundamental problem. It is not just to do with football matches or away games this year; it is to do with the way in which we as a society deal with violence.

The hon. Member for West Ham (Mr. Banks) and I, and others, took part in that debate. The prevalent view, as we heard from the right hon. Members for Cardiff, South and Penarth (Mr. Michael) and for Sutton Coldfield (Sir N. Fowler), the former Home Secretary, is that we must deal with the fundamental issue. That will be the subject of an ongoing debate.

There is too much violence—too much alcohol-related violence, too much drugs-related violence and too much organised violence. It is not all personal and spontaneous; it is often strongly co-ordinated. Violence is unacceptable, whether at home or abroad. It is bad, wherever it occurs. What is worse, in the context of tonight's debate, is that it has an impact on something that is fundamentally good: sport is good, but all the good that sport can do for the player or the spectator at the match can be undone by violence.

The role models are perceived to be playing in a game that is no longer acceptable. Families do not encourage their kids to go and watch games any more. All the natural enthusiasm of young people for sport can start to be dissipated.

The role models have become much better. The players have become less aggressive. The football regime deals much better on the pitch with bad behaviour. The crowds at matches are much better behaved. The football authorities and clubs are much more effective at dealing with trouble. Behaviour around grounds has improved in many ways.

We are left with the exported problems. As the hon. Member for West Ham and others agree, the problems are exported not only on the occasion of football matches, but when people go away for a stag weekend, even if there is no marriage to celebrate, and every summer around the Mediterranean.

[Mr. Simon Hughes]

Men behaving badly and harming sport also harm our national reputation. I pay tribute to the police who try to tackle the problem, to the National Criminal Intelligence Service, which tries to deal with the matter in a sophisticated way, to the clubs and to the Football Association. My right hon. and hon. Friends, including my party leader and me, met again the FA the other day to discuss how politicians and football authorities can work together to deal with the issue.

We can learn from the experience of others. We have heard comments about the experiences of recent months. We must learn that rounding up people when they misbehave and sending them home, but not prosecuting them, is not helpful. I have lived in Belgium and I am not disrespectful of Belgium, but generalising does not help. If people misbehave, they must be dealt with. Across Europe, we must learn from the best practice.

I gather from the Football Association that the pattern of fans travelling to matches without tickets, in hope rather than with certainty, is much more typical of Britain, and specifically England, than of any other country in Europe.

Although only a certain number of match tickets are allocated to this country, a greater number of our supporters get into the grounds because the network for getting hold of extra tickets is sophisticated and works well, although prices are often high. That happens more often with supporters from this country than with those from any other. This issue cannot be managed merely by allocating a certain number of tickets because people have shown that they can still get into grounds.

Dr. Ladyman *rose—*

Mr. Hughes: I do not want to take many interventions, but I give way to the hon. Gentleman.

Dr. Ladyman: I am delighted that the hon. Gentleman has made that point. Does he agree that there was less trouble at Euro 96 in this country because tickets were distributed and sold rigorously at grounds? Touting and free availability were major factors in Belgium.

Mr. Hughes: That point is directly relevant to my remarks, and I agree completely. The sooner we begin to manage the prior allocation and proper sale of tickets—not at ridiculously high prices, but at prices that the ordinary person can afford—the better. That must be part of the solution.

We can legislate—late at night, in haste or just before the summer holiday—but we cannot prevent people from deciding to behave criminally and violently. They must make that decision. All we can do is provide a context within which we can limit, restrain or restrict. People must take responsibility for their actions and face the consequences, but they should know what is coming to them.

Tonight, we are moving from the general to the particular. We entirely understand the Home Secretary's position and I thank him publicly for the courteous way in which we—and, I believe, the Conservatives—have been able to debate what should be in the Bill. We have not reached identical conclusions, but the Bill has benefited from our dialogue. I hope that the House and the country will benefit, too.

It is absolutely proper to introduce a Bill to tighten up the law as necessary to prevent people with a criminal past from travelling to behave criminally abroad. Clearly, we are not doing that well enough and we need to do better. In our view, however, it is not appropriate to propose a Bill that will reintroduce detention as a summary power and take us back to the sus law, which so many of us campaigned to get rid of.

My colleagues and I have engaged in considerable debate in both Houses and with people outside. Our view is that, although certain of its provisions are appropriate, the Bill goes too far and is not justified in certain respects. An invasion of another country by football hooligans is unacceptable, but a raid on and capture of the civil liberties of people who may have done nothing wrong is also unacceptable. To use a phrase that did not originate from these Benches, we must not take away the rights of the many to deal with the offences of the few. We must look after the rights of the majority, even if we do not catch everyone who has ever done something wrong.

I understand the need to act now, because matches will take place this summer before Parliament resumes. I might add that we have always known that, because there are matches every summer, at home and abroad, and one football season starts no sooner than the previous one ends. The football authorities might do well to discourage teams from playing extra friendlies if they think that such matches will lead to trouble. Sometimes, the football authorities have to make the decision and perhaps English teams should not play some of this summer's matches if trouble is expected. The football authorities should not have to make such a decision, but, if they detect a risk, they may have to act.

Should we rush the Bill through Parliament in two weeks? In general terms, I take the view expressed also from the Conserva[illegible] Benches: we could have legislated previously. Nothing that happened in Euro 2000 was all that surprising; it could have been predicted. The hon. Member for West Chelmsford (Mr. Burns) made his attempt to deal with the issue, and our view is that the Home Office cannot say that it did not have lots of slots in the legislative programme to bid for. Those of us who deal with Home Office matters have hardly spent a day out of the Chamber since last November. Some of us believe that it would be far better not to introduce a Bill to restrict rights to jury trial—which certainly was not in the Labour manifesto—if the Government insist on introducing a Bill like this.

As for the timetable, as the Home Secretary knows—and as was made clear in business questions—we think that the rest of the Bill should not all be dealt with on Monday. The Committee stage could reasonably be dealt with then, but we think that Report and Third Reading should be dealt with on Wednesday. People outside have an interest, and want to make their views known. We cannot do our job properly—and we need not do it in one day—if we do not give those outside a chance to talk to us about views that have been expressed and amendments that have been tabled.

I consider a Thursday-Monday-Wednesday timetable for the Commons—less than a week—and a similar timetable for the Lords to be entirely reasonable.

That would give the Government a Bill by the summer holiday, and would give all Members the chance to contribute, with time to consider what they were doing. As has been said by Members on both sides, we have already made enough mistakes in regard to legislation on terrorism, civil liberties and dogs. We must try to secure as much agreement as possible, and get the Bill as right as possible.

Mr. David Davis (Haltemprice and Howden): When I intervened in the Home Secretary's statement last week, I understood him to say that he would organise the timing so that outside interests would have a chance to intervene between stages of the Bill. He may correct me later if I am wrong.

Mr. Hughes: My hon. Friend the Member for North Cornwall (Mr. Tyler) has spoken to his opposite number. I understand that no final decision has been made about what will happen next week. We will continue to make strenuous representations for the Committee stage to take place on Monday, without a guillotine—we want to try to agree a timetable—and for the business allowing us to complete the Bill to take place on Wednesday. Those in the other place—not just members of my party—do not accept that there should be a timetable that does not allow for an appropriate hiatus between the various stages.

Mr. Hogg: The hon. Gentleman should bear it in mind that, if no amendments are tabled in Committee, there will be no Report stage.

Mr. Hughes: I realise that.

It is bizarre that we should be presented with a Bill that deals with disorder only in the context of football. On occasion, the police may suspect that people with previous convictions are going abroad to take part in a political rally, for example, and may feel that that would be undesirable because they might cause trouble. We cannot legislate for football one year, for ice hockey the next, for cricket the next, and for rugby league the next. Surely it would be far better to produce overarching legislation providing that disorder abroad of a certain type is unacceptable. I hope that, when the end of the life of this Bill comes—if it becomes law—we shall consider a Bill that is more widely drafted and does not refer just to football.

The Liberal Democrats have four proposals. As the Home Secretary knows, we fully support the joint domestic/international ban, and the consequential surrender of passports. I asked for a provision allowing people to apply to get their passports back if they needed them during the period concerned—for instance, in order to attend funerals or keep business engagements. I understand that that will be allowed.

We also argued for an order to renew parts of the legislation, with which I shall deal shortly. The Home Secretary has accommodated that, promising an annual renewal order. We also argued—as, I gather, did Conservative Front Benchers—for a limitation on the life of a Bill passed in haste. Although we may differ on the length of life, the proposition that the Bill should have a limited lifetime has been accepted, and we are grateful for that.

One general measure appears everywhere. I think that draftspeople have it on their word processors. I refer to the so-called Henry VIII clause, clause 3, which states:

> The Secretary of State may by order make . . . any supplementary, incidental or consequential provision . . . any transitory, transitional or saving provision,
>
> which he considers necessary or expedient for the purposes of, in consequence of or for giving full effect to any provision of this Act.

I understand why those provisions have been included, but the clause gives Home Secretaries and other Ministers unfettered power, which we believe should be limited.

Mr. Straw: This is more an Edward II power than a Henry VIII power. It is pretty puny in historical terms. It has supplementary purposes, one of which—I did not refer to it in my speech, but it will be of help to the House—is to provide by order that legal aid should be available even for the civil process.

Mr. Hughes: I understand why Ministers want to reserve the power to add provisions as they think of them.

Mr. Straw: No, that is not the point.

Mr. Hughes: I understand where these clauses come from. We must be careful lest we fail to notice a provision that allows the Secretary of State to do anything in relation to the Bill, even if it was not directly mentioned in the debate.

Another defect in the Bill that has been alluded to is the Scottish and Northern Irish dimension. I have talked to my hon. and learned Friend, the acting First Minister in Scotland, about this matter. The truth is that the Bill is intended to deal with an English mischief, but it produces a bizarre outcome. In time, when we have more considered legislation, it would be sensible for it to cover the whole of the United Kingdom, because the problem is to do with people going out of the United Kingdom. Whatever some hon. Members may think, we do not yet have separate passports for England, Wales, Northern Ireland and Scotland: we have one passport and one common national boundary.

Mr. Simon Burns (West Chelmsford): It would be infinitely preferable if we could legally block up the loopholes concerning the rest of the United Kingdom, but how would the hon. Gentleman tackle the other loophole, which is that one can travel to Dublin without a passport?

Mr. Hughes: The hon. Gentleman is right that there is a common travel area between us and Ireland. That is not addressed in the Bill. Ireland is the only country with which we have a common travel area. The Bill applies only to England and Wales, not to the whole of the United Kingdom and Ireland.

I want to deal with the two substantive matters. I repeat my plea that we should take them first when we debate the Bill next week. The first is the proposal to extend the current law to allow a banning order to be made on the basis not just of a conviction, but of a complaint. We think that that goes too far. It is entirely understandable to make banning orders warranted by sufficient past behaviour. That is a warning that, as a result of something a person has done, he will have some restriction of his liberty—signing on at a police station and not going to a match, and in some cases having to surrender a passport.

[Mr. Hughes]

Our view is that it would be sufficient for that provision to be available if a person has a previous conviction or has had a caution for any offence of violence, any offence that is football-related, or a relevant alcohol or drugs-related offence. We do not think that it is sufficient protection for the citizen to allow the civil burden of proof—the balance of probabilities test—to be enough to get a ban when someone has never had a conviction for anything.

That is illogical for the great British public because if there is evidence that someone has a past history of disorder, why has action not been taken and a prosecution brought? There are strong views on that on both sides of the House and in the other place. My colleagues and I do not accept that we should allow a sudden shift in English criminal law from the presumption that a case has to be proved beyond reasonable doubt to a presumption that a person can be convicted and his liberties taken away on a degree of proof that we have never agreed as a general proposition.

Mr. Desmond Browne (Kilmarnock and Loudoun): Will the hon. Gentleman give way?

Mr. Hughes: I shall not give way for the moment, because I am trying to make progress.

There is one exception to that that we would accept—it was mentioned earlier. If behaviour abroad clearly constitutes something that would be an offence here, because we have no jurisdiction to prosecute abroad, that would be sufficient.

Mr. Eric Forth (Bromley and Chislehurst) *indicated dissent.*

Mr. Hughes: We are nevertheless willing to consider the idea that behaviour abroad could trigger a ban, even though it raises other important issues.

Mr. David Davis: I apologise for intervening again. I do not dissent from what the hon. Gentleman says about behaviour abroad, but does he accept that there should still be a criminal standard of proof?

Mr. Hughes: Yes.

Mr. Richard Shepherd (Aldridge-Brownhills): I am puzzled by one of the contentions, and I have wondered about the Liberal Democrat position on it. New section 14C states that the magistrates

> may take into account . . . any decision of a court or tribunal outside the United Kingdom . . . any decision of a public authority, whether in the United Kingdom or elsewhere—

that is, in other jurisdictions. Is the hon. Gentleman happy with the idea that legal systems with standards of proof or ability to convict that are outside our comprehension or understanding—we do not know whether they meet our standards of justice—may be taken into account? Is that a satisfactory basis for effecting this measure?

Mr. Hughes: I am not happy with that. I share the view that one cannot transport a conclusion of guilt from somewhere else where there may be a totally different process.

I have allowed interventions—I hope, helpfully—because we have an unlimited Second Reading. For the reason that the hon. Gentleman mentioned, this is exactly the sort of Bill that cannot be rushed through—he argues often and well for a non-guillotined, adequate timetable for debating legislation—and it is precisely why we should have a Special, or proper, Standing Committee. We need the time. We need to consider the issue that the hon. Gentleman raised. His is the argument against that part of the Bill being included when it leaves this House, if it does so before the recess. I encourage him to support us in that view.

Two questions have not been asked. First, what about the option of prosecuting here for offences abroad? No one has talked about it, but we do it for other things. Why are we not debating that and why has it not been considered? Secondly, what of the issue of spent convictions and their relevance? That has not been dealt with, but we certainly ought to include it.

The real mischief—I end with this because it is the most important matter—has been highlighted by other hon. Members. It is new section 21A in schedule 1, which is to be inserted in the Football Spectators Act 1989. Our fundamental objection is that the Bill does not say that police constables can arrest and detain someone for 24 hours only when they have reasonable suspicion, knowledge or a belief that they have committed an offence or been guilty of violent behaviour. It states that police constables, acting on their own authority, can arrest and detain someone for up to 24 hours—after which another decision has to be taken, with the approval of someone with higher authority—simply on the basis that the behaviour of the person is such that immediate inquiries should be made. The police constable has only to say that something in the behaviour of the person made him want to make inquiries about their past. That is an unsustainable proposition. What behaviour? Could it be any behaviour? Could it be noise, rowdiness, or even silence? Would not wanting to talk be regarded as self-incriminating?

Mr. Banks: They would not catch the hon. Gentleman then.

Mr. Hughes: That was a good intervention. I might be caught under the first category, but not that one.

Could it be bad language, or a T-shirt with something provocative printed on it—perhaps wearing the T-shirt of a particular club, or bearing a particular slogan? Could it be a combination of behaviour and appearance? Someone in a suit, for example, might seem less threatening when they say or do something than someone in a T-shirt and jeans who has a skinhead haircut. It is just not acceptable. I understand that it is not appearance that counts—I am grateful for that—but behaviour is not the way.

If, as the right hon. Member for Maidstone and The Weald (Miss Widdecombe) said, behaviour is such that it constitutes an offence, we are home under the offence. If a person is using racist language or threatening behaviour, or being aggressive or being violent, we are home; but the provision suggests that there is another category of action, another category of demeanour, that takes us beyond that. It raises the European convention point. It gives the police officer the widest possible discretion. I cannot see how a police officer could have a qualification put on that discretion.

Mr. Browne: Will the hon. Gentleman give way?

Mr. Hughes: I will in two seconds, because the hon. Gentleman has certainly been persistent.

There is a direction not just to ask a question, but to stop, to arrest and to keep the person there, so that the purpose of that person going out of that port—to go to Bruges to watch a match—is gone; 24 hours later, the match might well have happened and the ticket and travel money and everything else would have been wasted.

What can the person arrested do about it? What could he have done about it? How could he have avoided being in that position? He does not have a previous conviction; he has not done anything wrong. He is not doing anything that he thinks is wrong, yet he finds himself with his civil liberty summarily—to be fair to the Bill, it states "Summary measures: detention"—denied.

Mr. Browne: I have listened carefully to the hon. Gentleman. I agree with his criticism of new section 21A and of subsection (2) in particular. Although I support the Bill in principle, it can be improved. It might assist the debate if he indicated what his party would support as a test for detention. Would he, for example, support the test that has been in the Scottish criminal procedure legislation since 1980 and repeatedly legislated fcr—that a constable should have reasonable grounds for suspecting that a certain state of affairs exists before he can detain?

It is confusing and unhelpful to confuse arrest with detention. The hon. Gentleman used those terms interchangeably; they are not interchangeable. This is about detention, not arrest.

Mr. Hughes: Again, the hon. Gentleman makes a perfectly proper intervention and makes the argument for having a proper, careful, considered, timely, cautious debate. Detention cannot happen without arrest. They are separate in law, but one will follow the other. It does not mean arrest for an offence, because there is not an offence so far, but it is arrest and then detention.

I understand the provision that the hon. Gentleman suggests as an alternative. Personally, I think that that is too similar to the old sus provision and I do not think that it would be appropriate, but, if he will bear with me, I have indicated on the Floor of the House, to the Home Secretary, and outside what we wished to see in the Bill and what the Bill that we would support through both the House and the other place would contain. I will come to that—I want to finish what I am saying.

We do not find new section 21A acceptable, on principle. We do not think it practical. We do not think that the police will like it because it will often give rise to actions for wrongful arrest and wrongful detention. We think that it is disproportionate to what the Government are seeking to deal with. We think that it is a general and very wide power to deal with a limited number of circumstances which no one has proved to me cannot be dealt with by other pieces of law.

What worries us is that it is another incursion into principles that, until the current Parliament, were taken for granted. No one argued that the burden of proof should not be on the prosecution, yet that has been questioned in the current Parliament in other legislation, although we have now had that clarified. No one argued that people should not have a right to choose jury trial for a whole set of offences, yet that is no longer the Government's position. No one had argued before the current Parliament that criminal consequences should flow without a "beyond reasonable doubt" prosecution, yet that is now being regularly argued. Before this Parliament, no one argued that there should be a presumption of guilt rather than a presumption of innocence.

I find it surprising as well as offensive that a Labour Government are increasingly taking those views on board. I tell my Back-Bench Labour colleagues and friends that they should not go along with that simply to appear united, tough and strong. As the hon. Member for West Ham said—he supports the Bill; I am not seeking to misrepresent him—we have to concentrate on dealing effectively with the causes of crime, not on short-term solutions that turn out not to be solutions at all.

My colleagues and I will support a Bill containing the first two propositions. We have already tabled amendments to make the granting of a banning order dependent on a previous conviction. We would support such an amended provision in the Bill.

We will not support the Bill if it includes a summary detention provision. Nor will my colleagues in the other place support the Bill if it contains such a provision. On Third Reading, if the Bill still contains such a provision—and if the banning provision has not been amended—we will vote against the Bill.

I have had a constructive dialogue with the Home Secretary, and I recognise that the Bill has been improved. It would be unfair not to give it a Second Reading, because some of its provisions should be enacted. However, Liberal Democrat Members will not sign up to a Bill that is passed in haste with one extremely undesirable component and one very undesirable component. We have been consistent on that, and we shall be consistent on it in the next two weeks.

Mr. Browne: Will the hon. Gentleman give way?

Mr. Hughes: No, I shall not give way again. However, I am very happy to pursue the conversation with the hon. Gentleman. We have next Monday, and we may have next Wednesday to do so.

There is an entirely justified case for further anti-hooligan legislation. However, a rushed and badly drafted Bill containing many unanswered questions is not the way to proceed. We cannot allow mere suspicion, based on no evidence, to be enough to stop someone leaving the country. There are rights—European Union rights, international rights and passport rights—to leave the country, just as there are rights to enter the country. The proposed new power is not only open to very grave misuse, but would be very difficult to implement in practice.

We should use banning orders more often, but only in appropriate circumstances, when evidence justifies their use. We also need to deal with the thugs who undermine our decent reputation. However, the Bill goes one significant, dangerous step too far. Some of us have to stand up against a Government who, although well intentioned, take those dangerous steps.

Dr. Lynne Jones: Will the hon. Gentleman give way?

Mr. Hughes: No.

[Mr. Hughes]

We expect that the House of Lords will not pass the Bill in its current form. If the Government want a Bill on the statute book by August, they will have to listen to our concerns and amend the Bill accordingly. If they do, the legislation can be on the statute book by the end of the month.

10.18 pm

Ms Claire Ward (Watford): In the short time in which the Bill has been available for discussion, it has certainly ensured that Members of this place and of another place have raised various important civil liberties issues, such as how to balance civil liberties with the need to prevent disorder at football matches. I am grateful for the opportunity that the Home Secretary has allowed Members of this place and of another place to consider and to discuss those issues. As we have heard, the Home Secretary has dealt with some of the concerns about the Bill. As we further consider the Bill, there will be more discussion of those concerns.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) suggested that the Bill should have addressed more issues and was perhaps too specific in dealing only with football disorder offences. However, we have to take into account the fact that football-related offences are a very special case.

The legislation that has been introduced by successive Governments, notably since the tragedy at the Heysel stadium in 1985, and the attempts that have been made to deal with hooliganism and other problems at football matches, notably involving drinking and fans going onto the pitch during the match, show that football is a special case.

There have been attempts to deal with the outrageous yobbishness of some young men. The Home Secretary's statistics show that 30 per cent. of men have convictions by the age of 30. As a woman in that age bracket, I find it difficult to come to terms with the fact that so many men of my age have convictions. The problems in town centres—even in my constituency of Watford—at night and during the weekends—result from the same thuggish behaviour.

Some of the legislation that has been introduced over the years has helped to address those problems, but it has not dealt with them all. To some extent, that is why we are here today.

For the Government and for the public, football is a special case, not just in respect of legislation, but as a national cultural and sporting activity, so it is treated differently from other sports. For example, alcohol is not permitted at football matches, yet it is allowed at rugby matches. Fans are segregated at football matches, but not at rugby matches. Magistrates have rights to impose restrictions on licensed premises around football grounds. There is a criminal offence of ticket touting at football matches and other restrictions and exclusion orders apply. All that shows that football is treated differently from other sports. So I disagree with the hon. Member for Southwark, North and Bermondsey who said that in future we may be discussing legislation that deals with ice hockey, rugby or any other sport. It is not the same.

Despite all those measures, we have had problems. We are all aware of recent events in Charleroi, Brussels and in Copenhagen and those of previous years. In addition, 42 per cent. of the men who were arrested, even under the administrative arrest system operated by the Belgians, already had previous convictions. The difficulty is that the existing legislation in respect of domestic and international banning orders would not have prevented people who were likely to commit offences from travelling abroad.

Mr. Roger Gale (North Thanet): If I catch your eye, Mr. Deputy Speaker, I shall elaborate on that point later. Given that thousands of people go through the port of Dover every day, every year, and that any one of them could be detained under the proposed legislation, how does the hon. Lady think that a constable on duty will differentiate between a person who may be going to a football match and a person who is not?

Ms Ward: The legislation has started to deal with that. My right hon. Friend the Home Secretary also said something about judging people on their behaviour not their appearance. However, I shall return to that later in my speech.

We need action that will prevent thugs from travelling abroad to commit violence. However, we must be absolutely clear that no legislation that goes through this House or another place could prevent it from happening.

It is a fact of life that determined thugs who want to travel outside the country before five days are up, wearing a suit and carrying a briefcase and with a ticket in hand, are unlikely to be stopped at ports and airports if they behave themselves. The Bill will not prevent all instances of hooliganism, but it is important to introduce legislation as quickly as possible, to stop as many as possible of those thugs from travelling and causing problems.

Precedent exists for many of the measures in the Bill.

Mr. John Burnett (Torridge and West Devon): The problem is not one of preventing thugs from travelling abroad, but entirely innocent people. What does the hon. Lady think about that?

Ms Ward: I am a lawyer, and it is important to me that innocent people are not prevented from travelling, but that will sometimes happen. However, police officers will have to give written reasons for issuing summary notices, and a court will consider those reasons within 24 hours. That is an important safeguard.

We should get the matter into perspective. People stopped at ports or airports will be issued with a notice that prevents them from travelling. They will be told to report to a local magistrates court within 24 hours, and at a set time. They will not necessarily be imprisoned or detained; they will merely be prevented from travelling abroad to watch a football match. That is not comparable with suggestions that I have heard in other discussions about restriction of liberty.

Mr. Burnett: What will happen to entirely innocent people who decide to proceed on their journey, even though they have been arrested?

Ms Ward: I am sure that my hon. Friend the Minister of State will correct me if I am wrong, but I understand that the Bill provides that people who breach the notice will be committing a criminal offence. If people want to clear their names, they should put their case in the magistrates court. If they are innocent, they will have nothing to hide and they will not attempt to abscond.

Mr. Simon Hughes: I am not sure that the hon. Lady realises that the Bill would allow a constable to detain a person for 24 hours before the notice is issued. Does she support that provision?

Ms Ward: I realise that. I hope that my hon. Friend the Minister will make the relevant conditions and guidelines clear, and that he will set out the conduct that police should consider to be appropriate for the issuance of summary notices.

Precedents also exist for the removal of passports, which is sometimes set as a bail condition when there are concerns about child abduction, for instance. That is absolutely clear, too.

In such cases, there is no charge or conviction either. A person is still regarded as innocent when on bail, yet a condition of bail may be removal of his passport and a restriction on his liberty, to the extent that he cannot travel abroad. I have never heard of anybody in the legal system or in the House complain about that legislation. It is reasonable, and I ask hon. Members to put all these matters in context.

I am very pleased that we have heard tonight from the Conservative Opposition and from the Liberal Democrats that they support in principle the first two main parts of the Bill—the combining of the domestic football banning order and the international football banning order and the withdrawal of the passport related to those banning orders. They are very sensible measures. Perhaps they should have been introduced some time ago, but we are in our present situation because of the progress of legislation. I am glad that we shall now see some movement.

With regard to the third main measure in the Bill—the football banning order—it is important for hon. Members to take into account the facts and figures from Euro 2000. It is relevant that 42 per cent. of those sent back to this country had convictions for other offences. Without this legislation, we would not be able to prevent that happening in the future.

The provision that a person given a summary notice is to appear before a magistrates court is also very important protection for the individual. However, I stress that as many of those orders as possible should be dealt with within 24 hours. I would not wish the Bill to be seen as simply an attempt to stop as many people as possible leaving the country to watch football matches, purely by their detention for a longer period and delay for as long as possible through the magistrates court process. I hope that my right hon. Friend will work closely with the Lord Chancellor's Department to provide as many opportunities as possible for magistrates courts to sit extended and unusual hours, and possibly even to sit in unusual places, to allow individuals to be dealt with by the courts and have their cases heard.

It is also very important that the legislation spells out in detail the convictions, the offences and the description of disorder. I am a football fan, a season ticket holder, at Watford and a regular attender there. We do not have these problems; we are a very friendly club, and do not have the level of violence that has led to the need for the Bill.

But when attending away games and watching international matches on television, including Euro 2000 matches, in local pubs or in London pubs, I have frequently been disappointed and disturbed by the chanting and the racist, xenophobic language used by those who purport to be fans. It is completely unnecessary. I hope that the legislation and the words of my right hon. Friend the Secretary of State and my hon. Friend the Minister to the Football Association and football clubs—[HON. MEMBERS: "The hon. Lady is receiving a note from the Whips."]—will also ensure that as many as possible of those conducting themselves in that unacceptable way are also brought before the courts.

I am slightly concerned about the clause that deals with the court taking into account any decision of a public authority whether in the United Kingdom or elsewhere. What decisions of other public authorities would normally be considered in a magistrates court, other than previous convictions?

The guidelines on the new police powers must be clear. It should be about behaviour, not appearance. I do not wish to cast aspersions on anyone in the House, but I am certain that some Members of Parliament would, in the right football strip, look very menacing, and could fall foul of a keen constable. I hope that the Secretary of State will consider that point carefully.

I welcome the Bill, which is an important piece of legislation. *[Interruption.]* The restrictions need to be put into context. It is important to get the Bill through as quickly as possible, given that England will be playing France in a friendly game in September.

Mr. Russell Brown (Dumfries) *rose—*

Ms Ward: I am sorry, but I am not prepared to give way.

As it is so easy to get to Paris these days, I hope that more families will participate and get tickets for the game. It is important that we create the right environment for them to do so.

Mr. Forth: On a point of order, Mr. Deputy Speaker. Is there anything that you can do to protect Labour Members from threatening behaviour by their Whips? It is perfectly obvious to those of us here that something of the kind is going on. I hope, Mr. Deputy Speaker, that you can guarantee to the hon. Lady that she will be allowed to complete her speech in her own time and without harassment.

Mr. Deputy Speaker (Mr. Michael Lord): Order. There is no restriction on the length of speeches in this debate. I am sure that the hon. Lady is quite capable of taking care of herself.

Ms Ward: Thank you, Mr. Deputy Speaker. I am more than capable of looking after myself and dealing with any form of harassment, from whichever side of the Chamber it may come.

Finally—in my own time, but finally—I welcome the Bill and urge all right hon. and hon. Members to support it. I thank the Home Secretary for taking on board many of the concerns that have been expressed so far. I hope that when the legislation is in place—before the end of

[Ms Ward]

the summer. I hope—it will put an end to the thuggishness and violence that have shamed not only our football but our nation.

10.38 pm

Mr. Peter Lilley (Hitchin and Harpenden): Thank you, Mr. Deputy Speaker, for giving me the chance to contribute to the debate.

These debates are normally dominated by lawyers and football fans. Indeed, the hon. Member for Watford (Ms Ward) pleaded guilty to both offences. I, however, speak simply as a humble parliamentarian and libertarian who believes that it is our duty to oppose bad law and to defend our liberties.

I have noticed over the years that when five factors combine, the invariable result is bad law. The first factor is a demand that something must be done, usually by those who have no specific idea in mind of what can be done to solve the problem. The second is undue, and usually unnecessary, haste about the legislation. The third is Front-Bench collusion, particularly if it is designed to suppress activity on the Back Benches. The fourth is an orgy of sanctimonious vilification of an unpopular minority group, and the fifth is a Government with no firm commitment to the principles that have upheld our liberties in the past. All those factors apply to the Bill; they account for its being so bad.

First, there was the demand that something be done. In the past, that demand tended to be limited to matters that fell under the jurisdiction of the Government who were being urged to deal with them. With the advent of television, however, Governments are required to do something about events that people observe on their screens—even though they occur abroad. Recently, we fought a war largely because the Government were urged to do something about matters in Kosovo that people saw on television.

The Home Secretary proposes that, to prevent unruly behaviour abroad, we should introduce measures that are more severe than those deemed necessary to constrain similar behaviour in our own country. The maintenance of law and order in Belgium, France or Germany is primarily a matter for the Belgian, French or German Governments. They should arrest, charge and—through their courts—convict anybody who breaches their laws and disrupts the peace of their country. If need be, they should take preventive action to avoid the offences occurring in the first place. If it is in their legal tradition, they should exclude from their country people whom they fear may disrupt the peace.

The British Government should co-operate with foreign Governments—in so far as that is compatible with the liberties of our citizens—to enable those Governments to uphold their laws. If we have evidence, such as television footage, that the law has been broken in Belgium and if the Belgian authorities do not have that particular film, we should make it available to them so that they can take due action against the lawbreakers. If it is proper and in accord with the liberties of our subjects, we should inform the Belgian or other Governments about the previous convictions of those who might want to enter their countries, so that those Governments can prevent the entry of those people if they want to do so.

The second factor that contributes to bad law is unnecessary haste—usually through the imposition of an artificial deadline. In this case, we have been told that there is to be a friendly match against France in the autumn before which it is essential that the legislation be passed into statute. However, during the past football season, there were matches abroad every few months—as there will be in the next.

We all know that the real reason for the Bill has nothing to do with that match in the autumn. It is because the Home Secretary had to introduce a measure—he had to appear to be doing something—before a decision was taken on the location of the 2006 world cup. He did not want to be blamed for inaction.

Mr. Russell Brown: I believe that my right hon. Friend the Home Secretary introduced the measure because of the forthcoming international. Does the right hon. Member for Hitchin and Harpenden (Mr. Lilley) think that we should have asked the Football Association to postpone or abandon the match in order to give the House more time to debate the issue?

Mr. Lilley: That would certainly have been a better option than bringing in a bad Bill that undermines the liberties of the British subject. Better that one match be temporarily postponed than that our liberties be permanently undermined. I give way to the Minister who wants to bring that about.

The Minister of State, Home Office (Mr. Charles Clarke): The right hon. Gentleman has made his points clearly. Is he saying that there should be no legislation on this matter because he believes that it is for the French, German or Belgian authorities to deal with it? Is that his view?

Mr. Lilley: I am perfectly happy to accept the first two measures on the amalgamation of international and domestic banning orders if the House wants that and if their acceptance is reconcilable with our beliefs in the principles that I shall shortly describe. Unlike many hon. Members, however, I do not recognise the compelling need for the measures. If hon. Members see such a compelling need for them, they should first make sure that the Bill has proper and due consideration.

If the artificial time constraint of a friendly match against France in September is so important that we have to remove the liberty of British citizens to travel abroad, we should perhaps delay our own freedom to go abroad in August and instead devote sufficient time in the early weeks of the month to consider the Bill. However, Labour Members seem so anxious to go abroad that they are prepared to sign away in about a day and half the liberty of football fans to do so. That is a recipe for bad law.

The third factor, which, from time to time in the past, has given rise to bad law, is collusion between those on both Front Benches. I am glad to see that that collusion is beginning to loosen a bit and that my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) is wisely considering the Bill and saying that it must be a good Bill if it is to receive our support. That requires significant changes to the measure that has been presented to us today.

I speak from experience. I had to introduce emergency legislation with the co-operation of the then Opposition. That was after Saddam Hussein had invaded Kuwait and it was necessary to amend the legislation on the control of imports and exports, because we were taking sanctions against Iraq and treating the crisis as a wartime situation.

We sought the collusion of those on the then Opposition Front Bench and they said that it would be much simpler to reduce our relatively simple two-clause Bill to one clause so that the rebels on their Back Benches would have even less chance of creating an embarrassing scene by appearing to support Saddam Hussein. We removed one minor clause that said that, in future, orders would receive proper consideration by the House and I was subsequently criticised by the Scott report for so doing. The report was probably right. I should have not given in to those on the Opposition Front Bench to reduce the Bill and to limit debate so that we could get the Bill through quickly and without embarrassment. I warn those on both Front Benches that collusion can lead to bad legislation.

The fourth factor that gives rise to bad law is Governments who lack any firm principles or any commitment to firm principles. I am afraid that this Government have made it a principle not to have any principles and that approach has infected their legislation.

However, there are certain clear principles to which we should adhere. The first principle is that the restrictions on the freedoms of the subject are a severe punishment, and the restriction on freedom to travel is a particularly onerous punishment.

The second principle is that there should be no punishment unless a crime has been committed. This Bill specifically states that the offence of disorder need not constitute a crime not only in this country, but in any other country in the world. Yet people will, de facto, be punished for doing something that is not a crime.

The third principle is that conviction for criminal offences should be based on criminal and not on civil standards of proof. People should not be detained and arrested because, as it says in the Bill, it appears to an officer that certain conditions have been met. There should be a substantial criminal standard of proof that should not be waived as it has been in the Bill.

Finally, and above all, a person should be considered innocent unless and until he is proven guilty. However, this Bill is so framed that someone can be detained—the detention effectively constitutes punishment—and a banning order introduced because of a decision by public authorities in another country or because he has been removed from a foreign country. The Home Secretary said that the courts would never act simply on the basis that a chap was a hooligan because he had been arrested or expelled by a foreign Government. Yet it was the Home Secretary himself who justified the introduction of the Bill solely on the grounds that 900 people had been arrested by the Belgian Government. The Home Secretary used an analysis of those 900 people to tell us the sort of person who, on a normal probability, could be assumed to be a football hooligan. He then said that the courts should not, on a normal standard of probability, use that sort of evidence to impose a banning order on someone.

If the Home Secretary can justify his own Bill with that sort of evidence, we can be sure that, once the courts are given this power and duty to impose banning orders on someone who, on the balance of probability, will cause trouble abroad—taking into account the fact that the person has been arrested or expelled, if not charged or convicted—the courts will feel obliged to do just that.

These features of the Bill are wrong and damaging in themselves, but, worst of all, they constitute a dangerous precedent to enshrine in our law. We are told not to worry; it is just a narrow group of people being affected. We are told that it is foolish to talk about the measure being extended as a precedent elsewhere. We are told that it is we logically minded people who always worry about such things. Yet the very people who say that justify the Bill in terms of often rather tenuous precedents that they are drawing with other legislation.

The best and most substantive precedent drawn on is the anti-social behaviour orders. That made me realise how worrying a feature of our law they are, because they are now being used to justify similar legislation to extend the arbitrary power of the forces of law and order. Those concerned use more spurious examples, but they use precedent to justify this Bill and they will use this Bill as a precedent to justify other law.

These proposals could be used as a precedent to justify restriction on travelling abroad to potentially rowdy demonstrations. We could be pressured by a foreign Government who do not like Greenpeace activists. The French Government are rather proud of blowing up Greenpeace activists, and they may not like them coming from this country to France to pursue their environmental objectives. We might be urged to take measures against them. The precedent will be there on the statue book, and it will be hard to deny in that case.

The underlying feature of the Bill is that it takes away people's British passports. We used to have decent passports. I have here the rather mangy burgundy-coloured variety that we now have, which at least still has in its front pages the words

> Her Britannic Majesty's Secretary of State Requests and requires in the Name of Her Majesty all those whom it may concern to allow the bearer to pass freely without let or hindrance and to afford the bearer such assistance and protection as maybe necessary.

It is a bit rich for us to ask foreign Governments to treat all our citizens, without exception, on that basis when we are to deprive them of their passports when they have not been convicted of offences. How can we expect our passport to be respected abroad when we treat it with so little respect when people get to the ports?

Mr. Browne: The right hon. Gentleman must recognise that there is a problem with people who manifestly behave in a manner that would be a criminal offence in this country, but whom other countries export back here without prosecuting them. Is the right hon. Gentleman saying that we should do as the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) seemed to be suggesting and extend this country's criminal jurisdiction to other countries so that we can prosecute those people according to the standard of proof that the right hon. Gentleman wants and secure criminal convictions?

Mr. Lilley: The Bill suggests that if people are expelled from a foreign country, which does not see fit to charge or convict them, they are none the less to be treated by our courts as if they had committed an offence. I say to the hon. Gentleman that I do not think that that is right, and I do not want it enshrined in law. If foreign countries do not see fit to charge and convict people, we do not need to do that job for them. Hon. Members say that there is a problem of thuggish behaviour; they are right, but that does not justify thuggish law.

10.55 pm

Mr. Jim Murphy (Eastwood): I am pleased to be able to participate in the debate, although I am sure that we all wish that there was no need for the debate and the legislation. Unfortunately, events in the past few months and years have proved that it is an absolute necessity. In the spirit of some contributions to the debate, I will avoid the inter-party dispute because, hopefully, we will try to achieve consensus at some point.

I was in Charleroi with my family during Euro 2000 and I witnessed some of the scenes there. That is why I am keen on much of the Bill.

Mr. Lilley: Will the hon. Gentleman give way?

Mr. Murphy: No, not at the moment. The right hon. Gentleman will perhaps have an opportunity to intervene later in my speech.

After the 1998 world cup in France, I contacted English and Scottish premiership clubs to ask them what they thought the Government should do and what legislation they should enact. I also asked them what they had done to tackle hooliganism. Many have taken firm action, but they acknowledge that they could do more. Prophetically for the Government, the club spokesmen, the senior ground safety officers and the chairmen of Aston Villa and Southampton said clearly that hooligans should have their passports taken away. That is the opinion of those in the industry who want respect for the good name of their club and their country, and it directly contradicts what the right hon. Member for Hitchin and Harpenden (Mr. Lilley) has just said.

Two of our esteemed clubs, Middlesbrough and Newcastle, said that they had problems with data protection legislation, which prevents them from taking effective action. Perhaps the Minister could clarify that point in summing up, or later in Committee. Another club said that there is no proper communication between the courts and the clubs, and clubs are not informed when convictions are secured. Perhaps the Home Secretary could identify whether the Bill, or any likely amendments to it, will meet concerns about data protection and co-operation between the courts and the clubs. Hooligans who are convicted could then be reported to the club that they supposedly follow, and which they have shamed, which might be at the other end of the country from where the crime took place.

I have also carried out research into the huge number of parliamentary questions on hooliganism. To echo the point made by my hon. Friend the Member for West Ham (Mr. Banks), I should like some of that information to be used in future research. It is an unfortunate fact that English second division clubs have more football restriction and banning orders than do first division clubs. Why is that, when they have smaller stadiums, fewer supporters and a smaller fan base? What is it about those clubs, those towns or the mentality of those supporters that means that they have more orders against them than supporters of much bigger clubs in the first division?

We also hear that the hooligans are all young men. Of course, according to all the recent parliamentary questions, the average age of men who rightly have banning and restriction orders against them is 31. The youngest has just passed his 16th birthday and, believe it or not, the oldest British citizen currently under a banning or restriction order is 61 years of age. That is a huge age range. The average may be 31, and there are a good number of teenagers, but that gentleman, whom I will not name, although his name appears in a parliamentary answer, is shortly to celebrate his 62nd birthday under a domestic football banning order.

I support the Bill. I have followed football throughout Europe, and I follow my own football team. The lesson of Charleroi is clear. I understand that 42 per cent. of those who were there already had criminal convictions, although not specifically for football hooliganism. Some of those who were there may have been banned by their clubs from attending their games, not through a domestic football banning order, but simply through club policy.

We must protect the innocent, but we must also take action against people who are banned by their clubs from attending their own matches but who can travel abroad because they do not have a criminal conviction. The Bill introduces an important clamp-down. It gets rid of the daft distinction between football-related criminal activity and violence, and other violent activity. It brings them under the same legislation, so that police officers at the ports can track those who are banned by the clubs and those who have a criminal record but not an international banning order.

Those are the people who should have been stopped if there had been a foolproof way of dealing with the problem before Charleroi. We could have prevented some of the 42 per cent. who fall into those categories from wreaking havoc in mainland Europe, where their behaviour was all too public and shamed our nation.

According to schedule 2, the Bill will apply only to British citizens. I checked in the House of Commons Library this evening and found that there are officially 2,242,000 non-British nationals living in the United Kingdom. As I understand it from my reading of the Bill, they would not be covered by its provisions. There may be some logic to that, and I would welcome an explanation from my right hon. Friend the Home Secretary.

Many of those people care passionately about football and the vast majority are law-abiding citizens, but the tiny minority who are not would not be covered by the legislation. Some may choose to follow England, despite not being British nationals, but they may follow the clubs and, of course, their own country's team. Arsenal has a French manager and many French players, and there are 46,000 French nationals living in London. Chelsea has an Italian manager and the culture of the club is increasingly Italian, and there are 42,000 Italians living in London. The vast majority are law abiding, but why would they not be covered by the Bill if they travelled to a football game in another country?

There are particular problems associated with Scotland, and I accept that there is no easy solution. It is in the nature of devolution. This House no longer has the power to legislate for Scotland; nor should it. A possible longer-term solution is for the Scottish Parliament to consider how it should act and react to the loophole that would allow English nationals to travel to Scotland as a way of getting out of the United Kingdom. Football hooligans from the north of England may even find it easier to travel out of Scotland.

I do not mean that as a criticism of my right hon. Friend the Home Secretary. It is not his responsibility or within his legislative competence. It is a matter for the Scottish Parliament, which I hope will listen and act.

The only other Scottish issue is that many Scottish supporters, including me, often travel abroad via London. I have the advantage of being the only teetotal, non-smoking vegetarian Member of Parliament from Scotland—I lead a very exciting life—but I do not represent the archetypal perception, or misconception, of Scots. Many Scots with whom I have travelled internationally enjoy leisure and alcohol before leaving the country: they are quite boisterous. Nevertheless, Scottish fans have had a fantastic reputation for many years—although I am not complacent about that—and have won awards in many international competitions. Although Scotland perhaps has one of the poorest teams, it has some of the best supporters.

What consideration might the Home Secretary give those matters? Many Scots have no record of violence or disorder when following their national team. They simply enjoy themselves while nevertheless displaying the characteristics of boisterousness and of perhaps having had a drink. If my right hon. Friend cannot reply this evening, perhaps he will address those points in Committee. I hope that we get beyond the inter-party dispute and pass proper legislation. We must not blame each other; and, come the summer games—not just those involving England, but the champions league matches next month—we must not export violence and mayhem to our European partners.

11.6 pm

Sir Nicholas Lyell (North-East Bedfordshire): Conservative Members are co-operating with the Government to bring this matter forward, but I deplore the rush; and to use the France match of 2 September to justify pushing through a Bill that involves so many civil liberties aspects is entirely unreal and almost disingenuous. I have a nasty feeling that we had not dropped out of the world cup bidding when these issues were first mentioned and that this hurried legislation may have a good deal to do with that.

Any football hooligan who goes to France on 2 September thinking that he might get away with it as some hooligans got away with it in Belgium has another think coming. The French police are extremely tough on these matters, which is why the Bill involves civil liberties aspects. One of my constituents—a young man—was in France for the 1984 match, which was celebrated at the time because so many Brits were picked up. He was of sufficiently high calibre to have been allowed by his firm, which was a household name, to use a spare room in the George V hotel. He was picked up after the match and accused of violence and causing damage, which he absolutely denied. The British embassy found him only after he had spent two days in a suburban police station in which, he alleged, he had been beaten around the head having been made to wear a motor cycle helmet, and then forced to plead guilty to a minor offence, which he had not committed. We must not let any football hooligans think that they can go to France with impunity.

There is no reason to rush the Bill. We will co-operate, but serious human rights issues are involved, the first of which concerns the power to detain simply because an officer, on viewing the behaviour of a young man leaving the country, believes it necessary to investigate whether that young man may have committed an offence. I refer to proposed new section 21A(2):

> If it appears to a constable in uniform that the behaviour of a person present before him is such that immediate enquiries should be made to determine whether or not the condition in section 14B(2) above is met, the constable may exercise the power in subsection (3),

which is

> to detain the person in his custody

for up to 24 hours.

Will the Home Secretary, if he would be kind enough, or the Minister of State explain why that provision is not illegal in terms of being contrary to the European convention on human rights? Why will it not be illegal come October, when the convention is passed into our law? Article 5.1 of the convention states:

> Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save in the following cases and in accordance with a procedure prescribed by law.

Article 5.1(c) refers to

> the lawful arrest or detention of a person effected for the purpose of bringing him before the competent legal authority on reasonable suspicion of having committed an offence or when it is reasonably considered necessary to prevent his committing an offence.

Those conditions are not satisfied in the Bill. The proposed new section 21A(2) merely says that if it appears to a police constable

> that the behaviour of a person present before him is such that immediate enquiries should be made

he may exercise that power. That is entirely different from bringing the person before a court to determine whether he has committed an offence, or is likely to do so. I believe that the provision is unacceptable, and should be removed.

Mr. Hogg: It is also unlawful.

Sir Nicholas Lyell: Well, it is not unlawful yet, but it will be in October, and it is contrary to our obligations under the convention.

I heard the Home Secretary say that he had received advice from a senior QC who is much respected. I know that such advice is not normally published, but if the right hon. Gentleman felt that that was appropriate—*[Interruption.]* I thought I had heard the Home Secretary say that he had received advice from David Pannick QC, but perhaps I am mistaken. Perhaps the right hon. Gentleman should get that advice!

Mr. Straw: With respect, I have said no such thing, here or anywhere else. In any event, the right hon. and learned Gentleman of all people will know that it is never the practice of Governments to publish the legal advice that Ministers receive.

Sir Nicholas Lyell: The Home Secretary is absolutely right—and it is not usually the practice of Ministers to say that they have received advice from a particular source. I apologise to the Home Secretary if he did not say that; if he did not, I shall find out from *Hansard* which of his colleagues did.

[Sir Nicholas Lyell]

My second point relates to the proposed new section 14C(3), which states that

> "violence" and "disorder" are not limited to . . . conduct which constitutes a crime under the law of any part of the United Kingdom or any country outside the United Kingdom.

I ask the Home Secretary to look at that again, very carefully.

I am content for a banning order to be imposed if there are proper grounds for the magistrates to consider that necessary under the Act, provided that it is proved—according to the criminal standard of proof—that the person concerned has committed a crime in the past, or has behaved in a way that constitutes a crime under the law of this country. I would be content to change the law—although the Bill does not do this—allowing us to take into account conduct that took place in, say, Belgium, where people threw chairs at the police, and to prosecute those people here. Such behaviour would obviously be a crime here; indeed, I am sure it is a crime in Belgium. That would be satisfactory. What I find wholly unsatisfactory is that people can be banned for something so vague that it does not constitute a criminal offence.

There is another serious human rights point. In relation to criminality, the convention rightly requires certainty.

Mr. Tony McWalter (Hemel Hempstead): Using abusive language to a steward at a football match might well not constitute a crime, but if the person concerned was removed, everyone else's freedom to enjoy the match in relative peace would be secured. The provision may be designed to deal with such cases.

Sir Nicholas Lyell: The hon. Gentleman raises a serious point, but he is on shaky ground. If a person used insulting language to a steward at a football match entirely in private and he was an exceptionally calm steward, it might not be conduct likely to cause a breach of the peace, or insulting behaviour. However, the overwhelming probability is that such a circumstance and the circumstance in which it would be necessary and desirable to have a ban would constitute a crime. Almost every example we have been given would constitute a crime.

Mr. Jim Murphy: I accept that that would not normally be a criminal offence, but many clubs are plcs and such behaviour would result in the person losing membership of the club. Despite being blacklisted or losing their membership, under current legislation such people could still travel abroad or to domestic matches to support the club.

Sir Nicholas Lyell: This is where civil liberties come in, and it is one of the reasons why the Bill should not be rushed. I hope that we will have time to deal with these issues, and that the Home Secretary will be a little flexible in the next few days. I shall certainly do my best to focus on the right points, and not to speak overlong on any occasion. If we move away from what constitutes criminality, we will be in dangerous country.

I shall make one other point about the civil liberties and human rights aspects. The Home Secretary has rightly pointed out that about 30 per cent. of all people under the age of 30 have committed a criminal offence that would make them liable to a banning order. That is one of the reasons I am worried about the police being able to hold people for 24 hours to see whether they can bring them before the magistrates. It is rather like fishing for ducks at a fair—the game one played as a child. One pays one's money, pulls out a duck and has a one in three chance of getting a prize. For whatever reason, a police officer plucks a young man out of the crowd and, because 30 per cent. have committed a criminal offence, he has a one in three chance of being able to get a banning order.

That is why I am glad that the Home Secretary has accepted a sunset clause. I think that Labour Members would agree with us that although we should have a firm law and order policy, it is essential in this and in any country that it is a fair policy. It would be draconian to enable people who may have committed an offence many years ago in different circumstances to be plucked out of a crowd, brought before the courts and made subject to a ban that prevents them from travelling abroad for the next three or five years. There may be a great many of these football matches. I should like to table a parliamentary question asking how many periods in a year would be covered by these football matches, because civil liberties could be heavily eroded.

Mr. Hogg: The point that my right hon. and learned Friend emphasises sits ill with the Rehabilitation of Offenders Act 1974, under which offences are spent. The situation that he describes involves old offences which in ordinary circumstances would be spent, but not for the purposes of the Bill.

Sir Nicholas Lyell: My right hon. and learned Friend has posited a question to which I do not know the answer. Perhaps the Minister of State will clarify the position on the Rehabilitation of Offenders Act. I hope that it applies. If it does not, that would be wrong and it ought to be made clear that it should apply.

The Home Secretary has given weight to the fact that magistrates will be careful whom they ban. I hope that they will be robust and not ban too freely. A person may be brought before them who was convicted of a minor public order offence many years ago but has otherwise been a respectable citizen and has spent a lot of money on his holiday. I hope that such people will not be too lightly stopped and banned, but they will probably miss their holiday anyway, whatever happens.

The Home Secretary should think what pressure we will be putting on the justices if someone has to appear before a court within 24 hours. It will be someone who has been plucked out by the police, who has some previous offence, or who has been sent back from Belgium by a public authority. The magistrates will have to take the risk that, if they let him go, he might offend. They are not likely to take that risk; they are likely to ban him.

The legislation is difficult. I go along with it, provided that there is a clearly established criminal offence and that the section that states that one can be stopped for 24 hours with no comeback while the police make inquiries is reconsidered. If we go through the Bill carefully and remove those unacceptable factors, I think that we can go along with it. However, this legislation is being rushed, it has big human and civil rights implications, and we should proceed with caution.

11.21 pm

Dr. Stephen Ladyman (South Thanet): This has been something of a strange day. Earlier, we heard the right hon. Member for Hitchin and Harpenden (Mr. Lilley) talking forthrightly about collusion between those on the Front Benches and the dangers of co-operation. If there are such dangers in that co-operation, why did those on the Opposition Front Bench offer it in the first place? That is the difficulty that I am experiencing.

Also, on a day when those on the Opposition Front Bench have made such great claims about the need for the scrutiny of legislation and the ancient procedures of the House, it appears from what they have said tonight that they have not even grasped the way in which legislation is scrutinised. The Second Reading of a Bill is when its general principles, aims and objectives are discussed. If one agrees with those and, broadly, with the means of achieving them, the Bill passes to a stage at which it can be amended. If I understand it correctly, those on the Opposition Front Bench are recommending that Conservative Members should abstain should there be a Division.

The right hon. Member for Maidstone and The Weald (Miss Widdecombe) perfectly describes someone who firmly agrees with the principles, aims and objectives of the Bill, but has great concerns about its detail. In such a case, surely qualified support should be given on Second Reading, on the basis that, if the required amendments are not made, Third Reading would be opposed. I find it difficult to understand the tactics of those on the Opposition Front Bench.

I do not want to detain the House for too long, so I shall come to the meat of the Bill. First, I must stake my claim. I have supported a football club since I was a very small boy. I am proud of boasting that I am one of the few Liverpool supporters who most people will ever meet who first went to see them when they were in the second division.

In the years during which I have followed my club, I have seen acts of violence, but for every such act that I have observed, I have seen hundreds of acts of kindness. I have heard insults, but for every insult, I have heard hundreds of examples of wit and camaraderie. We are dealing with a small minority of people who commit offences that we all find heinous; that we all repudiate; and that we all want to be stopped. I think that there is common ground among us there: we all want to stop actions that bring incredible shame to our country and to a game that I love.

Furthermore, in the past few years, I have been the joint coach of one of the Ramsgate youth football teams. I took a group of youngsters from the ages of nine to 15. I retired as their manager at the end of the close season. I can honestly say that, because of that involvement with sport and football, every one of those boys, some of whom come from among the poorest council estates in the entire country, has turned into a decent young man. To have that sport, which can achieve so much for people, sullied by hooligans gives me intense pain. That is why I am prepared to support a Bill that can go some way to clamping down on that pain and to excise the sickness from the game.

I cannot tell hon. Members what causes football hooliganism. What I can tell them is that, if explosive chemicals are mixed and a match is thrown into the pot, we often get a bang. Two of the most explosive ingredients that I can think of are testosterone and alcohol. When those two ingredients are exposed to what is effectively a tribal atmosphere, we sometimes get results that are undesirable. If we are going to control that, there is a lot more to it than just what is in the Bill. We need to think beyond the Bill in considering how we will do that.

All tickets for international matches should be sold in advance; I alluded to that in an intervention on the Liberal Democrat spokesman, the hon. Member for Southwark, North and Bermondsey (Mr. Hughes). They should be sold to identified individuals. We should clamp down throughout Europe on ticket touting—the disposal of tickets to people who have not bought the tickets through ordinary channels. We need to look carefully at alcohol controls. It was obvious during the recent European championships that there was far less trouble where alcohol controls were in place and where low-alcohol beer was available than in places where those alcohol controls were not in place.

I understand the libertarian view that some people are taking. They are right to want an appropriate burden of proof when the Bill is enforced, but some people have missed the fact that the punishment within the Bill is not prison. It is not a fine. It is not to be birched or sent to the gallows. It is to not watch a football match—to be made to stay at home and watch it on television. Let us get that into perspective.

Nevertheless, we need to look at the Bill's limitations and at the things in it that we should try to improve at later stages in its passage. Let me go through some of those, as I see them. The Bill only deals with England and Wales; that issue has been touched on. My right hon. Friend the Home Secretary might be aware that the Scots have even more difficulty getting a decent football team together at the moment than the English. These days, people can probably play for Scotland if they have a second cousin who was born in Scotland.

Mr. Efford: The second cousin may only have drunk some Scotch.

Dr. Ladyman: Exactly. The question I have to ask myself is: if someone claims to have Scottish relatives, does he get away with it? Can he be a Scottish football hooligan and therefore not be covered by the English and Welsh legislation? We need to clarify that.

Types of behaviour are covered by the Bill. New section 14C(2)(b) in schedule 1 refers to "insulting words." I remember as a kid singing a song to the tune of "Bread of Heaven" at football grounds. It went:

> Man United, Man United, Man United are no good.

It is pretty innocuous by modern day standards. I regard it as being factually entirely accurate, but there may be some Manchester United supporters who would find it insulting. However, how will those "insulting" words be differentiated from other insulting words?

Additionally, although singing that song at the Liverpool end of a football ground might be regarded as unsporting, it would not be regarded as insulting. However, if one sang it in a public house full of Manchester United supporters, one probably would be inciting a breach of the peace. I ask my right hon. Friend the Home Secretary to consider whether the legislation should be amended to require magistrates to consider the

[Dr. Ladyman]

context of the act. It would be legitimate to remove a passport if a person had intended to incite a breach of the peace.

I ask my right hon. Friend to take into account one other matter in our later consideration of the Bill. The European club championship campaigns starts in September and continues until May. Of course I hope that many of our clubs will get into the finals. However, will those who are subject to banning orders have to hand in their passports in September and not regain them until May, when the competition has finished, or will they have to hand in their passport each time their club plays in a match? Does the legislation clearly state how the provision will operate?

Mr. Efford: One of the possible ways round that problem—and the problem of people travelling from Scotland or from another embarkation point not covered by the legislation—is to require people subject to orders to attend a police station when the game is being held. That, rather than concentrating on passports, might solve some of those problems.

Dr. Ladyman: My hon. Friend is absolutely right. That is one of the remedies that we might consider.

Having expressed those practical concerns about the legislation's operation and asked my right hon. Friend the Home Secretary to ensure that those issues are addressed later in the Bill's passage, I have to say that I fully support the Bill's principle and what we are trying to achieve. I hope that all hon. Members, even at this late hour, will support the Bill on Second Reading.

11.32 pm

Mr. Simon Burns (West Chelmsford): This is the eighth piece of legislation on this subject that the House has considered in the past 15 years. I share the view of my right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) that it would be utterly wrong for such controversial legislation to be rushed through Parliament in one day. I therefore welcome the fact that we shall have two days in which to discuss the Bill. If we can also have next Wednesday to consider it, so much the better.

Since the Bill was published, the Home Secretary and the Minister of State have been more than prepared to meet hon. Members and Members of another place. They have also been prepared to listen and to change the draft Bill—for the better, I think.

The Home Secretary was absolutely right to say that the issues that this legislation has to address are different from the issues addressed by relevant previous legislation. Although the common thread in all the legislation is to deal with football hooliganism—which, sadly, has for too long been a problem for our country and our national sport—as the right hon. Gentleman said, that problem has effectively shifted from domestic matches primarily to overseas international matches.

The figures show how the problem has shifted. Up to a point, that shift is a measure of the cumulative effect and success of previous legislation. As hon. Members will know, between 1992–93 and 1998–99 attendance at football matches has increased from 20.6 million to 25.25 million. At the same time, arrests in this country have declined from 4,588 to 3,341—a reduction of about 28 per cent. in seven years. That is significant, but, as I said earlier, the problem has shifted overseas and it has shifted with a vengeance.

I would have preferred legislation to be introduced at the beginning of the Session so that it could be taken through both Houses in a more conventional way, but, as that did not happen, there is no point in my wasting the time of the House reliving that battle. It is now important that we have legislation that is relevant to the problems facing the game of football and law and order in this country. We must make sure not only that it is relevant, but that it is workable, and properly, decently and correctly drafted.

I fully accept and support the measures proposed by the Home Secretary to merge international and domestic banning orders. I also strongly support the provisions that if someone is convicted of a football-related offence, the courts will be expected to impose a banning order on that individual in addition to the punishment for the offence that they have committed unless there are exceptional circumstances.

Since the Football (Offences and Disorder) Act 1999, the courts have not carried through the wishes of Parliament. Although we do not have the figures for the number of convictions under the 1999 Act since 26 September last year, since that period there have been 36 international banning orders and 255 domestic banning orders. The obscene variation between the two figures shows that the anecdotal evidence that has been bandied about during the past two weeks is fully justified. When we have the figure showing the number of convictions since September, it will more than bear out the anecdotal evidence. The Home Secretary certainly needed to take action to deal with the reluctance of the courts and I warmly welcome his initiative in the Bill.

I also welcome the fact that banning orders will be extended to people who have been convicted of crimes that are not football related. That is an important measure. The fact that an individual has a conviction for an act of violence or disorder shows that they have a propensity for such acts and that there is a likelihood that they could reoffend in future, particularly in a football environment where there is a propensity for hooliganism and violence among a small minority of people who follow the game. They are not necessarily supporters, but follow the game as leeches in order to carry on their own agendas, which may involve drug dealing, counterfeit tickets and other offences.

I also welcome the Home Secretary's proposals to allow the courts to impose the withdrawal of passports for a control period of five days for a designated match for unconvicted individuals if the courts are satisfied that if those people travel abroad, they will commit acts of violence or hooliganism. The Home Secretary knows that I dearly wanted to include such a provision in my Bill last year. For a variety of reasons, I concluded that it was not something that a private Member could get through Parliament, and that the Government should use their majority to that end.

I share one concern that various hon. Members have expressed already, and it centres on proposed new section 21(A). I do not disagree with the principle of what the Home Secretary wants to do, but I am worried about the practicalities of making the Bill's provisions work. I am also uneasy that someone could be detained for up to 24 hours. If magistrates are made available at ports and airports, people will be able to have access to a court very quickly. That may not amount to what one hon. Member called a "port in a court", but it would aid better natural justice.

The Home Secretary has already built safeguards into the Bill, such as the sunset clause and an annual review along the lines of the similar provision in the prevention of terrorism provisions. I hope that he will think again over the weekend and see whether, without compromising the basic principle behind what he seeks to do, he can improve the delivery of the measures in the Bill.

Finally, I turn to the question of civil liberties, which Parliament has a duty to defend and protect. I would be less than candid if I did not admit that I am beginning to tire of hearing constantly about the civil liberties of the minority and of never hearing about the civil liberties of the vast majority of law-abiding football fans. Such people only want to go to football matches with their families and children for entertainment in the afternoon or evening, free of threatening behaviour or actual violence.

We cannot disregard or disdain the civil liberties of the minority, but, just for once, I hope that we can pay attention to the civil liberties of the majority. For too long, they have been forgotten and placed second to the interests of the minority.

Another complaint in society is that the state too often bends over backwards to justify the perpetrators of crime, or to reduce the blame attached to them at the expense of victims. I think that the House agrees that more attention should be given to helping victims of crime. The same principle should be applied to the civil liberties of the majority of law-abiding and decent citizens.

11.44 pm

Mr. Vernon Coaker (Gedling): I rise to support the Bill. As my hon. Friend the Member for South Thanet (Dr. Ladyman) said earlier, it is clear that some of the detail will have to be fleshed out during its Committee and other stages, but, in general, the Bill is well thought-out and necessary.

Indeed, the majority of our constituents, having seen the events in Charleroi and Holland, would find it surprising if we were not seen to be taking the quick and decisive action that the Government are taking now. In the real world, they would find it bewildering that their own Parliament did not regard the problem with the same urgency as they did.

I want to make three general statements about the Bill. I very much agree with the point that the hon. Member for West Chelmsford (Mr. Burns) made. The arguments about the Bill concentrate on the clash between the rights of individuals and on infringements of human rights. It is incumbent upon us as a Parliament to recognise that society restricts the rights of the individual. In a democracy, there is always a clash between individual rights and the public interest. The rights of the individual must not be protected at the expense of creating contempt for the law and allowing major public disturbances. In curtailing the civil liberties of some, we are protecting the common good.

What is the common good? Here, the hon. Gentleman made a valid point. The common good is the right of the vast majority of individuals to carry on their lawful business. It is the right of individuals to drink and enjoy themselves without fear of attack and without fear of violence around them. It is the right of the vast majority of individuals to be protected from xenophobic and racist abuse. It is the common good for the vast majority of individuals to be able to go to football matches without fearing for their personal safety.

Our constituents, the people of this country, demand that we respect the rights of the majority and do not respect the right of the individual to the extent that the rights of the majority are curtailed. Very often, we reverse the law so that the law-abiding majority feel that they are being persecuted in order to protect the rights of the individual. If we do not get this right, as we have seen in debates over the past few weeks, the whole law is brought into disrepute, and we, too, are brought into disrepute, because ordinary people ask, "How can you do these things, which do not relate to our experience in our everyday lives?"

Mr. Lilley: Is the hon. Gentleman aware that critics of the Bill want to protect innocent people from being wrongly punished? Is he saying that it is all right to have a few innocent people wrongly punished so that the majority do not have to see offensive pictures on their television screens?

Mr. Coaker: What I am saying is that, sometimes, the law protects a few individuals at the expense of the vast majority of law-abiding citizens. That is what we want to get right.

Secondly, I ask my right hon. Friend to discuss with governments in the rest of Europe ensuring that when people commit wrongs in other countries they feel the force of the law in those countries. Failure in this respect undermines the situation. I cannot remember the statistics, but I know that large numbers of people were arrested in Belgium and deported having been guilty of the most serious offences—everything that we saw on television, with chairs being thrown across squares, bars being wrecked, people being attacked. Yet how many of those involved have been prosecuted for any crime? Hardly any.

Unless we can ensure that people's actions have a consequence, they will hold the law in contempt. We must make sure that wherever the law is broken, whether here or abroad, those concerned are brought to book. I urge my right hon. Friend to do all he can to continue to speak to other European Governments, so that many of the hooligans guilty of the actions we saw on our television screens can no longer be at home boasting of their achievements abroad and gaining ridiculous kudos for them, suffering no consequences for their actions. Being able to continue to do that would encourage them to carry on and act with impunity.

My third and final point is a general one. We can take immediate measures about this problem, as the Bill does. We can talk about crime, say that we need more police on the street and do some of the things that I have mentioned on previous occasions. However, we must also recognise the peculiar English problem that some of our young people have. Why do we generate this xenophobic, racist culture in so many of our communities? Why do some of our young men respond to a patriotism and pride in our country that we all feel—none more so than everyone here—and the desire to support their national

[Mr. Coaker]

team when they go abroad by getting drunk, fighting and hurling xenophobic abuse? That is a fundamental question for Parliament and the country. The behaviour at football matches abroad is often the same as that in our cities, streets and towns. We must understand why that happens and do something about it.

I hope that we can build a consensus to do something about the problem. We must tackle the problem of why such a xenophobic, racist attitude is prevalent among a significant number of our young men. Otherwise, while all the measures that we take will have some impact and make a difference to some problems, and a few more football matches may take place without that sort of behaviour, we will not get to the crux of the problem because we will simply be treating the symptoms.

I say this with a great deal of passion. As right hon. and hon. Members know from the debates that I generate in the House, we have a very real problem with anti-social behaviour, racism and xenophobia. My right hon. Friend talks about the need to conduct research into the problem. I hope that the Home Office can carry out that very urgent task and do something as quickly as possible. The results could contribute to the debate about the problem in addition to all the other steps that we are taking, in the Bill and elsewhere.

11.52 pm

Mr. Roger Gale (North Thanet): When he was playing to the gallery at the end of his speech, the Home Secretary waved around a press release from my right hon. Friend the Member for Richmond, Yorks (Mr. Hague), claiming that we would pledge support for controlling football hooliganism. The right hon. Gentleman then sought to pray in aid that, as if he had a right to support for a bad Bill.

Marseille was two years ago. My right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler) introduced his amendment to the Crime and Disorder Bill nearly two years ago. Some of us came to the House and debated this subject on the morning of Friday 16 April 1999. It ill behoves the Home Secretary to come to the House and, because a football match is being played in the autumn, expect and demand support for bad legislation that he is trying to force through on the hoof. He does not deserve support.

I have very little time and I wish to make some serious points. However, the Home Secretary needs to take it on board that if he wants any support for the Bill, he will have to do a lot more homework to get it into a fit shape to go through either House of Parliament. If he does not, he does not deserve, and will not receive, support from many on the Conservative and Liberal Democrat Benches and, I suspect—if they are honest—from many on his own Benches as well.

The Bill, as is blindingly obvious, has no writ in Scotland and Northern Ireland. Any of the people who wish to travel abroad and who live in the north of England can easily go to Glasgow, Edinburgh or Belfast and travel with impunity from there to any place on the continent. That is a flaw in the Bill. It is no good the Home Secretary saying that his writ does not run there. If this legislation is to have any meaning at all, he must get to grips with the real problem, instead of paying lip service in the hope that, somewhere out there, people will think that he is talking a good war so he must be acting a good war against what we all recognise is a real problem.

Most people who go abroad leave through the gateway county of Kent—one of whose constituencies I have the privilege to represent. I am concerned about the measure's potential effects on the passenger service from the port of Ramsgate and its current effect on Dover. As the Home Secretary signally failed to get to grips with the problems posed by asylum seekers and economic migrants, the county constabulary of Kent has its work cut out trying to control illegal contraband and illegal immigration with insufficient resources.

Above and beyond all the points raised by my right hon. and hon. Friends and by some Labour Members, I have a serious question for the Home Secretary, who is leaving the Chamber. Before he does so, will he pay attention to this point? He is the Home Secretary; he has responsibility for the constabulary. When will he provide the resources for the constabulary of Kent to police the port of Dover—not for only one day of the year, not for five days, but for 365 days?

My hon. Friend the Member for West Chelmsford (Mr. Burns) said that we should not be too concerned with the civil liberties of a minority. Some of us realise that, as the overwhelming majority of people in this country go through Dover on their way to the continent, we need to be concerned with the civil liberties of the majority—all those innocent people who could be caught by this measure. That includes every Member of the House and every member of their family who goes abroad wholly innocently. Under the measure, any of those people could be picked up by the constabulary of Kent and held overnight. The Home Secretary and the Minister of State may think that is satisfactory, but I do not. The Bill does not deserve our support.

11.57 pm

Mr. Jeremy Corbyn (Islington, North): I shall be brief, because other hon. Members have said most of what could be said on the subject. I am sorry that my hon. Friend the Member for West Ham (Mr. Banks) has left the Chamber. He gave a good analysis of the problems of football violence. I disagreed only with his solution—this Bill.

I have concerns when we rush legislation through the House, as we have often done in the past. An early-day motion tabled by my hon. Friend the Member for Newport, West (Mr. Flynn) drew attention to the fact that vast amounts of that legislation is never used. The measures lie in the statute book while the House basks in the warm glow of having done something useful. In reality, we have enacted measures that are not well thought out and that, in this case, have serious implications for the civil liberties of other people, organisations and groups.

I do not condone the violence that occurred in Brussels, Charleroi, Marseille or anywhere else; nor do I condone the appalling behaviour of some of those who claim to support the English national football side. Evidence suggests that a racist organisation is involved. A serious problem is the promotion by the popular press of the most backward forms of xenophobia over England games. We pay the price in the violence that results.

It is instructive to bear in mind the different responses of Belgium and Holland during Euro 2000. The Belgian police were extremely heavy-handed; much drink was on sale; there was a large amount of violence and many arrests were made.

The Dutch police were much more restrained. The alcohol was low strength. There was also that wonderful Dutch institution—the Amsterdam coffee houses. They had a good and salutary effect on a large number of people who might otherwise have been up to no good. Those people probably never went anywhere—perhaps they stayed in the coffee houses. I shall leave the issue of coffee houses with my good hon. Friend the Member for Newport, West but ask the Home Secretary to reflect—there is plenty of time to do so in coffee houses—on what might have been.

We must consider the effects of the over-hyping of national football on the youth of this country. I live near Arsenal football ground and go to some of the games. Thousands of youths in the area run around wearing Arsenal shirts, and the club is their life.

Arsenal is a well-run club and there are no problems in its ground. However, problems take place outside football grounds and Arsenal is not immune from them. There were appalling and disgusting scenes locally when Arsenal lost the UEFA cup final to Galatasaray. A number of supporters decided to take it out on every Turkish kebab house in the district. That was abominable.

We have to ask ourselves hard questions about the racism that surrounds football when national feelings are built up. A few years ago, I went to a friendly between England and Cameroon at Wembley. I was disgusted by the attitude taken towards the Cameroon national side and towards individual Cameroon players and by the unbelievable ignorance of many supporters who did not know where Cameroon was, but knew that they did not like it.

I compared notes with my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) and she went to a match between Jamaica and Brazil. There was none of the backward xenophobia and racism or violence between supporters on that occasion. As a society, we must face the problems of violence and xenophobia that surround our football and of the violent atmosphere in which many young people are brought up.

I have no truck whatever with the violence that is associated with football, but will my hon. Friend the Minister reflect on the nature of the Bill that is being introduced? Liberty, which was formerly the National Council for Civil Liberties, has produced a briefing on the Bill that does not find much favour with the Home Office. For more than 50 years, it has produced briefings and explanations of legislation that successive Home Secretaries and Ministers have not liked. That is no reason to ignore them, but to listen.

Liberty has pointed to serious deficiencies in the Bill and in particular questioned the powers of a constable who will be able to decide whether someone is likely to be travelling with intent to cause trouble and whether he has caused trouble in the past. Under that power, the constable can remove or reduce that person's liberty. Once the House has agreed to such a principle, where will it end? Can it be extended to other sports? What about cricket supporters who might go to the Caribbean and cause trouble there and behave in a disgusting fashion at the end of a three-day or five-day game? Alternatively, is the Bill a one-off provision to overcome an immediate problem?

I commend to the House the briefing from the Law Society that points out serious legal deficiencies in the Bill. It takes the view that the power to stop people could be contrary to articles 10 and 11 of the European convention on human rights. If the Bill goes through the House in great haste by next Monday and it becomes law and it is then ruled out by the convention, what will we have actually achieved?

I ask the House consider what will happen if the Bill does not work. If it is rushed through and similar scenes occur in Paris in September in the so-called friendly between England and France, in the world cup campaign or in the champions league campaign, what will the House do then? Research has to be carried out and we must consider seriously the way in which violence in society and xenophobia around our national side are built up. We all have a responsibility to do something about them.

Rushed legislation seldom works. The Bill might grab headlines and it might make many people feel good, but it is not likely to lead to a resolution of the problem. It has dangerous precedents, so that is why I cannot support it in the form that it has been presented to the House. I hope that my right hon. Friend the Home Secretary and the Home Office fully understand the implications of their proposals.

12.5 am

Mr. Douglas Hogg (Sleaford and North Hykeham): The hour is late, so I shall be brief. I agree with a great deal of what the hon. Member for Islington, North (Mr. Corbyn) said on procedure and in substance.

On procedure, I regret that we are pushing the Bill through in this way. On any view, the Bill has important legal and constitutional implications. On any view, there are serious questions to be asked as to the text of the Bill; that has become apparent from the debate. I believe that the Bill, in a slightly different form, should have been proposed much earlier in the Session. In any event, it should have been considered in Committee in the ordinary way; perhaps by a Special Standing Committee. We should have had the chance to be informed by the representations from outside this place and a chance to consider the text of the Bill in an orderly way.

I agree very much with those who have expressed the view that, by pushing through this legislation quickly, we are likely to enact a Bill that is seriously defective, in that it would seriously diminish individual rights.

I wish to focus on two matters; the "Summary measures: detention" and the banning orders powers on complaint. The "Summary measures: detention", proposed by section 21A of the Bill are a serious infringement of human rights. It is worth pausing and asking ourselves what the measures do, and the answer is that they enable a constable to arrest a person in order to make inquiries.

I believe, as did my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell), that that is actually in breach of article 5 of the convention. Even if it were not, I cannot see the justification for giving an officer the power to arrest simply and solely in order to make inquiries. The arrest is not just for 24 hours; it can be for 48 hours. Once the inquiry has been made,

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the officer can detain a person for a further 24 hours to ensure that the person turns up to the magistrates court. I have grave doubts as to whether magistrates courts would be able to sit within 24 hours.

The Bill may contain one other illegality, in that the powers under section 21C can be exercised only in relation to a British citizen. The Minister will be advised that article 14 of the convention prescribes any discrimination with regard to national status. I have no doubt that, after 2 October, article 14 will be invoked with regard to section 21C of the Bill.

My last point concerns the question of the general power of the banning order on complaint. This has the substance of a criminal penalty. Let us be clear—a banning order seriously restricts a person's liberty, in the sense that it can be associated with the surrender of a passport and can prevent a person from doing what that person wants to do. The banning order is made by a magistrates court on application by a senior police officer, not because the person has committed an offence or because the person is intending to commit an offence, but, rather, because there is some evidence that the person has been associated with acts of disorder in the past. There may not have been a criminal conviction; it could have been many years ago; it may not be related to football; it may be trivial in kind.

However, if the person is associated with, or has caused or contributed to, acts of violence or disorder, the court has reasonable grounds to believe that the banning order may help to prevent disorder or violence in the future. It may not be necessary, but there may be reasonable grounds to suppose that the order may help to prevent disorder. All that will be done on the civil standard of proof, but this is a criminal penalty. It is being obtained on the civil standard of proof and in the absence of any crime having been committed.

It is late and I could wax passionately about the matter. However, I have spoken for five minutes and, at ten minutes past 12, that is enough. This is a bad Bill. Left to my own devices, I would vote against it. If we do not seek to make serious amendments in Committee and on Report, as I hope hon. Members will do, I will vote against the Bill. I hope that other members of my party, Liberal Democrats and those Labour Members who clearly have doubts will do likewise. We are doing something tonight of which I suspect that we will be ashamed.

12.10 am

Mr. Tony McWalter (Hemel Hempstead): It is probably too late at night for a long speech, so, like the right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg), I will limit myself to points that have not yet been made.

There is a great division in the House between those who believe that to deal with those who behave violently in association with football we should restrict ourselves to identifying their crimes and applying the penal code to them, and those who believe that disorderly conduct needs to be addressed. Speech after speech by Opposition Members—with the exception of the hon. Member for West Chelmsford (Mr. Burns), whose speech I greatly enjoyed—suggested that any move towards targeting disorderly conduct that stops short of criminal sanctions, as we effected with the Crime and Disorder Act 1998, is a reprehensible step down a slippery slope.

My specific worry about the Bill concerns proposed section 21A. Like most people, I am concerned about that provision, which is at the core of the Bill. I support the Government's general belief that simply identifying crimes is insufficient. I say that for the reasons given by my hon. Friend the Member for West Ham (Mr. Banks). There is a cultural dimension to the debate, in that large numbers of people behave in a way that is contemptuous of the forces of law and order and of people who seek to steward football matches, as well as others in authority. If we are to have order, there must be respect for authority.

Even if people are not committing crimes, if they are making it absolutely clear that they refuse to go along with reasonable instructions to behave themselves in the airport lounge, or wherever they are, and exhibit xenophobic or racist attitudes, which we have discussed a great deal this evening, visiting their presence on another state may not be a great idea.

We should not only tackle those people, as new section 21A says, on the grounds that they may have committed a crime or behaved in a disorderly, reprehensible or shameful way in the past, but try to identify whether their current behaviour is such that a reasonable person might judge that they are likely to be offensive to people abroad. That is the judgment that magistrates, police officers and others in a position of responsibility are being asked to make. There are clues in the way that people talk and in how they treat the custodians of the legal system which enable us to make such judgments.

I agree with the Home Secretary that banning orders, similar to those in the Crime and Disorder Act, are appropriate. Indeed, it is absolutely necessary to deal with the situation, but, in one important respect, the banning order is not like the orders under the Act.

Under the 1998 Act, when someone is liable to an order, he is informed of the possibility and his co-operation is sought, so that if he mends his ways the order will not be necessary. The order is the final stage of a series of actions designed to improve behaviour and to avoid the need for the order to be imposed. Under the Bill, there is no time or scope to seek the person's co-operation before he is brought before a magistrate.

The Bill should provide for the case where someone who has been behaving offensively is asked to behave properly, and does so. In new section 21A(2) there is little scope for the constable to make a judgment that a football fan will be amenable to the custodians of the law in the country to which he is travelling. The Bill should allow for that.

As the hon. Member for Somerton and Frome (Mr. Heath) said at the beginning of the debate, the constable should not be required to analyse whether the person before him had committed some offence in the past. The constable should observe the person's actual behaviour in the airport lounge, and make a decision on that basis—not on the suspicion that he is the kind of person who may be a bit too boisterous to behave himself if he goes to Brussels.

I hope that the Bill can be amended to take account of the issues that have been raised by Members of all parties during the debate. When the Bill comes back to us, I hope that it will be an effective prophylactic against hooligan behaviour and that it will overcome the civil liberty objections that have rightly been raised by many hon. Members.

12.17 am

Mr. Christopher Chope (Christchurch): Some of the earlier remarks by the hon. Member for Hemel Hempstead (Mr. McWalter) made me extremely worried about civil liberties and lent credence to my concern that the Bill is a dangerous step on the road towards a police state.

We have had about five hours' debate, during which almost every speaker has expressed grave reservations about aspects of the Bill. Hon. Members then qualified their reservations by saying that they were sure that they would all be resolved by the Government on Monday during the Committee stage, on Report, if that takes place, and on Third Reading. However, we will probably not have as much time on Monday as we have today for Second Reading. Hon. Members who think that the Government will get the Bill sorted out to their satisfaction on Monday are being somewhat naive.

The justification for the Bill was encapsulated by the Home Secretary when he said that the National Criminal Intelligence Service considers that the game in France on 2 September this year is a high-risk game. He did not go on to say whether NCIS had told him that if the Bill were passed into law, the game would no longer be a high-risk game. I hope that the Minister who responds to the debate will tell us what the advice of NCIS is on that matter.

I do not like the Bill because it endorses the concept of guilt by association. It gives powers to deprive innocent people of their freedom, merely on the basis of suspicion. If we were worried about the Bill before the Home Secretary spoke, we should be even more worried about it now, after his revelations about what happened to the people who were arrested on the continent during Euro 2000.

Of the 965 people arrested, five were convicted. The other 960 were not charged, yet we know from what the Home Secretary told us that there is a list of those people. In many cases—perhaps the larger proportion—there were no grounds for arrest. Those people were innocent, but they are now on a blacklist. The Home Secretary said that he will not publish it, but he should tear it up and destroy all records relating to those wrongful arrests on the continent, erasing them from the record.

However, we know that such lists will be kept and used in evidence against these people. They will be deprived of their passports and will struggle to explain to magistrates that the deportation orders made from the continent following the European championships were ill founded and that there were no grounds for deportation. It is incredibly worrying that people were arrested on the continent in the absence of proper grounds for arrest and without warrants being issued. I submit that that represents a clear breach of the European convention on human rights, if that means anything to the Belgians. Those people will find that that evidence can be further used against them to deprive them of the right to travel abroad and to use their passports like ordinary British citizens who are free to do so.

I am worried about the Bill. I start from the proposition that it is better that 10 guilty men go free than that an innocent person should be convicted, and I am sorry that so many Labour Members do not do the same. The House should take that proposition seriously once again. The Bill frightens me.

12.21 am

Mr. Clive Efford (Eltham): I shall be brief because all the points that need to be made have been made in this good debate. I accept that something needs to be done, but I do not accept that anything needs to be done to tackle what many people have described as a problem that involves a minority of those who attend football matches. I am a Millwall supporter, for what that is worth. I have attended many games at Millwall and have seen the same culprits cause problems for the club. I have also seen those same culprits cause problems for other London teams at other grounds, but little intelligence-based action has been taken on that.

I am concerned about proposed new section 21A(2), which deals with the evidence base. An officer at a port may take a dislike to an individual who wants to attend a football match and decide that he should be detained for 24 hours and taken before a magistrate. I was a youth worker in south London, in the constituency of the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), in the 1970s. I remember how the sus laws were abused and that a disproportionate number of young black youths were picked up. I also spent nearly 12 years in an industry in which the police have enormous powers, which are regularly abused, over those who work in it. Police officers are conscious of their power, and I know of several instances of their seeking out London taxi drivers to abuse it.

My point is that checks and balances must be in place, as a law-abiding individual could be prevented from travelling abroad on the say-so of a police officer, which is a serious matter. There should be recourse to a magistrate—perhaps an arrangement similar to that for obtaining a search warrant—and the police should have to show reasonable grounds for detaining a person and preventing him from travelling. That person should have to present himself to a magistrate the next day and the magistrate could decide whether there was a case to answer. Such a check and balance would allow a person to continue his journey if he could prove that he was not a threat.

Mr. Leigh: Will the hon. Gentleman give way?

Mr. Efford: No; I must be brief.

My point is that we could deal with this issue in other ways. Also, it would be easy for people to get around the legislation by going to Glasgow or Belfast. More thought should be given to the timing of matches. If people present themselves at police stations or magistrates courts at a certain time, they cannot be at the match. They will not be able to use their passports, which will prevent the get-out of travelling to Glasgow or elsewhere.

12.25 am

Mr. Richard Shepherd (Aldridge-Brownhills): I share the concern about the Bill that has been expressed by Members on both sides of the House. I am worried about new section 21 generally, but paragraphs (2) and (3) in particular show how far we have gone. We no longer have

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answers, so we strike out. We strike out against certain basic principles with which we grew up, such as the principle that we are innocent until proven guilty.

The Bill does not even require a proof that we would understand in a court. It enables magistrates to take into account an offence that may take place in a jurisdiction of which we know almost nothing—a jurisdiction that may meet none of the standards of freedom, justice or intent that we consider important in dealing with crime.

Would we consider proper justice necessary in Zaire, or in parts of Turkey? I know that it is invidious to mention other nations, and I have no real understanding of their criminal and justice procedures; but, like many other Members, I have travelled, and know that corruption is not absent in all countries. It is possible for people in those countries to say to British subjects, "I will identify you as a hooligan unless you give me a bribe." That may be a trivial argument in itself, but it presents various questions.

I should like to know from the Home Secretary how many people, on any given day in the early summer, pass through British ports. I think of London; I think of Heathrow, Gatwick and Stansted; I think of the south-coast ports; I think of the channel; I think of Newcastle; I think of my local airport, Birmingham, and of Manchester. Tens of thousands of people probably pass through, and we are proposing that a police constable should stand there, trying to exercise his power if it appears to him that someone's behaviour demands that.

In life, we sometimes get things wrong. There is nothing more grievous than being wrongly identified by authority. Under this objectionable proposed new section 21, I may be detained for as long as it takes a police constable to satisfy himself that an order may be issued. That is wrong. I have been placed in an intolerable position. As a free citizen with no convictions, innocent of intent, I have been detained while trying to leave the country.

I do not know whether it is possible to sift through tens of thousands of people passing through a port reasonably, quickly and effectively. However, I can tell the Government that, almost within weeks of the Bill's implementation, some young man taking an elderly couple whom he is meeting in Calais to Lourdes in search of a miracle cure will be detained for 24 hours, and someone will die. Then the very newspapers that have driven the Home Secretary to this action will comment on the brutality of the police in denying the wishes of that poor, sainted, benighted youth.

Sometimes, when examining the details of legislation, we question it and discover its defects. I have been in the House for a long time. I remember hearing a Conservative Home Secretary say—this was mentioned in the House of Lords—that all stages of a Bill must go through in one day because dangerous dogs were going to eat us. Hon. Members on both sides of the House said, "Hallelujah", although a few voted against it. The hon. Member for West Ham (Mr. Banks) nods—but the legislation went through. Members of my party sit in courts and have had to make decisions on the execution of dogs and settle arguments about species and sub-species. One of them said that although he had sentenced two dogs to death, he did not think that the sentence was ever carried out.

Errors always creep in, because no one is perfect. I am concerned that the Bill places a burden on the police and will exacerbate their relationship with a generation of young people, as well as older people.

My right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) made the perfectly good point that, according to the Home Secretary's own figures, 30 per cent. of young men—it is always men—have had a conviction by the age of 30. I think that the same applies to those under 40. Any trawl through a group of people passing through one of our many ports is likely to secure someone who has had a conviction. The conviction may be spent, he may be a good person, and the circumstances of many years ago may not be known. My right hon. and learned Friend asked a reasonable question: Are spent convictions taken into account? Registers are kept of people who do not have a conviction but have given the police cause for concern.

We have lived through the troubles in Ulster, and know of the grievous injuries that have been inflicted on innocent people. In hitting out or trying to prevent certain behaviour, we put in the hands of authority powers that cause contention between the citizen and the authorities of the state. That is an intolerable burden to place on the police.

If, in the court's judgment, a person were guilty of committing an offence, and part of the punishment was the withdrawal of a passport, I would have no difficulty with that. I can understand if a crime has been committed, a sentence passed and the nature of the sentence includes the confiscation of a passport, but that is not what the Bill is about. It relies merely on the suspicion of a constable who does not even have to have reasonable grounds. Does the House of Commons really want to pass such a Bill into law? I think not.

12.32 am

Mr. Eric Forth (Bromley and Chislehurst): I disagree with the Bill totally, entirely and in every aspect. I associate myself with the excellent speech of my right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) and the remarks of my hon. Friend the Member for Christchurch (Mr. Chope). I do not agree with the way in which the Bill has been treated and the spurious urgency with which it has been brought to the House.

What has the House of Commons come to when, apparently in all seriousness, we are asked to make fundamental changes to our law because of a football match of all things? That must be the ultimate in absurdity, but that is what we are being asked to put our names to. We risk totally inadequate scrutiny. That would be bad enough at the best of times—we have seen many examples of it recently—but inadequate scrutiny of this Bill covering these subjects and threatening these liberties is triply intolerable. It must not be allowed, and the House must resist it.

This is a bad Bill for a number of reasons. It challenges or undermines the presumption of innocence, which I always thought was a fundamental of our judicial process. It has retrospective elements, which I do not think have been mentioned up to now. New section 14B(2) has an unacceptable element of retrospection. It is loose, sloppy and dangerous. Retrospection has increasingly crept into our law, and that should be resisted on every occasion.

The Bill threatens the liberties of the many to deal with the few, which is the reverse of the point that my hon. Friend the Member for West Chelmsford (Mr. Burns) made. He put it in a different context, but I see it very much in that way. Yes, there may well be a problem with a small number of people and we should find proper ways to deal with them within our domestic law, but no, we should not threaten the liberties of many people, as so many of my right hon. and hon. Friends have described—for example the tens of thousands that my hon. Friend the Member for Aldridge-Brownhills (Mr. Shepherd) mentioned—to catch the few who act in ways of which we all disapprove.

Finally, I do not accept that we should take responsibility in this country for misdemeanours committed in other jurisdictions. My right hon. Friend the Member for Hitchin and Harpenden argued that so eloquently. It is beyond me why we should take it on ourselves to treat within our judicial system misdemeanours committed in other countries. *[Interruption.]* Does the hon. Member for West Ham (Mr. Banks) want to intervene?

Mr. Banks: What about sex tourism?

Mr. Forth: I make no distinction. I am stating what to me is a general principle: if our citizens travel abroad, the countries to which they go and in which they commit alleged misdemeanours should deal with their crimes. I do not accept the principle that we are importing into our judicial system that we deal with alleged crimes committed abroad. I say that for a number of reasons, the most obvious being that we can never have the quality of evidence that we would expect as a standard in our judicial system.

At every level, the Bill is wrong, defective, undesirable and unacceptable—in its content, in the principles that it would apply, in the way in which it is being treated and the method in which it has been brought to the House. Therefore, I hope that we have an opportunity to vote against it, so that those of us who have those feelings can express them properly in the Lobby. That is my hope and intention.

12.36 am

Mr. Edward Leigh (Gainsborough): If the authorities wish to deny people their passport, they should go to a magistrates court to do so. If they are allowed to wait for 24 hours, it would give the police the opportunity to arrest or stop people on the flimsiest of evidence, knowing that they will have 24 hours to collect evidence. If there were an immediate hearing, the police would know that when they stopped the person, at the port or wherever, they would immediately have to justify their actions to a court.

An immediate court hearing would not absolve the Bill of all guilt, but it would improve matters no end. However, that provision is not yet in the Bill, so I cannot support it.

12.37 am

Mr. Nick Hawkins (Surrey Heath): This has been a fairly lengthy debate, in which a number of important subjects have been covered. I shall briefly discuss the many thoughtful contributions that have been made by hon. Members on both sides of the House. I hope that when the Minister replies for the Government, he will also do hon. Members the courtesy of dealing with these serious issues seriously. I see that the Minister is nodding.

The Home Secretary began by talking about those who show a demonstrable propensity to commit acts of violence. The important words in that phrase are "demonstrable propensity". So many hon. Members on both sides of the House have talked of the need for clear evidence that can be put before a court—such a provision is lacking in the Bill.

The first intervention on the Home Secretary was from the hon. Member for Crewe and Nantwich (Mrs. Dunwoody)—a very senior Labour Back Bencher—expressing her concerns. From the first intervention by a Labour Member to the last speech—a thoughtful speech by the hon. Member for Hemel Hempstead (Mr. McWalter)—concerns were being expressed. A number of hon. Members were saying that they were not happy with the Bill in its present form, yet the Home Secretary was suggesting, in his rah-rah fanfare—trying to whip up feeling on the Labour Benches—that there was something inappropriate in the official Opposition wanting to subject the Government's proposals to detailed scrutiny.

My right hon. Friend the Member for Maidstone and The Weald (Miss Widdecombe) made it clear not only today but an earlier stage that it was essential for the Opposition and all parts of the House to give the Bill detailed scrutiny. The Home Secretary, whom I am delighted to see returning to the Chamber, paid tribute to the work of the Library in its research paper and suggested that all hon. Members should read it. What does that research paper do? It draws attention to my right hon. Friend the Member for Maidstone and The Weald, who, on 4 July at columns 172-73, emphasising the need for the Bill to receive due scrutiny as it would contain some sensitive and significant measures with serious implications for civil liberties. That was before we saw the draft Bill, the revised draft Bill or the final Bill, so there is nothing inconsistent in our saying—we have done so throughout—that we felt that it should receive proper scrutiny.

We greatly welcome the Home Secretary's repetition of his statement that he remains open to suggestions for further amendments, including from Her Majesty's Opposition. In answer to an intervention by the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), he said that he believed that the Bill as it stands is not in breach of the European convention on human rights, but, as many Members, including in particular my right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), have pointed out, the hon. Member for Southwark, North and Bermondsey is right and the Home Secretary is wrong. Article 5.1(b) of the European convention is clearly breached by the Bill as it stands in relation to the power to detain on the suspicion of a constable, so that inquiries can be made.

In response to an intervention from the hon. Member for Ellesmere Port and Neston (Mr. Miller), the Home Secretary then had a distinct change of tone. That may have been brought about by the hon. Member for Ellesmere Port and Neston talking about people being taken before the courts in Belgium before they were flown home, but the hon. Gentleman, who takes a big interest in sporting matters and for whom I have great respect,

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was unfortunately mistaken. When he said that, he forgot that no one was actually taken before a court in Belgium before they were flown home.

Mr. Miller: May I be absolutely clear? The point that I made was in respect of those people whom we saw on television. Does the hon. Gentleman believe that the people whom we saw slinging chairs around in Charleroi should be in that country with our support?

Mr. Hawkins: I do not. Nor does anyone who has spoken in the debate, but I noticed, as I have said, a distinct change of tone when the Home Secretary said in response to the hon. Gentleman's intervention that the Government were thinking hard about the matter—new section 14C(3)(b)—because there is a need for those people to be brought before a court before they are subject to the kind of powers that the Government are putting forward.

We feel that one of the Bill's grave defects as it stands is that it talks about people being detained on mere suspicion. Not a single leader writer in any national paper that has commented on the Home Secretary's proposals as they stand has supported them. They have all drawn attention to that problem.

The hon. Member for West Ham (Mr. Banks), in his apologia for the failure of this country's bid to host the 2006 World cup, said that all the blame was to do with the hooliganism in Charleroi and in Brussels. He said that he was not going to turn into Sir Tufton Bufton, but he rightly drew attention to the activities of people such as the Chelsea Headhunters and talked about how unpleasant and threatening those people are. He has had personal experience of such violence at football matches. So have I and so have many Members, but he knows that it has been recorded that many of those extreme violent fans—one could not say that they were fans; they use a football match as an excuse for violence—are capable of dressing up in a suit to fool the police, and of going to Scotland, Belfast or Dublin to fly out. There are gaps in the legislation as it stands, so I think that the hon. Gentleman was supporting the concerns of Members on the Conservatives Benches and in many parts of the House that there is a need for the Bill to be improved.

My right hon. Friend the Member for Sutton Coldfield (Sir N. Fowler), who has the great experience of being a former Cabinet Minister and a former shadow Home Secretary, talked about the civil liberties of shop keepers and other law-abiding citizens. He pointed out that the law was not working. He said that he was not abandoning the Home Secretary's ship, but that we needed to have a sign that the ship was being steered in the right direction. We undoubtedly do need that. The right hon. Member for Cardiff, South and Penarth (Mr. Michael) said—I quote him precisely—"We need to see the evidence of hooligans committing offences," in response to an intervention from my hon. Friend the Member for Christchurch (Mr. Chope).

The right hon. Member for Cardiff, South and Penarth also quoted Gibbon's "The History of the Decline and Fall of the Roman Empire", which is an unusual work to be quoted in a debate on football hooligans. As he quite rightly said, however, it is difficult to frame laws to get people to desist from acting in a particular way. Precisely so; it is difficult, which is why the Bill needs scrutiny and to be improved.

The hon. Member for Southwark, North and Bermondsey (Mr. Hughes) made a thoughtful speech, as he so often does. He raised the issue of whether it really is appropriate to legislate only for football. He suggested that the Government might seek to legislate for ice hockey in one year, but for rugby league in another. Like me and all other hon. Members who take a big interest in sporting matters, the hon. Gentleman is aware that, not long ago, in the previous rugby league season—most unusually, because rugby league has not been much associated with violence—there was quite serious violence at a rugby league match. We should therefore bear in mind his comments.

I do not have much time to speak. However, I think that the hon. Member for Southwark, North and Bermondsey and my right. hon. and hon. Friends were quite right to say that, although parts of the Bill are absolutely unexceptionable and we could all happily agree on them, other parts of the Bill cause major problems.

The hon. Member for Watford (Ms Ward) suggested that football is a different case from all other sports. Although she welcomed the Bill, she expressed very serious concerns.

My right hon. Friend the Member for Hitchin and Harpenden (Mr. Lilley) set out his five tests for the bad law that is passed when there were demands that "something must be done". The Home Secretary's response seems to be that this is such a case, and that, therefore, the Government must do something. That is simply not good enough.

The hon. Member for Eastwood (Mr. Murphy) talked about going to Charleroi with his family. He also talked about the oldest person who is subject to a banning order, a 61-year-old who is almost 62. He also talked about football supporters' record of 2.5 million successful and peaceful visits to football matches being spoiled by a tiny minority of disorderly and violent fans.

My right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell), the former Attorney-General, quite rightly deplored the rush with which the Bill has been introduced and the lack of concern being shown for serious human rights issues.

The hon. Member for South Thanet (Dr. Ladyman) suggested that he somehow had the right, despite being elected to the House only at the previous general election, to lecture my right. hon. Friends who have been in the House for very many years on what parliamentary Second Reading scrutiny is supposed to be about. I suggest that, when he re-reads that part of his speech, he may wish to reconsider it.

My hon. Friend the Member for West Chelmsford (Mr. Burns), from his great expertise in introducing legislation, pointed out that more mature consideration could have been given to including in previous legislation the type of measures that we are debating.

The hon. Member for Gedling (Mr. Coaker) talked about the need to get the law right, because otherwise it is brought into disrepute.

My right hon. and learned Friend the Member for Sleaford and North Hykeham (Mr. Hogg), my hon. Friend the Member for North Thanet (Mr. Gale) and the hon. Member for Islington, North (Mr. Corbyn) all drew attention to many human rights and civil liberties problems.

My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), my hon. Friends the Members for Aldridge-Brownhills (Mr. Shepherd), for Christchurch (Mr. Chope) and for Gainsborough (Mr. Leigh) and the hon. Members for Hemel Hempstead (Mr. McWalter) and for Eltham (Mr. Efford) all drew attention to other problems with the Bill.

We hope that the Bill will be brought into a proper form. It is called the Football (Disorder) Bill, but it is the Bill itself that is disorderly. Parts of it are very good. Nevertheless, the Home Secretary has said that he will listen to ideas to improve it. We hope very much that he will stick to that.

In the House's consideration of an earlier piece of legislation, a member of the then shadow Cabinet talked about the way in which an Opposition can respond to a football Bill. He said:

> I unreservedly offer the support of the . . . party for any Bill which is genuinely and effectively concerned with football safety and the enhancement of a great national game. These are not and should not be matters of party political dispute. But this Bill—

the Bill that he was talking about—

> does not meet those requirements. As drafted it can never do so. That is why we are opposing it tonight.—[*Official Report*, 27 June 1989; Vol. 155, c. 862.]

Who was that right hon. Gentleman? It was the right hon. Member for Copeland (Dr. Cunningham), speaking about the Football Spectators Act 1989. We are not opposing this Bill. That is the contrast and the answer to so many of the Home Secretary's attacks on my right hon. Friend the Member for Maidstone and The Weald.

12.50 am

The Minister of State, Home Office (Mr. Charles Clarke): I begin by commending all 20 Back-Bench speeches, and the Front-Bench speeches in an excellent and illuminating debate in which many points of view were put clearly and coherently. It is a tribute to the House.

I want to focus on the common ground that has been expressed during the debate. First, there is strong common ground that Parliament needs to address the problem of international football hooliganism. With the possible exceptions of the right hon. Members for Hitchin and Harpenden (Mr. Lilley) and for Bromley and Chislehurst (Mr. Forth) who expressed some doubts about that principle, there was a general acceptance that it was a matter for the country and the House to address.

We debated many of the profound issues during the Opposition day debate on 20 June. I do not intend to return to those points save to say that there was consensus that we are dealing with an urgent national issue and we need more research and understanding in order to address it fully.

Secondly, there was common ground that we need stronger legislative powers to deal with these matters in a variety of ways. The hon. Member for West Chelmsford (Mr. Burns) said that there had been eight previous pieces of legislation on the matter, from the Sporting Events (Control of Alcohol etc.) Act 1985 to the Football (Offences and Disorder) Act 1999, in which Governments of both parties sought to strengthen the law to deal with the problem in the most effective way.

Let me respond to those who asked, "Does it work?". The answer is that it has worked in some respects. We cannot claim that the Bill will solve all the ills that have been described in the debate, but it will make a contribution towards doing so and, on that basis, we should support it. All parties have committed themselves to the need for stronger legislative powers, and previous legislation has reflected that.

The third area of common ground is that we need stronger international co-operation and intelligence work involving police forces in different countries and that we need to find better ways of working together. That is a positive aim.

It is also fair to say—and the point could be made in a partisan way—that there is general agreement that better legislation is produced when there is consensus and when there is sufficient time to consider the issues fully as a proper debate can result in more effective provisions. The right hon. Member for Sutton Coldfield (Sir N. Fowler) made that point powerfully, as did some of my hon. Friends. I acknowledge what they said.

There was also a clear consensus that people are ready to work together to address the issues in an effective way. In her opening speech, the right hon. Member for Maidstone and The Weald (Miss Widdecombe) attempted to find consensus and common ground, and I commend her for that.

There has also been common ground on the substance of the Bill. Almost all hon. Members who spoke agreed that the first two provisions of the Bill—a new banning order combining aspects of domestic and international football banning orders and a requirement that all banning orders to include a condition on the surrender of passports unless there are exceptional reasons not to do so—would improve the legislation.

On the third main point of the Bill, enabling magistrates courts to impose banning orders on suspected football hooligans, again there was common ground that legislation might be appropriate although a number of specific points were made. They will correct me if I am wrong, but I thought from what the right hon. Member for Maidstone and The Weald and the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) said that they were both willing to discuss how to improve the legislation in relation to specific points that were made. I accept that it may not be possible to do that, but I take it from the sincerity of the spokesmen of both main Opposition parties that we could take a direct approach to the issue.

Mr. David Davis: Does the Minister believe that it will be possible, in the remaining stages of the Bill, to place the banning order in a criminal process based on evidence?

Mr. Clarke: I doubt whether that will be possible completely, but it will be possible to deal with the problem in other ways. I may be wrong, but I thought that Front-Bench Members of the Opposition parties would, like Labour Members, commit themselves to discussing the best way to achieve that. The right hon. Gentleman makes a real point, but I think that we can make progress on the matter.

There was much common ground between hon. Members in the debate. However, the Bill's fourth proposal—that there be summary powers enabling a

[Mr. Clarke]

constable to issue a notice preventing British citizens from leaving the country and requiring them to surrender their passports—aroused dispute. The right hon. and learned Member for Sleaford and North Hykeham (Mr. Hogg) spoke of the European convention on human rights, as did other hon. Members.

After due consideration, my right hon. Friend the Home Secretary has placed his certificate on the Bill to assert that the Bill complies with the ECHR. The key issue, which emerged during what was a full and fair debate, comes down to a difference of opinion. The hon. Member for Southwark, North and Bermondsey spoke about proportionality, and said that the removal of a person's right to attend the venue of a match—although he or she may still watch the game on television—amounts to a low-level penalty and deserves consideration My hon. Friend the Member for South Thanet (Dr. Ladyman) made the same point very clearly.

The other side of the argument was expressed mainly by Conservative Members, but a couple of Labour Members shared their view. It is that the potential threat to liberty implied by the provision was so serious and profound that it could not be justified, even though the penalty was relatively small in the greater scale of things.

That debate is a legitimate and important one for the House. All hon. Members will form an opinion on the balance of judgments about that question, and our constituents will do the same. They will look at the proportionality, or otherwise, of the proposal, and they will come to a view. They will see how the House votes, and they will reach a verdict accordingly.

That is right, and fair enough. However, it is important to look at the position of the political parties. The hon. Member for Southwark, North and Bermondsey appeared to say that the Liberal Democrats could not support any proposal to introduce such summary powers in any circumstances. He judged proportionality to be so important that no such proposal could be accepted. He made it clear that there was no scope for discussion, as he would urge his colleagues in the House of Lords to vote against the Bill on those grounds.

The Government come down clearly on the other side of the argument. We believe that it is important to be able to drive out international soccer hooliganism, and we are prepared to take the powers to achieve that, even though they involve a violation of rights in the way that has been described in various ways. Some Labour Members expressed doubt about that, and they are perfectly entitled to do so.

Mr. Lilley: The Minister just admitted that the Bill involves a violation of rights, but he has not dealt with the argument, advanced by me and the hon. Member for Southwark, North and Bermondsey (Mr. Hughes), that the Bill sets a dangerous precedent. The Government have been provoked into introducing the Bill by a television programme showing a minority of British football fans behaving in a deplorable fashion overseas. However, the BBC is to screen a programme showing that a large minority of people go to Ibiza to take illegal drugs, under the influence of which they behave in a disgraceful fashion. What is to stop—

Mr. Deputy Speaker (Mr. Michael J. Martin): Order. The intervention is far too long.

Mr. Clarke: The right hon. Gentleman makes the familiar argument about setting a dangerous precedent. It is a perfectly legitimate argument. I do not agree with it. Almost any action creates a precedent. I do not think that in principle we can say that we do not do it because it is a precedent. One looks at the merits of the case, on this and other issues. The right hon. Gentleman made his position very clear.

Mr. Corbyn: Will my hon. Friend reflect on what he has just said? If we are to put into legislation, in this Bill, the power of a police officer on his or her own suspicion to remove somebody's right to travel, what is to stop any other legislation giving exactly the same powers to the police, rather than the courts, to act on?

Mr. Clarke: The short answer is "the Parliament"; Parliament decides how it will deal with each piece of legislation as it comes along. Proportionality is an important concept, which needs to be given more attention. The point about it is that one must look at the penalties in relation to the offences committed.

My final point is that I believe that the Conservative party came to the view that it would abstain because there was an irreconcilable difference in approach, which we have seen in this debate. I pay genuine tribute to the right hon. Member for Maidstone and The Weald. I believe that she is concerned to try to reach agreement to deal with the issue in the way that we are discussing. She addressed the fourth principle, and showed that she is prepared to discuss it. I thought, though I may have misunderstood him, that her right hon. Friend the Member for Sutton Coldfield was saying that issues in this area should be discussed as well, and he was certainly prepared to contemplate—I go no further—legislation that included the fourth principle, provided he could be satisfied on the points that were made. The hon. Member for West Chelmsford, to whom I pay tribute for his private Member's Bill, was also very clear and direct in this regard.

On the other hand, many right hon. and hon. Members on the Opposition Benches made it clear that they were with the hon. Member for Southwark, North and Bermondsey. Essentially, there were no circumstances in which they would be prepared even to discuss the section 4 issue. I believe that that is the problem that the right hon. Lady has been dealing with. She has been overruled by her right hon. Friend the leader of her party, who has gone back on the commitments made, and that party is all over the shop.

Now the electorate will come to its judgment. It will judge whether the Government were right to proceed despite the civil liberties issues. It will judge whether the Liberals are right to oppose the provisions because of those issues, despite the problem that our power to deal with international soccer hooliganism would be weakened. And it will judge the Conservatives in exactly the same way. That is as it should be.

My advice to the right hon. Lady—I assure her that it is friendly advice—is that she had better get a system sorted out that can unite her party and present her position to the public, because, with all respect to her, that was not achieved tonight. The fact is that the abstention is a reflection of the deep division within the Conservatives. It is also a reflection of the fact that there is dissension, even to the level of the leadership of her party, about how to proceed. My advice is to sort it out.

I believe, and the Government believe, that our responsibility is to do everything we can, following the eight measures put forward in the past, to eradicate soccer hooliganism. It damages our country; it destroys and blackens our reputation; and we must do whatever we can to eradicate it. That is the spirit in which the Bill is put forward and the spirit in which I hope the House will give it a Second Reading now.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 206, Noes 6.

Division No. 268] **[1.3 am**

AYES

Adams, Mrs Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Robert *(Cov'try NE)*
Allen, Graham
Anderson, Donald *(Swansea E)*
Anderson, Janet *(Rossendale)*
Armstrong, Rt Hon Ms Hilary
Ashton, Joe
Atkins, Charlotte
Austin, John
Banks, Tony
Barron, Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Benton, Joe
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Boateng, Rt Hon Paul
Borrow, David
Bradley, Keith *(Withington)*
Bradshaw, Ben
Brown, Russell *(Dumfries)*
Browne, Desmond
Buck, Ms Karen
Burden, Richard
Burns, Simon
Butler, Mrs Christine
Byers, Rt Hon Stephen
Casale, Roger
Caton, Martin
Cawsey, Ian
Chapman, Ben *(Wirral S)*
Chaytor, David
Chisholm, Malcolm
Clark, Dr Lynda
(Edinburgh Pentlands)
Clark, Paul *(Gillingham)*
Clarke, Charles *(Norwich S)*
Clarke, Rt Hon Tom *(Coatbridge)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cousins, Jim
Cox, Tom
Cranston, Ross
Crausby, David
Cunningham, Jim *(Cov'try S)*
Darling, Rt Hon Alistair
Darvill, Keith
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dobbin, Jim
Dobson, Rt Hon Frank
Donohoe, Brian H
Doran, Frank
Drew, David
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Fisher, Mark
Fitzpatrick, Jim
Follett, Barbara
Foster, Rt Hon Derek
Foster, Michael Jabez *(Hastings)*
Foster, Michael J *(Worcester)*
Fowler, Rt Hon Sir Norman
Fyfe, Maria
George, Bruce *(Walsall S)*
Goggins, Paul
Gordon, Mrs Eileen
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Heal, Mrs Sylvia
Healey, John
Hepburn, Stephen
Hill, Keith
Hodge, Ms Margaret
Hoey, Kate
Hood, Jimmy
Hoon, Rt Hon Geoffrey
Hope, Phil
Howarth, Alan *(Newport E)*
Howarth, George *(Knowsley N)*
Hughes, Ms Beverley *(Stretford)*
Hughes, Kevin *(Doncaster N)*
Hurst, Alan
Hutton, John
Jenkins, Brian
Johnson, Alan *(Hull W & Hessle)*
Johnson, Miss Melanie
(Welwyn Hatfield)
Jones, Helen *(Warrington N)*
Jowell, Rt Hon Ms Tessa
Keeble, Ms Sally
Keen, Alan *(Feltham & Heston)*
Keen, Ann *(Brentford & Isleworth)*
Kemp, Fraser
Khabra, Piara S
Kilfoyle, Peter
Ladyman, Dr Stephen
Lawrence, Mrs Jackie
Laxton, Bob
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Liddell, Rt Hon Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Lock, David
Love, Andrew
McAvoy, Thomas
McCabe, Steve
McDonagh, Siobhain
Macdonald, Calum
McFall, John
McGuire, Mrs Anne
McKenna, Mrs Rosemary
Mackinlay, Andrew
McNulty, Tony
McWalter, Tony
McWilliam, John
Mallaber, Judy
Mandelson, Rt Hon Peter
Marshall, David *(Shettleston)*
Martlew, Eric
Meacher, Rt Hon Michael
Merron, Gillian
Michael, Rt Hon Alun
Miller, Andrew
Moffatt, Laura
Moonie, Dr Lewis
Moran, Ms Margaret
Morgan, Rhodri *(Cardiff W)*
Morley, Elliot
Morris, Rt Hon Ms Estelle
(B'ham Yardley)
Mullin, Chris
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, Rt Hon Paul *(Torfaen)*
Naysmith, Dr Doug
O'Brien, Mike *(N Warks)*
O'Hara, Eddie
Olner, Bill
Organ, Mrs Diana
Osborne, Ms Sandra
Palmer, Dr Nick
Pickthall, Colin
Pike, Peter L
Plaskitt, James
Pollard, Kerry
Pond, Chris
Pope, Greg
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Quin, Rt Hon Ms Joyce
Rammell, Bill
Rapson, Syd
Roche, Mrs Barbara
Rooker, Rt Hon Jeff
Roy, Frank
Ruddock, Joan
Russell, Ms Christine *(Chester)*
Sawford, Phil
Smith, Rt Hon Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, Rt Hon Chris *(Islington S)*
Smith, Jacqui *(Redditch)*
Snape, Peter
Soley, Clive
Southworth, Ms Helen
Spellar, John
Starkey, Dr Phyllis
Straw, Rt Hon Jack
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Rt Hon Mrs Ann
(Dewsbury)
Temple-Morris, Peter
Thomas, Gareth R *(Harrow W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark
Trickett, Jon
Turner, Dr Desmond *(Kemptown)*
Twigg, Derek *(Halton)*
Tynan, Bill
Vaz, Keith
Vis, Dr Rudi
Ward, Ms Claire
Watts, David
White, Brian
Wicks, Malcolm
Williams, Alan W *(E Carmarthen)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony

Tellers for the Ayes:
Mr. Don Touhig and
Mr. Jim Dowd.

NOES

Bottomley, Peter *(Worthing W)*
Corbyn, Jeremy
Davis, Rt Hon David *(Haltemprice)*
Hogg, Rt Hon Douglas
Leigh, Edward
Shepherd, Richard

Tellers for the Noes:
Mr. Eric Forth and
Mr. Christopher Chope.

Question accordingly agreed to.

Bill read a Second time.

Motion made, and Question put forthwith, pursuant to Standing Order No. 63 (Committal of Bills),

That the Bill be committed to a Committee of the whole House.—*[Mr. Charles Clarke.]*

Question agreed to.

Committee on Monday 17 July.

FOOTBALL (DISORDER) BILL [MONEY]

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a) (Money resolutions and ways and means resolutions in connection with bills),

That, for the purposes of any Act resulting from the Football (Disorder) Bill, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to the Act in the sums payable out of money so provided under any other enactment.—*[Mr. Mike Hall.]*

Question agreed to.

DATA PROTECTION

Motion made,

That the Motion in the name of Mr. Secretary Straw relating to the salary of the Data Protection Commissioner shall be treated as if it related to an instrument subject to the provisions of Standing Order No. 118 (Standing Committees on Delegated Legislation) in respect of which notice has been given that the instrument be approved.—*[Mr. Mike Hall.]*

Hon. Members: Object.

Farnham and Haslemere Hospitals

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Mike Hall.]*

1.15 am

Mrs. Virginia Bottomley (South-West Surrey): I had intended to say how grateful I was to Madam Speaker for choosing me for an Adjournment debate that should have taken place at 7 pm on Thursday. It is now 1.15 am. Although I am still grateful to Madam Speaker—I shall miss her greatly when she steps down—you will understand, Mr. Deputy Speaker, that 1.15 am is rather different from 7 o'clock in the evening.

I wish to speak on a subject of the most profound and serious concern to my constituency. In my 16 years in the House, I cannot recall an occasion on which I have had more letters containing greater depth, detail, responsible argument and increasing anger. They are about the complex consultation exercise that the health authority has introduced, most of which will take place over the summer recess. This is almost my last opportunity to raise the issue in the House before then.

I wish to discuss the future of community nursing, mental health services and the provision of care in West Surrey as well as in north and mid-Hampshire. Much of the complex detail has not been thought through or carefully argued, but the proposal is that there should be no community beds in the hospitals in Farnham, a town serving more than 40,000 people, and Haslemere, the town with the highest elderly population in Surrey whose hospital also serves people from Sussex and Hampshire. It is suggested that there should be a temporary reprieve for Milford hospital, an isolated hospital far from a local community and with no available transport services.

The proposals have been made following the Government's election and less than two years after the health authority came forward with plans, after careful and detailed deliberation and debate, that at Farnham there certainly would be a 42-bed community hospital, a stroke rehabilitation unit and a day hospital. At that time, the health authority chairman and the other members of the team gave their word that those plans would settle the future of Farnham hospital. I have just looked at the trust's publication for the plans for the health service in that area for 1999–2000. It, too, reasserts the commitment to Farnham hospital and its future.

I issued a leaflet shortly before Christmas to confirm with the trust that the plans for the hospital would still proceed, and I was given the affirmation that they would. I make my points with strong feeling, because I worked extremely hard—for well over 100 hours—with the people across the area to lower their expectations. People need to understand that change is necessary and that the patterns of the past cannot continue in the future. I had the absolute assurance that the plans would go ahead and, after much pressure and persuasion, people were prepared to accept the project for a 42-bed hospital which is now apparently to be abandoned.

Such a level of betrayal has profoundly affronted people across the Waverley area and West Surrey. That is particularly so because the community hospitals in the north of the area—in Weybridge, Woking and elsewhere—are to be saved. Worse than that, in the Hampshire health authority across the border, the Fleet hospital will continue to have community beds.

I wish to quote Dr. Raw, one of the most distinguished and long-standing general practitioners in Farnham. He is not given to militant language, but he said that

> the Farnham doctors are horrified at the failure of the authorities to build a proper community hospital for a town of 38,000 people with a larger catchment area and a significant elderly population, when other new facilities are springing up all over the country. Such a building requires a range of hospital facilities, including day care and beds for both the elderly and General Practitioner use.

Mary Neville of West street, Farnham, said

> It is so ridiculous to think that care in the home will take the place of rehabilitation beds in the hospital when we all know that Social Services are totally understaffed and underfunded. The fact that somehow we are all going to be packed into Frimley or the Royal Surrey, when necessary, when they are already filled to bursting is totally unrealistic. They did at least confess that they had reneged on their agreement on The Right Balance, but to tell us that it is a privilege to have a Community hospital in a town of this size, rather than a right, took some swallowing. Some years ago we had five hospitals and now we will have one "bedless care centre", illustrating the pathetic state of the NHS and the insensitivity of the Health Authorities to the needs of an ageing and growing population.

In the Haslemere area, Dr. Taylor—an extremely distinguished senior partner—explains:

> Haslemere will lose the opportunity to be treated in a high quality community hospital environment greatly respected and originally paid for by the local community. This type of care cannot be found in a nursing home, which lacks specialist nursing and support of pathology, x-ray and in-house services such as physiotherapy, occupational therapy and dietetics.

I have been overwhelmed by letters, and I can only apologise to my constituents that it is not possible for me to do justice to the great number who have spoken to me.

There have been a series of meetings in Farnham and Haslemere. Only with reluctance did the health authority chairman attend. However, he came and, I hope, was taken aback by what he heard. The letters that I have received show that people do not believe that the health authority was responsive, listening or behaving in the way we are now told it should in terms of partnership and trying to regain public confidence in the health service.

Mrs. Green of Brambletonn avenue, Farnham, said:

> The attitude of the platform, despite declaring that they were there to listen, indicated that the audience was wasting its time because the Health Authority knew best and the plan to close the beds was the only way forward.

The local feeling has been inflamed by successive comments from the Government, suggesting that the direction of travel is one that is sympathetic to the concerns of local people. The Secretary of State, in his new health network speech of 6 June, referred to the national plan: an unfortunately chosen name, following George Brown's national plan. The right hon. Gentleman said that the audit will confirm that older people are currently poorly served by the lack of intermediate care beds, with up to a fifth of hospital beds occupied by patients who could be getting better care elsewhere. That is the case in Farnham and Haslemere, and local people are up in arms.

Recently, an Audit Commission report confirmed the need for the facilities that are currently available at Farnham and Haslemere. Of course intermediate care is a sensible idea, and we should care for people in the community wherever possible. But, as with mental health services, there is a need for some beds and some community beds. The idea that nursing homes can pick up the strain, with their fragmented provision and without the integrated care pathway and the coherent care given by nurses in the community hospital who have a close working relationship with GPs, is ridiculous. It would lead to enormous pressure on GPs.

There is already tremendous difficulty in finding nursing home places and this has been exacerbated by deliberate policies from the Government. In my area, under this Government, we have seen a severe deterioration in services. I am afraid that the Government are not given to openness in information, but I pay a warm tribute to the Library. Time and again, I ask either the health authority or Ministers for information that they are simply not prepared to give. Somehow, miraculously, the Library seems able to find it.

Let us discuss equity. One person in eight has been waiting for in-patient treatment in West Surrey. In the Prime Minister's area of Durham, the figure is one in a hundred. I do not think that that represents equity and neither do my constituents. I have always regarded the number of people waiting for more than a year as the absolute test for an adequate health service. I say that partly because, when I was a Health Minister, the number waiting for one year went from 200,000 to 4,000. I wish that I had eliminated the waiting list altogether. Since the election, the percentage waiting more than a year has doubled in West Surrey. The number of finished consultant episodes went up by 0.8 per cent. in my area and by 5 per cent. in Durham. The number of district nurses and health visitors per thousand of population rose in Durham and fell in West Surrey.

Behind those figures lies the fact that the Government have taken steps further to distort the funding formula, so the gap between West Surrey and Durham is now £115 a head. The Government have top-sliced more and allowed less to come out in the distribution so that they can fund projects such as the £12 million census on the NHS, which was met with derision by health staff and members of the public. That sum would have covered the £7 million that my health authority has been told that it needs to find.

Dr. Taylor commented that the £583 per capita payment for people in West Surrey is due to fall further to £570. There are 632,000 people in West Surrey, so if the payment falls by that £13 a head, the amount raised will be £8.2 million, which would also cover the £7 million needed by the health authority. However one looks at the figures, there is a postcode lottery for health care funding.

The Minister will say that there are many prosperous people in my constituency, and that is true, but there are many impoverished people, and they live in a high cost area. I fail to understand why somebody living on social security in an area such as mine should have a much worse service than somebody living on income support in the Prime Minister's constituency. Mrs. Daphne White, of Long Garden place in Farnham, put it well when she said that

> the people of Farnham are devastated by this news, but we realise that the Government are not concerned about the people living and paying astronomical taxes in this country. The last thing they are concerned about is their welfare.

I am afraid that local people feel very bitter indeed.

After I had spoken to the Secretary of State and many other Ministers, and said that in three years there had been no ministerial visit to West Surrey and that I did not believe that that indicated proper stewardship of the

[Mrs. Virginia Bottomley]

health service, the Under-Secretary finally arrived. Her visit coincided with the opening of a side ward at the accident and emergency unit. I thought that she would like to know what the situation was in June at the A and E unit at the Royal Surrey County hospital.

Mr. Groves wrote to me to say that on 28 and 29 June he spent 34 hours in the A and E unit: 10 hours on a hard stretcher and 24 hours on a bed. While he was there, he was told that at one particular time some 20 patients were on stretchers outside the A and E ward. There was no flu epidemic and it was not winter.

We have an excellent general practitioner in Haslemere, Dr. Ridsdill Smith, who says that the casualty department at the Royal Surrey County hospital is under such pressure that patients are routinely left on trolleys overnight or, more recently, on allocated chairs. Besides the increased risk of bedsores and the danger of leaving cardiac patients in casualty, there is the sheer depravity of 50 ill people sharing one loo and shower. The hospital is undergoing a bed crisis in midsummer. There is no capacity to decrease chair and trolley numbers, let alone community beds.

There has been a rearguard action to try to pretend that the Royal Surrey has problems of its own. My hon. Friend the Member for Guildford (Mr. St. Aubyn) has spoken eloquently about the hospital's excellence, strength and efficiency. It is under huge pressure to control its financial difficulties, which are caused by a formula that gives the region, which consists of a dispersed rural area as well as town centres, so savage steps have been taken.

The number of beds has declined by 12 per cent., from 350 to 307 since the Government have been in power. There was a slight reduction before they came to office. In addition, the number of beds to which patients can be discharged has been further reduced by 25, so the overall number of beds available in the Royal Surrey area has gone from 472 to 404—that is, 68 fewer beds, or a 14 per cent. reduction. That is why it is intolerable for people to be told that they may lose the community beds that are available for their use.

Let me make some points clear. I am not opposed to intermediate care, but it cannot cope with the unmet demand that we now face, let alone the extra demand from an ageing population. Intermediate care on the scale proposed is totally untried and untested.

I am not opposed to the health staff. Indeed, I have the highest praise and admiration for the nurses, doctors and other health staff. It is their distress, which has been communicated to me with great intensity over the past two years, that led me to see the Secretary of State privately before Christmas and to raise the matter repeatedly in the House. I remain deeply unhappy that the Government seem so extraordinarily insensitive to these matters.

The Godwin unit at Haslemere is a rehabilitation unit for young disabled people. I opened it myself. It was a rehabilitation project near the town, offering the quality of care and attention that was considered the most suitable. People there are being told that they might have an interim move to Milford, before moving on to an acute hospital.

Why are people so angry? They are angry because services have deteriorated to an unacceptable level while the Government have distorted the funding formula. They are angry because the Government's rhetoric implies that there has never been money like it in the NHS and the problems are over. They are angry because, two years ago, they were given assurances by the health authority that, yes, there would be difficulties in service provision, but the towns of Farnham and Haslemere would have their community beds. People are angry because they have no confidence that the health authority will act honourably, listen to their concerns and provide the local community with a service of which they can be proud.

This may be my last opportunity before the end of the consultation period to raise the matter in the House. I very much hope that the Minister will listen carefully and will be able to give people some encouragement. We are told that for the next three years, there will be an additional 6 per cent. above inflation for the NHS. The Hampshire health authority has taken those figures into account in its proposals. For no reason known to anybody, the Surrey health authority has chosen to disregard those proposals.

Since the previous plan, has the need for care changed? No. Has the financial position changed? No—except that we are told that there is more money coming through. It would be absolutely wrong to commit a long-term act of vandalism in the health infrastructure in West Surrey for reasons of short-term economic constraint.

1.33 am

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): I congratulate the right hon. Member for South-West Surrey (Mrs. Bottomley) on securing tonight's debate about the future of Farnham and Haslemere hospitals. I hope that she will not mind my mentioning that the Prime Minister's constituency is Sedgefield.

My ministerial colleagues and I are fully aware of the concerns about health services in West Surrey. Indeed, we have debated them in the House on many occasions. The historical context is clear, but it is obviously not one that the right hon. Lady seems ready to accept. I shall deal with that a little later.

I admit to being surprised to read the title of tonight's debate on the Order Paper. As the right hon. Lady knows, and as she mentioned in some detail, current proposals on the future of Farnham and Haslemere hospitals are subject to full, public, statutory consultation. That is set out in West Surrey health authority's "Sustainable NHS Strategy" consultation document. Consultation commenced in May of this year, and will not close until September. The usual consultation period is three months; in the case of West Surrey, it will be almost four months.

The right hon. Lady knows perfectly well that if, following consultation, the local community health council objects to the health authority's final proposals, the matters will be referred to Ministers. Until then, we must remain impartial and not be seen to be influencing any decision. We must not, and I will not, prejudge the outcome of any local consultation.

At times, I find it tiring that some Members of the House constantly run down local services and refuse to accept any form of change, but it is encouraging that others take the time to acknowledge progress. The right hon. Lady said that change is necessary. However, it is interesting that there were no substantial or contentious changes in West Surrey between 1989 and 1995. On the consultation, it is important to put it on record that we want local people to have an input on shaping services in the area.

Mrs. Bottomley: Will the Minister give way?

Ms Stuart: May I please continue?

That is why I established an independent advisory panel made up of a cross-section of local people that will help to advise the health authority on the future strategic direction of NHS services in the area.

Mrs. Bottomley: Will the Minister give way?

Ms Stuart: Just for once, I would like the case on West Surrey to be listened to. It would be helpful if we both listened.

Mrs. Bottomley: Will the Minister give way?

Ms Stuart: This is the one and only time that I shall give way.

Mrs. Bottomley: The Minister should be better prepared. There have been major changes at Farnham and Haslemere and maternity services and surgery were lost at both hospitals. On both occasions, I tried to lead the local community to accept those substantial changes and there have been many other alterations, including similar ones at Milford. The assurance was given that community beds would be retained. The Minister's remarks are not accurate.

Ms Stuart: I will not revisit old ground. I want to put on record the coherent, rational case and I should be grateful if, just for once, it was listened to.

As I have said many times, we inherited a health service that spent more locally than it was allocated. Even our generous funding increases—West Surrey health authority received £401 million for this year, which is a cash increase of some £30.7 million—were not enough to enable the health authority to meet its statutory duty to balance its books on a recurring basis. I put it on record that the funding per weighted head in West Surrey is £706. The national average is £688. For County Durham, the figure is £674. Although base funding per head in West Surrey is £633, weighted funding is above the national average. That must be accepted. This is not a matter of debate, but a matter of fact.

The health authority has stated that the aims of phase 2 are to achieve stability and to ensure that services in the area build on best practice and are fit for the 21st century. The services are about providing more care closer to people's homes, in either expanded health centres or local care centres. The intention is that the new primary care trusts will provide or co-ordinate all primary, community and a range of other services for local people. Local people will have access to modern, up-to-date facilities and be treated with the latest technology. The health authority plans a network of care to prevent unnecessary admissions to hospital and to ensure that patients are discharged as soon as their treatment is completed.

Positive progress has been made in West Surrey, despite the problems of neglect that we inherited. We cannot ignore the fact that the NHS had too few doctors and too few nurses. Three quarters of accident and emergency departments needed modernisation. The NHS was crying out for the biggest building programme in its history, but was stuck with a party content to spend funds on consultancy fees rather than construction fees. NHS debts, which were being built up year on year, amounted to £450 million. The right hon. Lady's own health authority, West Surrey, managed to build up a deficit of £18 million. Average real-terms growth over the full 18 years of Conservative government amounted to just 3 per cent.

After 18 years of neglect, we have started to put that right with the largest hospital building programme in the history of the NHS. There are 5,000 more nurse training places and more than 10,000 extra qualified nurses already working in the NHS. The number of doctors has risen by nearly 5,000. By 2005, we will have increased the number of medical school places by more than 1,000—the biggest increase in a generation.

I could go on. However, all this seems to have passed by the right hon. Member for South-West Surrey. We have heard again how, according to the Opposition, the Government are failing people in West Surrey, but that is not the case. Four million pounds has been invested in health-care facilities and community hospital services, £300,000 has been invested to open a 16-bed medical admissions unit at Royal Surrey County hospital, and Frimley Park hospital has received £525,000 for new X-ray and information technology equipment.

As part of our £20 million boost for revolutionary on-the-spot booking systems, both Ashford and St Peter's and Frimley Park, in conjunction with local primary care groups, have been chosen for pilot projects. Doctors will now be able to book dates for operations at times that suit patients. Two new primary-care walk-in centres have opened, serving Weybridge and Woking. These are new services, responding to the needs of the population and to changed life styles.

Surrey Hampshire Borders NHS trust is to receive a brand new trailer to further improve its breast screening services, and replacement ultrasound facilities have been provided. NHS Direct has proved a huge success. The right hon. Lady has described it as peripheral and frivolous, but nearly 12,000 people have called it in West Surrey. The calls were taken by Surrey Oaklands NHS trust.

Again, I could go on, but I sometimes fear that that serves no purpose. My son once said to me, "The fact that I can hear does not mean I am listening." I sometimes feel much the same here.

The positive steps that I have described show not only that West Surrey is able to offer its community modern services, but that the Government are prepared to match their plans for the NHS with extra investment in local services. Those services have been improved only thanks to the Government's commitment to modernising the NHS—a commitment that the Conservative party did its best to destroy.

I strongly believe that, in West Surrey and across the service, there are the courage and conviction to make changes—to face up to the needs of the population but also to respond to technological changes and changes in the way in which services are delivered. It is a tragedy that the only people who do not have the same courage are Opposition Members.

[Ms Stuart]

Let me say a little more about the independent panel. It is important to us for local consensus to be achieved: that is why the normal consultation process is supplemented by the panel's work. In some areas, I have seen it working to reach a genuine local consensus involving all stakeholders from different parties. I know that in West Surrey other political parties are engaging in constructive debates, asking what the best option is when choices must be made. That is what we are trying to achieve, and I am sorry that the right hon. Lady does not agree with me.

We have presented a coherent strategy to address the problems that have been allowed to build up. We are not prepared to let any authority fail to meet its statutory duty to live within its means. Modernisation means a reconfiguration of services, but always in the interests of the local population. The fact that we disagree with others does not mean that we are wrong. We are consulting local people, and have shown our commitment by investing extra funds.

I know that I keep returning to this, but the weighted per-head figure in the right hon. Lady's area is £706, which is well above the national average. Any accusation that we are starving the area of funds simply does not make sense.

I hope that all the politicians in the area will engage in constructive dialogue—I know that some already do—and will have the courage to face up to what change means.

Question put and agreed to.

Adjourned accordingly at sixteen minutes to Two o'clock.

Westminster Hall

Tuesday 4 July 2000

[MR. MICHAEL LORD *in the Chair*]

Down's Syndrome

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Mike Hall.*]

10 am

Dr. Brian Iddon (Bolton, South-East): I am grateful for the opportunity to introduce this debate on Down's syndrome in the 30th anniversary year of the Down's Syndrome Association. I intend to highlight some of the difficulties facing the 60,000 people with Down's syndrome in the hope that we can change society's attitudes towards them. I congratulate the association on the work that it carries out on behalf of people with Down's syndrome.

My involvement with the DSA was catalysed by one of my Farnworth constituents, Mrs. Flo McBrien, the mother of Shelley, who was born with Down's syndrome. Flo had to campaign for vital surgery that has given Shelley a much better quality of life, and she now campaigns on behalf of other children with Down's syndrome, such as 18-year-old Joanne Harrison from Shrewsbury, who desperately needs a heart-lung transplant. If Joanne's heart defects had been detected by screening at birth and the necessary surgery carried out at that time or shortly afterwards, her physical condition would not be what it is today. I am grateful to Esther Rantzen, who highlighted Joanne's case and other similar cases in her television programme.

Down's syndrome is a genetic condition, linked to the presence of an extra chromosome that may manifest itself in learning disabilities of varying severity and in physical problems, especially cardiac abnormalities. Sadly, people with Down's syndrome experience discrimination throughout their lives due to ignorance and misunderstanding. In the previous parliamentary Session, I tabled an early-day motion requesting that the Government combat such ignorance and misunderstanding, especially as it affects the treatment of those with Down's syndrome under the national health service. It was the 12th most successful early-day motion in terms of the number of signatories.

I am rightly proud of the modernisation programme that the Government initiated and implemented for the national health service. Thousands of nurses are returning to the NHS and thousands more are in training. Many more doctors are coming through the process, and in a few years they will be able to practise. Thirty-seven new hospitals have been approved, many of which are under construction. Some, like the one in Carlisle, are already open.

The Government have produced two important documents about learning difficulties: "Once a Day" and "Signposts for Success". They highlight good practice for the commissioning and providing of high-quality health care for those with learning disabilities, who include adults and children with Down's syndrome. Many people receive excellent care under the national heath service, but some patients with Down's syndrome do not. That is unacceptable. Prejudice is encountered in two ways: by reduced access to clinically appropriate services and by the attitudes of staff who discriminate against Down's syndrome patients on the basis of disability alone.

Last year, the Down's Syndrome Association published a survey of parents of children with Down's syndrome, entitled "He'll never join the army". It showed that 28 per cent. of the 1,509 parents who were surveyed reported a high level of dissatisfaction with the standard of health care that their children receive. There have been cases of overt and covert discrimination, particularly by general practitioners, cardiologists and ear, nose and throat specialists, but also by other hospital doctors and health care workers.

Discrimination against people with Down's syndrome contravenes the Human Rights Act 1998 and the Disability Discrimination Act 1995. The rights of the disabled are exactly the same as those of any able-bodied person. Discrimination is illegal, and we must raise awareness to prevent further discrimination against people with Down's syndrome. Ignorance and misunderstanding must not be allowed to taint the image of one of the world's finest health services.

Every day in the United Kingdom, one baby in every thousand will be born with Down's syndrome, 50 per cent. of whom will be born with a heart defect that is detectable using simple, non-invasive diagnostic techniques. If such simple investigations are not conducted and the abnormality goes unnoticed, irreversible pulmonary complications can set in, resulting in a shortened life expectancy. Early diagnosis and surgery at an optimal time can save 80 to 90 per cent. of such children. Successful surgery can prevent problems that can severely compromise quality of life and life expectancy later in the child's life. The profound significance of such simple investigations and appropriate treatment must not be underestimated, because they can extend a baby's life expectancy by several decades.

Unfortunately, the existence of screening programmes is patchy, arbitrary and, where they do exist, variable in quality across health authorities. Even when screening is conducted, doctors do not always convey the diagnosis accurately or give appropriate advice, guidance and support. To illustrate the awful consequences of such inaction, I give the example of Katie, a nine-year-old with Down's syndrome. She received cardiac screening at four weeks of age, but was not strong enough to undergo surgery until she was four months old. That delay in treatment unfortunately resulted in irreversible pulmonary damage. Katie now requires a heart-lung transplant, but she is unlikely to be entered on the list for transplant surgery, simply because she has Down's syndrome. I urge Ministers to introduce a policy ensuring that all babies born with Down's syndrome routinely undergo cardiac screening to detect any abnormalities, and are referred for treatment if clinically necessary. No child should be discriminated against on the basis of disability: that is wrong, socially unjust and probably illegal.

The physical symptoms of Down's syndrome are unfortunately not confined to cardiac abnormalities. More than half the people with Down's syndrome experience difficulties with their hearing and have

[Dr. Brian Iddon]

varying degrees of visual impairment. Given the nature of their disability, such sensory impairments should perhaps be corrected more speedily than for other patients so that the potential of people with Down's syndrome can be maximised at the earliest opportunity. It is therefore disturbing to learn of patients being denied access to NHS treatment on the basis of that primary disability.

The DSA has provided a catalogue of serious cases of discrimination within the NHS. For example, one mother of a three-year-old boy was told by an audiologist that if her son developed hearing problems for which grommets were the clinically appropriate treatment, he would not be offered them, simply because he had Down's syndrome. Another mother, of a 16-year-old boy, remarked:

> I was asked by an ENT specialist how I thought my son's life could be improved by having his hearing increased.

Denial of treatment is denial of opportunity for those people.

From the moment of diagnosis, parents can be subjected to discrimination. Imparting the initial diagnosis of Down's syndrome is a crucial opportunity to convey positive, not negative, messages about the child's disability. One mother of a 17-year-old told the DSA:

> When she was born we were told by a doctor that it would have been better if she had died at birth.

A mother of an 11-year-old stated:

> Shortly after his birth a midwife told me that had she known she was carrying a child with Down's syndrome, she would have had an abortion.

A parent of a 10-year-old boy commented:

> I was advised to have my son fostered or adopted when he was three months old as he wouldn't amount to anything and that it was best to try again for another baby.

Such anecdotes are profoundly shocking. Parents have recounted horrific tales to the DSA of derogatory value judgments being made about their beloved children. Other parents have met with comments that verge on racism. Imagine the gut-wrenching feeling when one's child is described as a Mongol. That is how 12 of the parents surveyed by the DSA felt. That fiercely insulting term was discarded by *The Lancet* in 1964, and banned in publications by the World Health Organisation in 1965. However, the term was used to parents, by staff in the national health service only two years ago. In a society that espouses equality as a virtue, such practice must be not only reviled but eliminated.

Prejudice is manifested not only by the use of insulting and derisory terms, but by implicitly and explicitly limiting the aspirations of people with Down's syndrome. One parent was told, "Well, he'll never be a brain surgeon." Another was told by an opthalmologist, "We won't bother with glasses, as he's not what you would call university material." The father of Rhian commented:

> It has become apparent to us over the years that there is a general reluctance on the part of health care professionals to fully understand and treat with sympathy and interest the needs of our daughter aged 16. There has been far too much of the approach from them that, because she has Down's syndrome, this or that ailment is to be expected and not much can be done. This is almost always inherent and coupled with a patronising attitude.

Thankfully, such comments and treatment are not typical of the modern national health service. If such treatment occurs just once, however, that is surely once too many. Even if the majority of staff do not behave in that way, the minority must be forced to change.

The Department of Health's documents "Once a Day" and "Signposts for Success" acknowledge that some people with learning disabilities do not get a fair deal in the national health service. It is estimated that, on an average list size of 2,000 patients, a GP may have approximately 40 patients with learning disabilities, some of whom may have Down's syndrome. Despite the existence of good practice and the large amount of guidance available, no national strategy currently exists to ensure that people with learning disabilities can access high-quality mainstream health services.

However, there are many examples of good practice within the NHS. Professor Tim Eden is a paediatric oncologist at the university of Manchester who works at both the Christie hospital and the Manchester children's hospital. He informed me recently that he and his colleague, Dr. Robert Wynn, a consultant paediatric haematologist, have overcome the difficulties inherent in treating Down's syndrome children who develop leukaemia. As a result, the prognosis for those children may be better than for other children with the same disease condition. Following chemotherapy, Down's syndrome children are noticeably more prone to contract infections than other children, which is the main problem. However, those medical practitioners have discovered that, by employing up-to-date nursing techniques, that difficulty can be overcome. That is good news for Down's syndrome children.

It is of paramount importance to ensure that doctors and health care workers are trained in the care of people with learning difficulties, and that any allegations of prejudice and discrimination are investigated and dealt with speedily and with due seriousness. Pressure needs to be exerted on the deans of medical schools—for example, through the General Medical Council—to ensure that training to deal with people with learning difficulties is taken seriously.

St. George's medical school in Tooting, London, is a beacon of good practice. The DSA is working with the school to develop a pioneering on-line learning package, which is funded, I am pleased to say, by a £25,000 Department of Health grant. That will allow doctors to diagnose correctly people who have learning difficulties and train them, and health care workers, to deal with that group of patients more sensitively.

Disgust at the apparent discrimination experienced by people with Down's syndrome is not confined to patients, their parents and other relatives. It extends into the health professions. Dr. Vivian Nathanson of the British Medical Association said:

> Doctors are making blanket policies about treating patients. This is ethically dubious. They should all be treated as individuals, not on the basis of some classification.

Alexander Harris is a solicitor who represents a child with Down's syndrome. He contacted 180 parents of Down's syndrome children, five of whom claimed that doctors had failed to give access to vital surgery. Eight of them said that children had died or were expected to die shortly due to delays in diagnosis and surgery.

I call on the Department of Health to ensure that four steps are taken. First, cardiac screening must be compulsory for all babies born with Down's syndrome.

Secondly, they must have faster access to all required health services and, in some instances, receive positive discrimination in order to maximise their potential. Thirdly, training has to be in place in all medical schools so that doctors and health care workers can better understand the needs of those born with Down's syndrome and other learning disabilities. Fourthly, the Department must send out a firm message to everyone that the national health service should be a model of good practice and that discrimination against those with Down's syndrome will not be tolerated.

The chief executive of the DSA and I recently met the Minister of State, Department of Health, my hon. Friend the Member for Southampton, Itchen (Mr. Denham), and our proposals were given a good reception. I hope that they will be enacted. I look forward to listening to my colleagues and to the response of my hon. Friend the Minister for Public Health.

10.16 am

Mr. Mike Hancock (Portsmouth, South): I am delighted to take part in the debate. I heartily congratulate the hon. Member for Bolton, South-East (Dr. Iddon) on his good fortune in having the debate chosen, and on the splendid way in which he presented the case on behalf of Down's syndrome sufferers in the United Kingdom.

For a long time, I worked for Mencap and encountered daily the problems about which he spoke so eloquently. I repeatedly came across examples similar to those that he described, although many were far worse. One thing that always arose was the long wait that parents and young Down's syndrome sufferers had for everything. Nothing was ever available when needed. The fact that the issue had to be dealt with was recognised, but there were always long periods before their needs were met and before the health service, education, respite care and housing requirements were in place. Carers, and especially parents, had infinite patience. They never asked for a great deal, but only for a fair deal, which was and is still sadly lacking in too many cases.

Down's syndrome and learning disability sufferers were forgotten after the war, 60 years ago, in the speedy process that brought our health service together for the first time. They were to be considered later, but time continued to pass. Forty years had passed before people had started to get to grips with many of the issues, which is a sad reflection on all of us. It reflects the way in which the ignorance associated with the syndrome and learning disabilities generally has been allowed to persist. For one reason or another, Governments, local health authorities and local councils have ignored the issues and decided to prioritise elsewhere. That is why debates such as this are fundamentally important.

If we are to give all individuals in our nation, whatever the skills, disabilities or intelligence they are born with, the right to fulfil their true potential at their own pace and their own level, we must make sure that we put an end to that ignorance and desire to ignore the problem. The Down's Syndrome Association, which has existed for 30 years, has made a remarkable achievement, as has Mencap, which has been in existence for 50 years. Those organisations have had to struggle to educate the public and professionals about the issues.

It is a great shame that the Down Syndrome Educational Trust, whose national headquarters is in my constituency, failed in its recent lottery bid. That money would have given the trust an opportunity to develop the Sarah Duffen centre, which is named after a young lady with Down's syndrome who fought against all the odds to reach her true potential. She is a classic example of what can be achieved when people are prepared to give someone an opportunity. Very few people with Down's syndrome, and very few of their parents, who are given that opportunity refuse to take it. Had the lottery bid been granted, it would have enabled the trust's work to expand and develop. It would have helped the trust to make people more aware of the problems faced by those with Down's syndrome. More importantly, it would have enabled it to give expert training, which is vital if we are to help those with Down's syndrome to reach their true potential. That has been denied the trust by the lottery decision. Perhaps the Minister for Public Health might influence her colleagues elsewhere in Government to reconsider that application. No reasonable excuse has been given as to why it was not granted.

This Government and the previous one have done a lot to bring the debate further into the public domain and set things in motion. However, there are deficiencies in the ageing policy adopted in social services and health authorities, which tend to treat older people with Down's syndrome as if they were 17 or 18 years old. They have not adapted their policies to ageing people with Down's syndrome. In many day centres, those people have the same experience that they had 30 or 40 years ago when they first went there. People aged 60 with Down's syndrome are no different from other people. They do not want to sit in a room full of loud music; they want peace and quiet, and the space to develop in their own way. That space is denied to many people because of a lack of resources. Some day centres have changed, but others have not and need to do so. More needs to be done.

We must also consider the issue of respite care for the ageing population of mums and dads who have cared for their children all their lives. The needs of those parents have changed. For example, they need to be trained to let go of their children. I have spent a lot of my time, as a professional in the field, trying to educate parents to let their children take the risks that children normally take and allow them to go to mainstream schools or further education colleges. However, we had to arm wrestle people to get such children into colleges, because those children were not perceived as having the same rights as others to go into further education. Every case was a personal struggle for parents and people campaigning on their behalf. That cannot be right but, sadly, it continues to happen.

We must ensure that the benefit system is easily understandable and offers opportunities for people with Down's syndrome to do more than simply be cared for. It is important that housing is provided for those who want to be independent and are able to live alone without being a threat to themselves. However, that accommodation must be provided close to their friends and family, so that support is on hand, just as we prefer our families to live close to us so that we can support them. Housing for people with disabilities is often the

[Mr. Mike Hancock]

last thing that is thought about. Often, such housing is situated in places that are out of the way and difficult to reach.

We must also provide work opportunities. I remember many examples of youngsters, who previously were given no chance, responding when they were offered proper opportunities. A classic example is that of a young lad who moved to Guernsey from his home in Glasgow when his father retired from the Glasgow police force. He had lived in a long-stay institution for 15 years, but he went to work, first on a day placement and then at Grow Limited, an organisation that was formed by Mencap and gave such youngsters in Guernsey an opportunity to work. Within two years, he had learnt to drive and had passed his driving test. Had he remained in Glasgow, he would not have had that opportunity. He was able to take it because people could explain to his parents nicely that their son was now a young man and deserved the right to be released from their care for long enough to take some of the risk that we all experience, to fulfil the potential that was always there and to gain some satisfaction in life. The boy's life changed completely, as did that of his parents. Many other examples show how much can be achieved when time is taken and the pressure is off.

This debate opens the door for a great deal of opportunity and I am delighted and proud to have taken part in it. Once again, I congratulate the hon. Member for Bolton, South-East on his contribution to the struggle to get a fair deal. People with Down's syndrome do not ask a lot; they want only to be treated in the same way as every other young person and adult in Britain—to be given a chance and an equal share of resources, to be taken seriously and to be treated with respect and dignity. In my opinion, that is not a great deal for people to ask. After a 50-year struggle, it is about time that we as a nation recognised their rights.

10.26 am

Mr. Ian Stewart (Eccles): I congratulate my hon. Friend the Member for Bolton, South-East (Dr. Iddon) on having secured this important debate. I come to the issue as a constituency Member of Parliament. Although I had a general awareness of Down's syndrome as an individual, my attention was focused and heightened by my contact with the Bell family, who live in my constituency and about whom I shall say more later.

When my attention was drawn to Down's syndrome children and the problems that they face, I found out some statistics. Two babies with Down's syndrome are born every day. As my hon. Friend the Member for Bolton, South-East pointed out, half of those children will have some form of heart defect. Failure to detect such problems early in life can have serious consequences. If they are found early, they can be fixed through surgery, as has been pointed out. If screening does not occur until later in life, however, a degenerative heart condition can cause serious health problems and even death. Because of the stigma attached to Down's syndrome, many patients are not given the essential heart screenings that can avoid such grave health consequences. The Down's Syndrome Association recommends that every child born with Down's syndrome should be given an echocardiogram to screen for heart defects. That is the only test that can provide an accurate diagnosis. The majority of defects are surgically treatable with a good prognosis, but if they are left too late, there can be irreversible change from pulmonary vascular disease.

Last year, the Down's Syndrome Association conducted research among 1,500 families with a Down's syndrome child. It showed that 28 per cent. of its members had experienced discrimination. It was alleged that in some cases discrimination went as far as withholding treatment and that children had died as a result. Discrimination against Down's syndrome patients is rampant. It ranges from name calling to the denial of necessary medical treatments. I have been told that some Down's syndrome cases have been passed over for heart and lung transplants because it was felt that their lives were of less value. Article 2 of the Human Rights Act 1998 states:

> Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which the penalty

provided by law is death.

More than half of the people with Down's syndrome have significant hearing problems, and problems with vision are at least as common. Help for vision and hearing problems is available through surgical intervention or by providing glasses, hearing aids and other techniques, which are offered routinely to other groups of people. It is imperative that hearing and vision problems are recognised and treated so that they do not create further obstacles to full development. Those children have the right to develop as fully as other children.

To combat the mistreatment of Down's syndrome patients, the Down's Syndrome Association recommends that every medical student should receive longer training on learning disabilities. Improvements need to be made to many aspects of treatment, including the manner in which the medical staff first inform parents that their child has Down's syndrome, and the actual treatment of the child. Such programmes have been developed, but should be given a higher profile.

St. George's medical school in London has developed a successful course, which uses practical case studies of people with learning disabilities and their problems. It addresses not only the medical issues involved but the attitudes of the students. However, the class is optional. The Down's Syndrome Association is working with St. George's to develop a web-based learning tool on how to diagnose effectively, and treat sensitively, people with learning disabilities as well as those with Down's syndrome. The Department of Health has donated £25,000 to that cause. The money is welcome, but more needs to be done.

At the beginning of my speech, I referred to the Bell family in my constituency of Eccles. I am proud to have made the acquaintance of Ms Alex Bell, who fosters six Down's syndrome children. I have rarely met a more happy, secure and loving family, but I mention the Bell family only to highlight the problem. I am sure that there are many other loving families throughout my constituency and, indeed, the United Kingdom. They need understanding and support, but that demands a change of attitude in our society. I know that the Government will take steps to ensure that proper support is forthcoming and to engender such a positive change in attitudes. I support the four demands made by my hon. Friend the Member for Bolton, South-East and congratulate him again on securing this debate, which highlights such an important issue.

10.33 am

Sandra Gidley (Romsey): I should like to congratulate the hon. Member for Bolton, South-East (Dr. Iddon) on bringing this matter to our attention. I also congratulate my hon. Friend the Member for Portsmouth, South (Mr. Hancock) on his contribution. It was heartening to hear him say that matters have improved in the past few years, although we have a long way to go.

We heard that 60,000 people in the United Kingdom have Down's syndrome. Every day two people are born with the condition. The key word in both those sentences is "people". Down's syndrome people look a little different, are more prone to a range of health problems and, yes, may act a little differently, but all people deserve to have the best health care possible so that they can lead happy and healthy lives. Who are we to decide that people with Down's syndrome do not deserve the very best—and believe me, they are being denied the best. I read the survey entitled "He'll never join the army", which I would recommend to anyone because it is a real eye opener. I defy anyone who reads it not to be shocked and horrified.

From the moment of their birth, comments about Down's syndrome babies are commonplace. The survey gives several examples. For instance,

> When it was discovered that the baby I was carrying had duodenal atresia, one doctor suggested that we withhold permission for the operation that was essential to save her life.

Or,

> An eye specialist recently told me that my daughter needed glasses 'but with her condition one would not be able to tell if there was any improvement in sight'.

Or again,

> He was screaming and rolling around in agony. The doctor asked if he was in pain—as if he was an alien.

Finally,

> Our son was described by a senior physician as 'an unacceptable burden on resources medically, socially and educationally'.

Those examples are indicative of an oft-prevailing attitude—but it gets worse. One in two children with Down's syndrome are born with a heart defect. Some are minor, but others are severe and require medication or surgery. It is essential that those problems are identified in the first few weeks of life, but although the possibility of heart problems is well known, all too frequently an echocardiogram is not carried out and the symptoms are ignored. It should be compulsory for testing to be conducted in the first couple of weeks of life. Again, the examples are heart wrenching:

> I was told by our original paediatric consultant that it would cost at least £10,000 for heart surgery and that they would rather spend that sort of money on a 'normal' child. . .

and:

> Our daughter's heart problem was not found until she was two years old, which we found strange as so many children with Down's Syndrome have some sort of heart defect. Then we were told it was too late to operate.

Those attitudes are still prevalent, yet there is a body of evidence to show that an early operation is less of a financial burden on the health service, and is in the best interests of the patient. If the operation is not performed, the prognosis is poor. In their early 20s, sufferers will probably be wheelchair bound and in a great deal of pain and discomfort, not to mention the fact that that will cost the taxpayer a great deal more money than the original £10,000.

All that makes harrowing reading, but I do not believe that the majority of medical staff involved are deliberately cold and uncaring. Their comments often stem from ignorance and lack of sensitivity. A seemingly cold and callous remark at birth can make it difficult for parents to bond with their new baby, and I would go so far as to say that it can potentially cause long-term problems with the relationship.

We witness discrimination. The basic training need must be addressed, because health professionals must be able to see the person, not the disability. It will take a long time to change entrenched attitudes, but we can make a start by insisting that students in the health professions receive training in learning disability issues, as mentioned by the hon. Member for Bolton, South-East.

I have come across children with Down's syndrome ranging from the cheerful and happy to the downright disruptive—exactly the same range of behaviour found in so-called normal children. In any group of people there are a wide range of behaviours and abilities, and we typecast any group of people at our peril. Health professionals must learn to see the person, not the condition. People with Down's syndrome no longer regard themselves as sufferers.

It is more difficult to insist on on-going training as, in my experience, those who are most in need of training are least likely to seek it. Once that is in place, attitudes will begin to change. I would then hope that no person with Down's syndrome would be treated differently or would ever be denied treatment because of his or her condition. By that, I also mean that the appropriate medical tests should be undertaken. Those are some of the aims of the Down's Syndrome Association, as outlined by the hon. Member for Bolton, South-East. I wholeheartedly support those aims and urge the Government to do all they can to deal with those problems.

10.39 am

Mrs. Caroline Spelman (Meriden): I add my congratulations to the hon. Member for Bolton, South-East (Dr. Iddon) on securing the debate. This is the first time that I have followed the hon. Member for Romsey (Sandra Gidley), so it is nice for me to be able to welcome her to Westminster Hall for an Adjournment debate.

The topic that we are considering is a classic subject for an Adjournment debate, because all political parties are trying to tackle fundamental prejudice in society. We have talked about health professionals, whose response has a key part to play in achieving what we want for people with Down's syndrome. The truth is that prejudice in the population at large is extensive. We are tackling a big problem in society, and that can be done effectively only by taking a cross-party approach.

[Mrs. Caroline Spelman]

Probably the most anxious moment for any parent of a newborn baby is when the child is passed to the paediatrician for health checks. What the health professionals then say to the parents is paramount. I expect that there is not a parent in this place who would not recognise the worry of that moment. The words that doctors use often replay in the parent's mind for years to come, and if crass or insensitive language is used, the damage can be very real. We have heard examples of just the wrong kind of language being used.

Many women opt for tests for Down's syndrome during their pregnancy, but for many that is a difficult decision. The classic test of amniocentesis carries a risk of miscarriage, and women who have miscarried may fear such a test. Faced with the dilemma of what to do if it were established before birth that the child had Down's syndrome, many mothers decide not to cross that bridge at that stage and do not have the test. The birth is often the moment when the discovery is made. In a handful of cases—an example occurred recently—the test can be wrong. That, as we saw from the interview with the parents, causes real distress.

A cultural problem has arisen. With new technology, we are moving into an era when prospective parents think of having a perfect baby, a perfect birth and no problems. The truth is that human beings are born in different shapes and sizes, with a wide range of variations in ability and disability. That huge variation is part of our make-up. As the hon. Member for Portsmouth, South (Mr. Hancock) said, there is a huge variation in the severity of Down's syndrome. In some people with the condition, the symptoms are very mild and they are perfectly able to lead a virtually normal life. I wholeheartedly agree that they should be given every opportunity to do so. Set against that, the appalling statistic that more than a quarter of parents of Down's syndrome children have experienced discrimination at the hands of health professionals needs to be tackled.

Like the hon. Member for Romsey, I read with horror the results of the survey carried out by the Down's Syndrome Association, "He'll never join the army". I read the whole document, and was aware of the same telling phrases that several hon. Members have referred to, which show how damaging language can be, and of the fact that decisions made by health professionals have adversely affected the outcome for some Down's syndrome children. I was also shocked by the responses to the two questions in appendix 3, which show the scale of the problem. There were 1,509 responses to the survey, and beyond the 28 per cent. who were dissatisfied with the NHS help that they received, 126 respondents experienced specific difficulty in certain disciplines of medicine. It is important to dwell on that finding for a moment, because it may help the Government to focus their efforts on the relevant areas.

Interestingly enough, the greatest difficulty was experienced in cardiology. We should not be surprised by that: cardiac conditions in people with Down's syndrome need special attention. The survey showed that, for those parents, that discipline's response was inadequate. Next came general practitioners, which suggests that an extra effort needs to be made in training GPs, as they are often the gateway to specialist treatment. I suspect that that is the cause of some dissatisfaction.

In third position came ear, nose and throat specialists. We have already heard that prejudice may exist and that quite straightforward procedures such as the fitting of grommets are sometimes not thought to be worth while. That is clearly a long way from the guidance given to the profession on how to deal with such cases. Such instances highlight where the Government should focus their attention.

The view of those at the top of the medical profession is clear. Dr. Ian Bogle, chairman of the British Medical Association, said:

> All patients are entitled to good standards of practice and care from their doctors. A person with Down's syndrome has the same rights as any other person.

That, however, contrasts with people's experience. We heard that St. George's teaching hospital has a special programme to help doctors to learn more about what might benefit patients who have learning disabilities. My immediate thought was that if St. George's hospital can do it, others can too. Distance learning packages, such as the one described by the hon. Member for Portsmouth, South, are a good answer. We often see best practice in the NHS, but it seems incredibly difficult to disseminate that throughout what should be a national service. I ask the Government to redouble their efforts to cross-fertilise those good ideas.

I want to talk a little about age management, mentioned by the hon. Member for Portsmouth, South. I have a residential care home for people with Down's syndrome in my constituency. By coincidence, I was there on Saturday. Some of the residents are over 60 years old. That is a long lifespan, especially for people who have different requirements at various stages of life. I am pleased to say that that residential home is much more a home than an institution for the residents, some of whom have lived there for more than 30 years.

I was struck by what the hon. Member for Portsmouth, South said about older people not enjoying beat music blaring out from a ghetto blaster in a corner of the room, because some of the rooms in that residential home had been made quieter and more suitable for those women who were getting on in years. As a result, activities were possible in those quieter rooms that would appeal to ladies at that stage of life, such as weaving and other crafts. We must be careful not to take a "one size fits all" blanket approach to the needs of people with Down's syndrome. As the hon. Gentleman said, the condition varies so much that provisions need to be tailored to bring out everyone's full potential.

What more does the Minister think could be done to enforce the existing guidelines for dealing with Down's syndrome? Those guidelines are clearly not respected by all health service practitioners. If the guidelines are not adhered to, sanctions must be available. No one with Down's syndrome should be refused treatment on the grounds of that condition alone. Such action cannot be right. If hospitals were aware that claims could be made against them for negligence, they would be much more careful about what they said and did to patients who have Down's syndrome.

I agree that an echocardiogram should be carried out on all newborn babies to ensure that Down's syndrome children are not discriminated against. There is no good reason for denying them that procedure. Indeed, it is a cost-saving measure, as has been said. If it is carried out early, it can save considerable problems later. It is difficult to understand what the justification could be for failing to do that. If a hospital fails to carry out that procedure and it is decided that it should be policy to test all newborn babies with Down's syndrome, the hospital should be subject to negligence claims.

In reply to a question from Lord Robertson of Oakridge in the other place last October, Lord Hunt of Kings Heath said:

> The current guidance on health services for people with a learning disability... which includes Down's Syndrome, makes clear that they have the same right of access to NHS services as everyone else and that special care should be taken to ensure that they are not denied health care because of their disability.—[*Official Report, House of Lords*, 11 October 1999; Vol. 604, c. WA35.]

That is a clear and unequivocal ministerial statement, but nevertheless the guidance is ignored. I should be interested to hear from the Minister how that guidance can be made effective. The good-practice programmes "Signposts for Success" and "Once a Day" have not got to the root of the prejudice against people with Down's syndrome. We must start training the health professionals involved much earlier in the process.

The sanctity of life is the principle that underlies our demand for an end to discrimination against people with Down's syndrome. I do not believe that there is party political division on this issue. The problem is how to achieve our aim.

10.51 am

The Parliamentary Under-Secretary of State for Health (Yvette Cooper): I congratulate my hon. Friend the Member for Bolton, South-East (Dr. Iddon) on securing this debate on an extremely important issue. His points and the statements that he and other hon. Members quoted from their constituents and the Down's Syndrome Association report "He'll never join the army" are extremely powerful testimony to the trouble and torment that discrimination and indifference can generate for people with Down's syndrome and their families. They highlight the problems that people with Down's syndrome can face in practice.

People with Down's syndrome have the same rights of access to health and social services as anyone else. They should not be discriminated against simply because they have a learning disability. I am proud that the Disability Discrimination Act 1995 and the Human Rights Act 1998 are on the statute book. Those measures are designed to stamp out unacceptable practices and to make people more aware of when they are discriminating against others or undermining or denying others' rights. The Acts apply as much to health services as to other spheres of our lives.

Guidance issued to the national health service in 1996 made it clear that it is against the law to offer a service that is not as good as that being offered to other people, purely on the grounds of an individual's disability. Discrimination on the grounds of learning disability in our health services is unacceptable. However, in practice, discrimination and prejudice continue. Some of that discrimination stems simply from ignorance, and I pay tribute to the valuable work of the Down's Syndrome Association and other organisations in raising awareness of the needs of children and adults with Down's syndrome. The Minister of State, my hon. Friend the Member for Southampton, Itchen (Mr. Denham), met representatives of the association and my hon. Friend the Member for Bolton, South-East to discuss their anxieties, especially about possible discrimination in the health services against people with Down's syndrome and about training medical staff and others.

The association also had the chance to give evidence to the second stage of the Brompton hospital inquiry, which is considering parents' anxieties about the matter. However, raising awareness and setting standards to prevent discrimination are not a matter simply for the law and voluntary organisations. The NHS also has a part to play.

Guidance issued in 1992 reminded authorities that people with learning disabilities have the same rights of access to NHS services as everyone else, and stated:

> Special care must be taken to ensure that they are not denied health care because of their disability.

That guidance was followed up in 1998 by far more detailed guidance in "Signposts for Success", which was mentioned by my hon. Friend the Member for Bolton, South-East. That publication provided good practice guidance on commissioning and providing health services for people with learning disabilities, stating that commissioners of services should develop service specifications, standards and monitoring to ensure that there are guidelines for sensitive sharing of information with parents about their child's impairment—points that were raised this morning by hon. Members. It also recommended that commissioners should ensure a shared understanding of the needs of families and the specific needs of children with disabilities and, importantly, the provision of early intervention services and counselling, as well as access to the necessary specialist services, for families.

We continue to reinforce the guidance contained in "Signposts for Success" by publishing booklets aimed at specific groups of health service staff. "Once a Day", to which reference has been made, was aimed particularly at primary health care staff and stressed the need for the sensitive sharing of information about a child's disability. It also stated:

> Particular conditions, such as Down's Syndrome, carry an increased risk of certain health complications such as cardiac disorders, respiratory problems, thyroid disorders and hearing impairment.

We are preparing guidance based on "Signposts for Success" for staff in in-patient and out-patient services. That guidance has received considerable support from professionals, from those responsible for commissioning and providing services and from family carers.

The big question is how far that guidance is implemented in practice. A recent survey commissioned by the Department of Health, entitled "Facing the Facts" shows that there is still considerable variation in the health and social services provided for people with Down's syndrome. In other words, provision is patchy.

[Yvette Cooper]

That situation has also been spelt out in the work of the DSA and by the contributions of hon. Members this morning.

Implementation is vital, as is ensuring that we spread to every area the best practice that we know occurs in some areas. It is unacceptable that the care received by people with learning disabilities and Down's syndrome should depend on where they live. That is why we announced last year a new national learning disability strategy, to be launched towards the end of this year. We do not envisage a radical departure from existing policies and guidance, although we need to build on them; the central task is to make sure that we eliminate inconsistencies in service delivery and that all services meet the level of the best.

Work on the strategy therefore seeks to identify ways in which current policies and good practices can be implemented across the NHS and social services. As part of that work, we will consider what monitoring arrangements need to be put in place to ensure the proper implementation of the strategy and the prevention of unfair and unacceptable discrimination against people with Down's syndrome. The work is being taken forward in several small sub-groups that address a range of issues on children, supporting independence, health and work force planning and training.

We are involving a wide range of interests, including people with learning disabilities, family carers, professional organisations, providers, the Association of Directors of Social Services, the Local Government Association, the NHS Confederation and voluntary organisations throughout the sub-groups, the Department's learning disability advisory group and focus groups. We have also commissioned work on such issues as access to primary and hospital care, research issues, cancer services and services for black and ethnic communities. Dr. Oliver Russell chairs the health sub-group and he, with other officials, met the DSA last year to discuss its concerns about cardiac screening, discrimination and medical and other staff training. The sub-group on children has also considered such issues as early intervention and family support and has involved a number of advisers, including the DSA. I hope that our debate will inform work on the development of the new learning disability strategy.

I shall now respond briefly to the points that have been made in the debate. As my hon. Friend the Member for Bolton, South-East said, children with Down's syndrome are known to have a much higher risk of congenital heart disease than the average population: 40 to 50 per cent. of such children will be born with a cardiac abnormality. Given the known predisposition of that group of children to such problems, it is clearly good clinical practice to assess such babies for cardiac abnormality at the earliest possible opportunity, using the full range of non-invasive diagnostic methods that are available. That is the best way to ensure that appropriate treatment can be offered at the optimum time to achieve the best possible outcome for the child. Obviously, it is a matter for individual clinical judgment to ensure that the assessment is undertaken at the most appropriate time, taking into account the condition of the baby and the state of mind of the parents. How we ensure that that best practice is followed up certainly needs to be part of the new strategy.

My hon. Friend referred to the need to speed up access to care for those with Down's syndrome. All children have access to child health surveillance programmes, but it is clear that those with known needs often require referral for assessment earlier than the usual developmental checks. For those children, earlier detection and intervention can be helpful in best achieving their full potential. The child development centre, working in conjunction with the child, parents and professionals in many agencies, should be well placed to draw up an appropriate plan for the child's health, skills, development and play.

My hon. Friend referred also to the training of medical undergraduates and health professionals. University medical schools determine the content of the curriculums in the light of the recommendations of the education committee of the General Medical Council. Furthermore, the medical curriculum development scheme was launched in April 1998 to encourage national health service bodies and partner medical schools to work together on curriculum development to meet NHS needs. The chief medical officer has made available funding for six projects, the purpose of which is to consider what permanent mechanisms can be put in place to review and address NHS needs in curriculum development.

One of those projects is based in Leicester and is called "Learning from Lives". It is aimed at third-year medical students and has two themes, one of which is a comprehensive understanding of the nature and consequences of chronic disability. Students undertaking the course explore the differing needs of elderly and younger mentally and physically disabled patients and investigate the range, roles and accessibility of the multi-disciplinary teams that are involved in the care. Organisations from the voluntary sector are also involved. Students will be expected to develop professional behaviour and adopt a positive regard towards disability.

The projects are now in their final year and the Department of Health intends to publicise as widely as possible the good practice that is emerging from them to encourage similar collaboration in curriculum development elsewhere. The NHS executive is currently looking at suitable ways in which to do that. In addition, as a result of a meeting between the Minister of State, my hon. Friend the Member for Southampton, Itchen, and the Down's Syndrome Association, we have provided support for new website work that is being developed by the association because we must ensure that all clinical staff involved in the care of babies with Down's syndrome are aware of the health problems commonly associated with the condition, so that they can be picked up at an early stage.

I have mentioned other measures that we are taking to improve the recognition of wider health needs, but the work being carried out by the Down's Syndrome Association, supported by the Department of Health, to develop interactive web-based training is aimed specifically at raising the awareness of the condition among medical students. That is an important step forward.

The hon. Member for Portsmouth, South (Mr. Hancock) spoke about the importance of promoting independence, opportunities for work and education and developing full potential. Clearly, that is vital for people with Down's syndrome and for all people with learning disabilities. Opportunities should exist for everyone, whatever their circumstances. He also raised the issue of supporting older people with Down's syndrome. I wholeheartedly agree with him on that; it is another of the issues being considered in relation to the learning disability strategy.

Mr. Hancock: The Minister has made great play of the part that the strategy will play. Many people outside this Chamber will be interested to know when it will be published, when and if any associated action plan will materialise, and whether it will be resourced in such a way that it will be deliverable.

Yvette Cooper: The approximate timetable for the plan, which was launched at the end of last year, is to conclude its work and publicise the new strategy towards the end of this year. Clearly, the strategy must be deliverable. I cannot, at this stage, provide details of the content and form that it will take, because work is still under way, including in the sub-groups.

The hon. Member for Meriden (Mrs. Spelman) asked about enforcement mechanisms, and how to ensure that guidance is properly followed. Clearly, we must consider how to monitor the implementation of the strategy. That raises a broader question of how to spread best practice across the NHS in many different fields, which has been given detailed consideration as part of the development of the national plan, not just in this area but across the board. It is important to spread best practice rapidly, rather than in isolated examples.

My hon. Friend the Member for Eccles (Mr. Stewart) and the hon. Member for Romsey (Sandra Gidley) referred to communications skills in relation to training for the medical profession. That is already part of the guidance in "Signposts for Success" and "Once a Day", and must be reinforced in the additional guidelines for in-patient and out-patient staff. More work will be necessary, as part of the strategy, to make that difference.

I shall touch briefly on some more general issues in relation to helping Down's syndrome children and their families. They will benefit from initiatives to improve the services available for those with learning disabilities. Following a baby's birth, all children with Down's syndrome and their families must have a named health visitor. They should receive support from that health visitor, who, along with the family's GP, will be the main source of support and referral to other agencies. The primary health care team should offer the child health surveillance and a screening programme as agreed locally, and should work closely with the local community child health service to ensure that a care plan for child and family is properly formulated. In some cases, the child and family will be referred to a child development centre for a fuller assessment of their needs. That will provide a single door for multi-agency assessments to be carried out by health, social services and education staff. Clearly, there are implications not only for health services but across the board.

The Department of Health guidance, "Welfare of Children and Young People in Hospital", recognises and promotes the cardinal principle behind treatment—to provide support for the child as a whole and not simply for the condition for which treatment or care is required. The guidance acknowledges that children with disabilities who need hospital admission are doubly disadvantaged. Health service providers are therefore advised to ensure that facilities, procedures and staff can cope with the special needs of children with a physical, intellectual, sensory or communication disability.

We also recognise the need to provide for specialist staff training and orientation, which is reflected in the use of the court budget funding. The purpose of that budget is to stimulate training initiatives for child care health professionals. That is the source of the support for the Down's Syndrome Association. Through that support, we produced a template for the correct approach to families with a disabled child. It provided standards against which services could judge their performance, and was included in the Department's guidance document for health services in the community.

Considerable work has been carried out on this important subject, but we know that there is much more still to do. I congratulate my hon. Friend the Member for Bolton, South-East on bringing the issue before Parliament, raising public awareness and working with the DSA to provide proper information about the difficulties often faced by Down's syndrome sufferers—adults and children—and their families. We are committed to supporting such action. We have much work to do across the NHS, with the voluntary associations, and with all those who believe that discrimination is completely unacceptable in our health services.

11.11 am

Sitting suspended.

Transport (South-West Norfolk)

11.30 am

On resuming—

Mrs. Gillian Shephard (South-West Norfolk): First, may I say how grateful I am to be able to raise in the Chamber the issue of transport in south-west Norfolk and, by extension, in rural areas throughout the country? The Minister will be aware that petrol prices and, in particular, the Government's imposition of higher and higher levels of tax on road fuel are at the top of the public's agenda. *The Sun* today is full of advice for the Minister, which it couches in the immortal words "Get It Down Brown." It is supposed to be positive and constructive. More seriously, on 2 July *The Sunday Times* pointed out that, since the general election, motorists have been hit with an £8 billion hike in taxes, which is equivalent to a 4p in the pound rise in income tax. Annual excise duties on petrol have risen by more than £6 billion, value added tax receipts from petrol have risen by more than £1 billion and road tax has increased by £700 million, all of which adds up to nearly £8 billion.

I know that the Minister will avoid giving the impression that fuel price rises are due to more than increases in the price of crude oil, but the public know where much of the blame lies. It will help his credibility if he does not try to blame the previous Government, although he will probably do that. His Government have been in power for the past three years and the public hold them responsible for the tax increases that have made petrol—at £4 a gallon—the most expensive in Europe.

I want to raise the results of a survey that I recently conducted on transport in south-west Norfolk. To date, 500 people have responded, although I expect many more to add their views. The Minister will be interested to know that nearly 100 per cent. of respondents believe that the Government should pay more attention to transport issues, such as railways, road improvements and traffic. Some 90 per cent. support people who are protesting against the rise in petrol taxes and 80 per cent. believe that more should be done to encourage the use of public transport. Interestingly, 62 per cent. do not—because they cannot—use local bus services, which are inconvenient, do not exist or do not reach their villages. The Minister should note the significant statistic that only 31 per cent. of pensioners are able to use concessionary bus fares in Norfolk because of the lack of services.

The Minister will point out—justifiably—that Norfolk has received a substantial grant for the development of rural bus services. It certainly has. I welcomed the grant when it was announced, but I also explained that the rural economy is so diverse that no transport system could cope with all its needs. Moreover, the way in which the grant was established militated against the sensible deployment of the initial £1.5 million that Norfolk received.

In a briefing note produced for me last week by the county council, Andrew Harding, the officer in charge of such matters, said:

> The grant was set up, quite properly, with conditions to prevent local authorities being tempted to substitute grant for local funding of established bus services. This can lead, however, to the situation where, due to local authorities budgets being fully committed, an established and well-used bus service could be denied the full financial support it requires, whilst a new RBSG service carrying fewer passengers is maintained. In the interests of obtaining Best Value, overall more flexibility would be desirable.

The county council has done its best under the rather unsatisfactory conditions imposed on it by the Government for the use of this subsidy, but the results of those initial requirements have not gone unnoticed by the public. The secretary of the Watton and district chamber of commerce, Martin Anscombe, wrote to the director of planning and transportation at county hall last autumn. He said:

> I have now been asked by this Chamber's Committee to express the view of members in the strongest possible terms. That is simply that the provision...as far as Watton is concerned, is a complete waste of public money. There are now some 130 additional buses per week through Watton...Informal observations indicate that the new services are so far very little used, with large single decker coaches arriving and departing empty or nearly so. The effect of the grant has been the setting up of new services on a somewhat scattergun approach with no time for consultation or a thorough examination of either need or effect.

I raised this matter in the House last autumn. I am dismayed to find that the county council is still asking for more flexibility, to enable it not to waste this publicly provided subsidy for the rural bus service. I hope that the Minister will respond to that point or undertake to consider it. The most acute anxiety about rural transport—it has now reached crisis point—is that no public transport system can provide for the diverse needs of a rural area in which there are several population centres to which people travel for services and work. Not only do some people in such areas have more than one job, but it is by no means uncommon for one family to need two or even three cars in order to get to work. The fact is that people in rural areas need cars. For them, cars are not a luxury. Whether they need to work, shop or to gain access to medical services or schools, they are being precisely and punitively targeted by the Government's fuel tax policy while at the same time being exhorted in the name of the environment not to use their cars.

The Minister might not want to take my word for it, so perhaps he would like to hear the comments of some constituents of mine who responded to my traffic survey. Mr. Green of Outwell said:

> It is ridiculous to keep putting tax on fuel hoping to try to get people to use public transport. Living in Outwell, I need my van for work, and to get places, and also to pick up my 2½ year old son and to take him back. I could not do that using a bus. I am a self-employed plasterer and work on different jobs all over the place, eg. one day I might be at Emneth, the next day at Gedney Hill, then maybe Walton Highway.

The Minister may want to listen to the following point:

> I do not think that taking my cement mixer, buckets, levels, straight edges board and stands and trowels on a bus and then walking four to ten miles to the house I am plastering is a practical idea...Remember this is not London where a bus or taxi comes past every two minutes. So putting tax on fuel is disgusting. Remember an increase in fuel means everything else has to go up.

Those are the words of a self-employed man.

Mr. Middleton of Bradenham describes a different problem. He says:

> I am a disabled person. I have a motability car, which costs me just under £40 weekly. There are no buses in this area that will take a wheelchair. To go anywhere I must use the car. The nearest rail station is 20 miles away. My car still costs me £40 weekly even if I

> don't use it, so it is cheaper by far to use it all the time, rather than just to go to the station and pay fares on top of the £40. I am, as most people are, quite concerned about pollution, but I feel that the Government is treating us rural persons very unfairly. Putting more tax on fuel will not bring the train or bus closer to my home...I feel I am really being got at. I am an OAP with a non-elastic income.

Mr. Wilkinson of Watlington writes:

> In rural areas such as South West Norfolk, public transport is not an effective mode of transport, especially when we live out of town... We need our own transport, so Mr. Prescott's idea that there is no need for more than one car per family is totally out of touch with what is going on in the real world... I live in Watlington near the railway station, and I work at the power station at King's Lynn, which is on the south side of the town. To use public transport, I would have to walk a quarter of a mile to the Angel pub to catch the bus, travel all round the houses for 3 quarters of an hour, reach King's Lynn, then what? How do I get to the power station when it is not on my bus route or any other? Ah yes walk again for another mile or so. Totally unacceptable and unreasonable, after over an hours journey I can't get to work, assuming they don't cancel the service that day without telling anybody.

Mr. Birt of Watton writes as follows:

> I heard that the Deputy Prime Minister had spoken on the question of transport and suggested that drivers over the age of 70 should stop driving. I gave that great thought as I am 89 years of age (still a good driver). I decided to give up driving. Result, I am tied to Watton due to a bad bus service. Should I go to King's Lynn or Thetford I cannot return home after 6 o'clock.

Mr. Birt's letter speaks volumes for the life and vigour of people of 89.

Mrs. Gyll Bradley writes:

> I am a single mum on an extremely low income, yet I have to run a car to get my daughter to school or to go shopping. The nearest town is Wisbech and we have no regular services at all. The nearest train service is 10 miles away, so I need a car to get to the station. When I lived in London I didn't need a car and used the transport system—cheaper I hear than most up here. The petrol is also cheaper in London— why? They need cars less and yet it costs them less to run one! Cycling is fine in Cambridge, but locally it can be very dangerous, the roads are narrow and bendy and people drive too fast and there's no one around to stop them doing so. There is an increase of folks driving without tax and insurance around here, can you wonder though, some weeks I have to go without important items just to make sure that the car is roadworthy and legal. I would love to ditch the thing and get a bus—but they are so rare we take photos of them and put them in our "Endangered Species" album!!

We should remind ourselves that, at the 1996 Labour conference, the Deputy Prime Minister promised

> immediate benefits for the travelling public

as a result of the Government's transport policies. The result has been that people in rural areas, who have to use their cars because of the nature of the economy and because of the deficiencies of the public transport system, are being penalised because they live in rural areas. That cannot be fair. In particular, people at work, the self-employed, the disabled, elderly people and people with families have been accurately targeted for punitive and regressive tax treatment—not the picture of the inclusive Britain that we were promised before the general election.

The Minister will certainly say that there have been international increases in the price of crude oil, and that is true. He might also say that the previous Government introduced the fuel escalator, but he cannot deny that our petrol is the most expensive in Europe because we have the highest fuel tax in Europe. For every £20 spent at the petrol pump, £17 is taken in tax. Meanwhile, according to figures from the House of Commons Library, planned spending on transport will fall by 12 per cent. between 1997-98 and 2001-02. To add insult to injury, only 14 per cent. of the £36 billion being taken from road users every year is going back into road improvements.

In my constituency it is not uncommon for people to have to take a round trip of 14 miles to visit a general practitioner. They might have a round trip of 24 miles to go to the nearest supermarket, and to go to the nearest hospital might require a trip of 36 miles there and back. I give those figures because they are the distances travelled by people from the village where I live. Of course, older people must quite frequently make trips to the GP, to pick up medication. Trips to the hospital may be necessary, perhaps to visit older relatives. Although everyone tries to support local shops, they must from time to time visit the local supermarket.

The Government's tax policy on petrol, therefore, has an impact on all those people, who do not have a choice. They do not have a choice of sensible public transport that suits their needs, as my constituents have shown in their comments. Nor would it be possible for a public bus service, for example, to provide for every need. I accept that. However, the excuse that is given is that petrol tax increases are possible because we have a viable alternative in a bus or train system. I have tried to show that that alternative does not exist. My constituents must use their cars and, therefore, be taxed.

This tax policy has an impact on all people in rural parts of Britain. People are being unfairly and punishingly taxed off the roads, for no fault of their own—merely because of where they live. We shall have reached a pretty pass if older people on a fixed income must calculate whether they can afford to go to the supermarket or the doctor. The Minister is, I know, a sensible and reasonable man. He has the great good fortune to live in a splendid part of London—Streatham—but that will not necessarily put him in a position to empathise with my constituents, and other people in rural Britain, over the plight to which they have been reduced. I recognise that he cannot today, at a stroke, say, with *The Sun*, "Get It Down Brown", but I want him to say that he has heard the pleas, which are genuine. They are the voices of my constituents, who speak from the heart about a state of affairs that some of them are beginning to find frightening. The Government will allow that to continue at their peril. Believe me, people in rural areas have had enough.

11.48 am

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): I congratulate the right hon. Member for South-West Norfolk (Mrs. Shephard) on securing the debate. She has raised several important transport issues and explained their impact on her rural constituency. I am pleased with this opportunity to demonstrate the Government's commitment to improving transport and the quality of life of rural communities such as the one that she represents.

We set out our policy framework for transport in the integrated transport White Paper. We are taking further powers in the current Transport Bill and our

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forthcoming 10-year transport plan will set the investment framework for providing a modern transport system that will be accessible to everyone. Of course, I cannot give details of the plan today, but I am confident that it will represent a step change improvement in the way we meet transport challenges. It will enable us to implement solutions identified through our programme of multimodal studies of problem corridors; it will enable new rail infrastructure to be installed, more innovative and flexible bus services to be introduced, and additional investment to be made in the road network, particularly by means of much-needed bypasses. It will also enable the transport problems of rural communities and the effects of social exclusion to be tackled, and it will help us to give everyone a better choice in transport.

The forthcoming White Paper will set out the Government's vision for rural England. We have launched a discussion document, and have received more than 800 responses, which have been summarised and posted on the Department of the Environment, Transport and the Regions website. We expect the White Paper to focus on sustainable economic growth and regeneration in rural areas, access to services in rural areas and social exclusion, all of which are linked to transport. We shall consider the recommendations made by the Select Committee on the Environment, Transport and Regional Affairs as we continue our preparation of the White Paper.

I sympathise with the anxieties about petrol prices and fuel duty that were expressed by the right hon. Lady's constituents, but it is essential to place those concerns in context. First, the Government are reversing the previous Government's legacy of under-investment in transport with the massive £280 million of extra spending that was announced in this year's Budget. The Government are also investing in the country's public transport and road network, yet the previous Administration planned to cut the transport budget by £1 billion. Secondly, world oil prices are at an all-time high. We have seen steep increases in petrol pump prices. They have risen by 18p during the past 16 months, but less than 2p of that increase is due to this year's rise in fuel duty.

Mrs. Shephard: Will the Minister give way?

Mr. Hill: If the right hon. Lady will forgive me, she has left me relatively little time. I have much to say and little time to say it, but if the opportunity arises—I want first to say more about petrol price rises—I shall give way. I want first to make some progress.

I was about to point out that, although fuel duties rose in line with inflation in this year's Budget, it was the lowest increase in 11 years. The previous Administration introduced the fuel duty escalator in 1993 at 3 per cent. and then increased it to 5 per cent. This Government have abolished the fuel duty escalator. The fact is that fuel prices are lower now than they would have been had the escalator not been abolished.

Mrs. Shephard: Does the Minister accept that, since the general election, taxation on motorists has increased by £8 billion, which is the equivalent of 4p in the pound on income tax?

Mr. Hill: In real terms, motoring costs in 2000 are identical to those in 1970. The Government have achieved that by various policies, including cutting fuel duty, which I propose to deal with if I am given time to do so.

The Government were elected on a pledge to stick to the previous Administration's spending plans for the first two years. In the third year, we scrapped the escalator. We have also played our part in meeting the legally binding environmental targets agreed at Kyoto. The precise answer to the right hon. Lady is that, under the previous Government, car tax increased by £45 between 1993 and 1996. We have cut it by £55 on 4 million fuel-efficient cars. At the time of this year's Budget, the Automobile Association said:

> This is the first time drivers can take some heart from a Budget in over seven years.

That covers the time during which the preceding Administration was in power. It is worth drawing attention to the fact that the right hon. Member for Wells (Mr. Heathcoat-Amory), the shadow Chief Secretary to the Treasury, said in 1996 that the price of fuels is not set by Government. Any real-terms increase in fuel duties in the future will go directly towards transport spending in addition to the billions already invested in modernising Britain's infrastructure.

I shall give a practical example of the Government's commitment to transport infrastructure in dealing with developments on the A11 in the constituency of the right hon. Member for South-West Norfolk. The A11 is a significant interregional route into East Anglia, but piecemeal improvements in past road-building programmes have resulted in congestion and safety problems, especially in the section that runs through the right hon. Lady's constituency. The Government's trunk road review of 1998 was a thorough review of the national road programme. That review was not held behind closed doors, unlike reviews carried out by the previous Administration, but gave communities, local authorities, businesses and transport and environmental groups the chance to have an input into the shape of the network and the type of improvements that should be made.

Completing the dualling of the A11 to give better access to the north and east was a high priority for the region. We inherited a wish-list programme of 147 schemes, including three for the A11. In 1998, we identified a targeted programme of 37 schemes that could be started within five years. One of those schemes was the dualling of the A11 between Roudham Heath and Attleborough. On 3 February, my noble Friend the Lord Whitty was able to announce that the start of construction on the Roudham Heath-Attleborough scheme had been brought forward to the beginning of 2001. At long last, a scheme that entered the national roads programme in 1985, and for which a preferred route was announced in 1990, will be under way. That is a practical example of the Government's commitment to the motorist in the right hon. Lady's constituency.

In the brief time left to me, I shall deal with the rural bus network, which the right hon. Lady mentioned. Norfolk's allocation of £1.6 million per year of rural bus subsidy grant was the highest in the country. We have recently announced that the funding will be extended for another three years until 2004. In addition, we awarded Norfolk a further £1 million through the rural bus challenge initiative. The bus subsidy grant has enabled 49 new services to be introduced in addition to those that operated before May 1998, several of which have performed very well. In 1999-2000, more than 500,000 passenger journeys were made using services provided through the grant. I am sorry to hear that a small number of services have had to be withdrawn, even after allowing 12 months for patronage to build up.

The rural bus subsidy grant has allowed a substantial number of new and useful services to be introduced and maintained, increasing opportunities and choice for the rural traveller. Norfolk county council says that the services that have benefited tend to be those that supply new links to training and work opportunities as well as to shopping and health care. In most parishes in the right hon. Lady's constituency, bus service provision has improved since the grants were first awarded. Parishes that remain below the county council's preferred level of service are a priority for action, and the extension for the rural bus grant will decrease the number of poorly served parishes.

I acknowledge that successful directly subsidised services have sometimes been abandoned in favour of those funded through the rural bus subsidy grant. The point has been made several times that the rules are inflexible. We set up the fund specifically for new services because we did not want the money to leak into other areas. Nor did we want people deliberately to reduce services in the hope of gaining access to the new funding. However, the extension of the grant for an additional three years should enable councils and operators to plan ahead with more certainty and will provide greater incentive for potential bus users to leave their cars at home. We do not want the grant to be used to maintain the existing network, as that would diminish the purpose for which it was designed. We have shown flexibility by moving from 1 May 1998 to 1 May 1999 the cut-off date for deciding whether an existing service can be supported. However, the important principle remains that the grant will be continued for the commissioning of new services. I am afraid that I cannot promise that we shall change that.

The rural bus challenge funding won by Norfolk county council has enabled the purchase of four new and fully accessible vehicles, and has allowed for the development of flexible feeder services to improve connections between rural areas and rail and bus interchanges. Those initiatives are in line with our integrated transport policies, will help to improve access for disabled persons, increase social inclusion and facilitate modal shift from the car.

Mr. Deputy Speaker (Mr. John McWilliam): Order. Time is up.

Rail Services (Gloucestershire)

12 noon

Mr. David Drew (Stroud): I am delighted to have the opportunity to talk about the rail system in Gloucestershire. I want to consider some specific points to which I hope my hon. Friend the Minister will be able to reply. They include the recently released London to south-west and south Wales multi-modal study, the possibilities of redoubling the line between Kemble and Swindon where it is currently single track, and what I deem to be the threat to the reopening of stations. I would then like to talk about more general issues, including hardware, especially stations, and how we can extend rail operations for passengers and freight.

My hon. Friends the Members for Gloucester (Ms Kingham) and for Forest of Dean (Mrs. Organ) would have been present, but they had other engagements. They will eagerly follow up some of my points, because I shall make general ones connected to the county, as well as drawing on the example of my constituency.

I have experience of using the train; I came here this morning by a train that was only slightly late. The underground seemed to have had a complete signal breakdown and there was a fire at London Bridge, but I gather that the system is running again properly. If it is not, I know that our Ken will chase after it and ensure that it is.

The issue is a big one for all people in Gloucestershire. From talking to the Confederation of British Industry in Gloucestershire and the Gloucestershire development agency, especially its chairman, Mr. John Hazelwood, I know that they prioritise the future of the county's rail network and see it as an important issue. I lost one of my close friends, Bob Cotton, in the tragedy at Paddington, and I hope that it soon results in our building the safest network possible.

I am grateful to Mike Obst, the senior transport planning officer of the county council, and his colleagues Barry King and Ken Kemp, who talked me through some of the issues from a strategic point of view. People I meet on trains regularly tell me what they think of services, and I thank them too.

Gloucestershire is imbued with rail history. It is part of Brunel's "God's Wonderful Railway". It still has the legacy of that; one of our historical problems is the breaking of the gauge, which means that all trains that come into Gloucester have to go out the same way. That obviously causes some limitations. I once wrote a thesis on the Gloucester carriage and wagon works, but I shall not bore hon. Members with the details of it. Gloucester was a rail centre and I hope that it can become one again. More interestingly, I shall mention the fact that, in socialist circles, we better know Richard Potter, a great rival of Daniel Gooch, as the father of Beatrice Potter. I do not mean the author, but the woman who later became Beatrice Webb. That is important to some of us.

I want to talk about the present state of Gloucestershire's rail system and also about what can be done with it in future. I have talked extensively to all the different interested parties, including Railtrack, the train operating companies, the local authorities and

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customers. I attended the rail users consultative committee summit at the end of last year and the county council rail summit, which considered the sort of issues that I shall raise.

I make no apology for starting by talking about the London to south-west and south Wales multi-modal study. That is rather a mouthful, but it is an important document. It was launched on 11 May and, although I welcome it, it is somewhat light in terms of what it offers Gloucestershire. It could have a major backwash in the sense that our rail system could be stymied by a lack of investment and strategic thinking. Will my hon. Friend the Minister look again via his civil servants at how we could at least enhance rail services in the county, because the study could have major implications for its economic development, its ability to link to other areas in the country and its scope to deal with the existing capacity problems?

Will my hon. Friend also consider how to deal with the dramatic increase in passenger transport—I am pleased that that has happened over the past couple of years—and, more particularly, how to enhance rail freight development, in which the county is lagging behind, and examine other opportunities, such as green tourism? Will he consider how better to evaluate the use of roads compared with the use of trains? A major study is being undertaken into the M4, A419 and A417 road network, which I hope will take that into account. Transport 2000 made some trenchant comments locally on how such an evaluation should be made.

The second issue that I wish to raise is most important. It concerns the bizarre situation, whereby our main line east and west from Cheltenham to Paddington has 10 miles of single track between Kemble and Swindon. That has major repercussions for the way in which the trains are organised. It was developed on the basis that a single track was probably better quality than the two tracks that it replaced, but it will cause many problems in the future. I have spoken to Railtrack several times and, initially, it was somewhat cool to the idea of redoubling the track.

However, having discussed matters with Andrew McNaughton, the Great Western zone manager, I am happy to say that there is now some movement. There will always be the matter of who will pay for the redoubling and how it will be managed, given the consequences that will have to be dealt with when, hopefully, the two tracks will be put back. Such an issue has implications not only for passenger travel but because it will reduce the possibilities for dramatically increasing freight use. My hon. Friend the Minister may have something to say about that in his response. It is a matter not only of laying another track but of improving signalling and the track overall and ensuring that the hardware along the line is improved to encourage people to use it.

My third point concerns the reopening of stations. There is a will to reopen stations in the county. We currently have nine stations and we obviously wish to increase that number. A site at Bristol road, Stonehouse—I declare an interest because I live in the town—which would probably be used for the station reopening was identified by Railtrack Property as a site for potential sale. Working with the county council, we extended the period during which arguments could be advanced against the sale, but we were faced with the prospect of having an open market auction, which we would have lost.

I am pleased to say that the shadow Strategic Rail Authority has now listened to our pleas and has removed the threat for two years. That is important because a working group is now looking at how to bring the station back into use. When such sites clearly have strategic value and feature in local transport plans, it seems daft that another authority—a public authority—should try to sell them. When I told my dear friend, Councillor Bob Eccles, the chairman of Stroud district council, about today's debate, he reminded me not to forget various halts. He is keen on reopening Ebley halt and I know that many people agree with him. There will always be conflict about the use of local and longer distance services.

I want to look at some more general issues that affect Gloucestershire but also relate to the operation of the rest of the network. I would identify three key themes: first, how to continue to increase passenger use; secondly, freight; and, thirdly, hardware, principally stations. I am aware that Gloucestershire county council has done a great deal of good work in drawing together some of the arguments. It has listed, in various documents, the ways in which various lines and services would be prioritised. A lot of room exists to improve the level of service, reliability, and the treatment of customers. Among the objectives is the development of fast, frequent, inter-city-quality through services from Cheltenham to Gloucester to London via Swindon, and the provision of local services, which I hope will at least be on an hourly basis. There are also objectives to develop fast, frequent services between Birmingham and Bristol, calling at Cheltenham and Gloucester, and to make sure that the system is as accessible as possible to people of all types, including those with mobility difficulties.

The strategy is clear: we want more, and we want it fairly quickly. However, there are problems as well as opportunities—as always, the question is: who will pay? In the case of the reopening of stations, most of the money, and sometimes all of it, seems to have to come from local authorities. Both private operators and those who oversee the wider public purse should consider more carefully what benefit they would derive from the reopening of those stations. Having talked to Railtrack at length, I am optimistic about the fact that it seems to want to exercise its responsibilities. However, it will argue that much depends on the current asset condition, its ability to cope with growth, the capacity of the network, franchise renegotiation—which I shall discuss shortly—and overall network development.

As much as I would not want to labour the point about the importance of improving services in Gloucestershire, a great deal depends on how the other end of the network functions. There are serious problems with regard to the capacity of trains serving Paddington and Reading, but I was pleased to receive, in the past couple of days, some notation on what might be planned for Paddington. I hope that that will release some of the pressure on the system.

Clearly, all those who have an interest in the railways should be encouraged to work together to make improvements. Whenever I use the train, which is regularly, I find that it is possibly the worst-kept secret of all—more and more people are using it, to their great benefit, but the system is beginning to creak in places.

On passenger operations, the franchise negotiations, which are in mid-cycle, are somewhat confusing. No one would want to pick up the mess left by the previous Government. Some services are up for review, and I am especially concerned about the decision of Wales and West to drop out of its obligations to Wessex from the middle of next year. Will my hon. Friend the Minister consider the ramifications of such action? Can it be done, and who might provide such services instead? If no one is keen to do so, what will happen? I have been contacted by an old friend, Clive Mowforth, of CoJAC—the Coaley Junction Action Committee—who regularly raises questions about problems on the north-south line passing through my constituency, in relation to the better integration of the service and rolling stock, among other factors. If the Wessex idea is genuinely to come into its own—a Wessex franchise has already been established, and we are building on that—when can we expect some answers about when it will lock into place, and what will be involved?

We need to improve dramatically services on the Cheltenham to Paddington line, although there will inevitably be conflict between longer-distance travellers and local services. Next year, for the first time, we face the possibility of trains not stopping at local stations. Is that the thin end of the wedge? My hon. Friend the Minister might consider how to get the balance right in future.

Although we welcome the fact that the Swindon-Gloucester-Cardiff line has been highlighted as offering potential for freight use, Gloucestershire does not have a freight terminal. Five areas are being considered—Ashchurch, at the Ministry of Defence site; the Gloucester triangle; Gloucester-Quedgeley-Hardwicke; Sharpness, in my constituency; and Lydney-Parkend, in the constituency of my hon. Friend the Member for Forest of Dean. I shall not speak in favour of any one of them; I merely hope that at least one becomes a centre for a freight terminal. The matter relates to the opportunities currently available there, and we must make a proper evaluation. I hope that public money will be available, whether from the regional development agency or another source, to help speed that along.

I mentioned the need to keep sites available for reopening stations, and we want to build on existing stations, too. In Stroud, the centre point of my constituency, the station is in the centre of the Cheapside redevelopment. Stations can do a great deal for the regeneration of their areas. Again, we have been fortunate to receive money through supplementary credit approval to enable us to examine how to improve our inter-modal transport. I hope that my hon. Friend the Minister will make some nice noises, and will follow up those noises, about how stations are key to development and to the revival of market towns in particular.

I realise that I have raised an awful lot of issues for consideration, and I am sure that my hon. Friend will not be able to respond to all of them today, but I am sure that dialogue continues. Like my hon. Friends, I am a great believer in the rail system. We believe that the system that we inherited needs to be substantially improved. I am sure that the Government intend to do that, and I am more than willing to do anything that I can to help.

12.17 pm

The Parliamentary Under-Secretary of State for the Environment, Transport and the Regions (Mr. Keith Hill): I congratulate my hon. Friend the Member for Stroud (Mr. Drew) on securing the debate and providing an opportunity for the House to discuss rail services in Gloucestershire. I thank him for his courtesy in giving me advance notice of several of the issues that he wanted to raise. I was fascinated by the Potter-ed history of the railways in Gloucestershire with which he began his speech.

Gloucestershire is served by several train operators, including Wales and West, First Great Western, Virgin CrossCountry and Central Trains, to which I shall refer throughout my response. My hon. Friend the Member for Stroud asked why Gloucestershire was excluded from the south-west and south Wales multi-modal study. The transport corridors to be examined as part of the study do not include Gloucestershire's railway lines. However, in identifying problems on the transport corridors involved, we need to be aware of problems on the adjacent transport network, of which the Swindon-Cheltenham line is part.

It may be that problems on the transport corridors can be resolved only by taking action on the adjacent network. If that is so, subject to the approval of the steering group, it may be appropriate to select such lines for further analysis later in our study. As a minimum, we must be aware of the constraints on, and aspirations of, the adjacent networks, because they could influence the overall strategy for the study. I hope that my hon. Friend will find those remarks reassuring.

I turn now to the Cheltenham to Swindon line, to which my hon. Friend the Member for Stroud referred, and in particular to the single-line section between Swindon and Kemble. The route is served daily by several freight trains; a Wales and West passenger service, at approximately hourly intervals between Swindon and Gloucester; and First Great Western through services in peak hours between Cheltenham and London. I understand that Wales and West proposes to withdraw its services on this route. Instead, Great Western and Virgin CrossCountry will jointly provide the same level of service, but using the latest high-powered, air-conditioned rolling stock. Overall journey times between Swindon and Gloucester will be unaffected, though the higher acceleration potential of those trains will provide improved performance. If present commercial and contractual negotiations are fulfilled, the route will enjoy through services to London Paddington eastwards and new journey opportunities northwards to Birmingham and beyond.

I understand that the draft regional transport strategy for the south-west includes the need for

> a study into improvements to the Cheltenham-Gloucester-Swindon rail line, linked to the road based study for the A419/A417 at Blunsdon, in order to facilitate enhanced services for passengers and freight.

The regional transport strategy forms part of the emerging regional planning guidance for the south-west. The panel's report on the public examination of draft

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regional planning guidance is awaited. Once it is received, the Secretary of State will consider what changes may be necessary in the light of the recommendation. I will ensure that my hon. Friend receives a copy of the report as soon as it is published.

My hon. Friend raised the issue of the reopening of stations and gave Stonehouse, Bristol road as an example. I appreciate the importance of that plot of land. My hon. Friend will know from the answer to his parliamentary question on 13 March that the property at Stonehouse was included in the 60-day notice of intention to market the site that was issued on 10 November 1999. The British Railways Board and the shadow Strategic Rail Authority will take account of the representations made in response to that notice when deciding how to sell the site. I can, however, be a little more precise and, I hope, helpful on the matter of the land at Stonehouse. I understand that Gloucestershire county council has been informed that there will be no rush to sell and that it will be given reasonable time to get its act together and bring a train operator on board.

The county council is considering a rail passenger partnership scheme for several local stations on the route and thought that it would take five years to organise the business plan and planning permission. However, it has been advised that that is too long and that a period of 18 months to two years would be a more realistic basis on which to decide whether the station should be built or the land redeveloped. There is no immediate threat to the site and time will be allowed to enable the county council to make progress. I hope that my hon. Friend will be reassured by those observations. I am gratified to see, from his sedentary expressions of approval, that he evidently is.

My hon. Friend mentioned the important issue of replacement franchise proposals. The existing franchise contracts were seen by many as a potential obstacle to improvement. In view of that, my right hon. Friend the Deputy Prime Minister issued new instructions and guidance to the franchising director, asking him to bring about improvements through renegotiation of replacement franchise agreements. On 20 June, Sir Alastair Morton, chairman of the shadow Strategic Rail Authority, set out the future map of passenger rail services.

The franchise map, which follows extensive consultation, is based on the creation of three distinct service groupings: long distance, high speed—expanded from current inter-city services—and London commuter and regional services. Of course, the final detailed shape of the franchises created within the groups will be set only once bidders' plans have been considered, and following consultation with key stakeholders. However, the guiding principle behind the map is to improve services, not to introduce change for change's sake. It is intended that the map will revitalise the network, with franchise areas designed to relate better to each other and to provide improved accessibility for passengers. I am pleased to say that people are now using rail in the largest numbers for 50 years. The changes being proposed are intended to ensure sufficient capacity and investment to ensure that the trend continues to provide for 50 per cent. growth in travel in the coming decade.

My hon. Friend mentioned the issues of Wessex Rail and the Prism deal and I hope to have time to deal with them all. The creation of a future Wessex Rail franchise to serve the west of England was announced by Sir Alastair Morton on 20 June. The franchise could include the area bounded by Worcestershire, Bristol and the south coast, or services to and from Gloucester. It could also include the line between Exeter and Waterloo, local services around Bristol and services transferred from Wales and West, South West Trains and the longer distance Thames Trains services. A study will be undertaken to define the Wessex franchise more precisely. A final decision will be made after consulting local and regional authorities and local rail passengers' committees.

Earlier this year, the SSRA also announced a feasibility study into a dedicated Wales rail franchise to serve the interests of Wales and the border counties more effectively. The study will decide which services should be included and consider the likely effects on passengers and value for money. Wales is served by seven franchises. There is little coherence and they have no ability to work effectively with the National Assembly or to address the emerging needs of Wales after devolution. The study will broadly consider the core of services within Wales and the border counties, excluding long-distance high-speed services that are operated by First Great Western and Virgin Rail, which provide the southern and northern inter-city links to London. The SSRA is consulting closely with the main stakeholders and an announcement is expected shortly.

My hon. Friend the Member for Stroud mentioned the Prism deal. The franchising director reached an agreement on 15 June with Prism Rail plc on the restructuring of the group's portfolio of passenger rail franchises, which includes Wales and West, West Anglia Great Northern, Cardiff Railway and London, Tilbury and Southend Railway. As a result, the Wales and West and Cardiff Railway franchises will be surrendered on 31 March 2001 instead of early 2004, which will facilitate the SSRA's proposals to create a single franchise for Wales and the borders.

The new arrangements for the three shorter-term Prism franchises, which were originally let for seven years, will reflect the SSRA's goal in franchise negotiations to achieve the best possible outcome for passengers and the taxpayer while accelerating the national franchise replacement programme. The franchising director's objective is to replace the shorter franchises, which expire in 2004, within about two years. It is not known when the franchising director will be able to announce the outcome of any franchise replacement negotiations, but he is not committed to accepting any proposal and could allow existing franchises to run to their expiry date. If an application is to succeed, it will have to guarantee better performance, more investment and expansion of network capacity, improvements for passengers and value for money for the taxpayer.

My hon. Friend set out his concerns, which I share, about the performance and quality of service of train operators serving his constituency. Hon. Members will know that last year the rail industry made several commitments to improve rail services during the year. I am pleased that most of those have been met. However, more clearly needs to be done if passengers are to get the service they expect. We must continue to work with the industry to ensure that standards are raised. That means better safety, improved performance, new rolling stock and investment secured for the future.

Operators are being judged against a new public performance measure that gives a clearer and more meaningful idea of the actual performance of train operators. Initial data cover the second half of the last financial year, from mid-October to the end of March 2000. Compared with the same period in 1998-99, of the four operators that serve Gloucestershire, I am delighted to say that three have improved—Wales and West, Central Trains and Virgin CrossCountry. The new measure will also allow headline figures for each train operating company to be published every month, which is a clear improvement on the previous quarterly shadow Strategic Rail Authority reports. I am pleased to announce that the first monthly summary will be published this month.

Results from the second national passenger survey, which is a twice-yearly tracking study conducted by the Oxford Research Agency to measure levels of satisfaction across the entire franchised rail network, indicates that between 78 and 83 per cent. of passengers who use the four operators are satisfied with the overall service. However, there are still gaps between the best and worst performers. The worst performers must raise their game to match the best. The powers given to the shadow Strategic Rail Authority by the Transport Bill, which is now going through Parliament, will ensure that they do that or suffer the consequences.

I have described some of the measures that we are taking as part of the franchise replacement programme, as well as the other issues relevant to my hon. Friend's interests. I hope I have made it clear that, through such measures, we are determined to drive up the quality and performance of rail services and lever investment into the industry. I thank my hon. Friend for allowing us to discuss these important issues in this Adjournment debate.

Widening Access to Oxford University

12.29 pm

Dr. Evan Harris (Oxford, West and Abingdon): I am pleased to have the opportunity to debate this important subject, which has been in the news recently. Access to Oxford university was supposed to be a theme of Government campaigning, and a recent outburst by the Chancellor received a great deal of publicity. This is the first opportunity that we have had to discuss the subject in detail in the House. I think that everyone in the House and, indeed, everyone in society recognises that there is a problem about access to universities for less well-represented groups, especially in relation to the so-called elite universities—I would use the term "top" universities or university departments. We need to do something about that. I am pleased to welcome an Education Minister to the debate: I am sure that he feels as passionately as my constituents and I do about the problem of groups under-represented in higher education generally.

It is unfortunate that the Chancellor of the Exchequer is not here to respond to the debate, because that would give him an opportunity directly to answer some of the concerns that have been raised by my constituents and others about the Government's handling of the matter. The Chancellor waded into the subject by making a statement that was factually incorrect, offensive to people involved in the admissions procedure at Oxford and, most importantly, counterproductive to the aims of my constituents, of Oxford university and of the Department for Education and Employment. I hope that the Minister will take this opportunity, however indirectly, to apologise on behalf of the Chancellor, not only for making factual errors, of which everyone is capable, and not only for the unjustifiable offence caused to people involved in the admissions process at Oxford university—it is a casualty of all politics that some offence is caused—but mainly for the fact that his remarks were counterproductive and will make our task in rectifying the problems much more difficult.

It is worth considering the Chancellor's motives for pronouncing that the decision by Magdalen college, Oxford not to offer a place to one student was a scandal. What could his motives have been? It is interesting to note that he made the remark—which he knew would receive press coverage, because it had already been covered earlier in the week—at a celebration of the 30th anniversary of the Equal Pay Act 1970. Was it that the Chancellor had little to say about any new legislative proposals to deal with the pay gap between men and women? Given the subject of this debate, it is interesting to note that a pay gap in higher education has been proved to exist. The Bett report clearly showed a discrepancy in the pay of men and women in higher education, regardless of their status, for which the Government have refused to accept responsibility and refused to provide funding to tackle the problem.

The Minister often says that there has been a real-terms increase of 11 per cent. in funding for higher education and that that is sufficient to tackle the problem. However, he knows that that increase is to fund expansion, which he and I both welcome, but involves a reduction in the unit cost per student. When unit funding per student increases in primary and secondary education, the Government rejoice. In their

[Dr. Evan Harris]

annual report, they announced that as a wonderful thing, but when the higher education unit of resource is cut year after year by this Government, as it was cut by the previous Government, either they have nothing to say or they say that it is a necessary efficiency. I do not believe that equal pay or access can be fully tackled until that reduction in the unit of resource is halted or, preferably, reversed.

It is appropriate for me to refer to an individual case in relation to access to Oxford university, not least because Ministers, including Cabinet Ministers, have already done so. Some years ago, a state school student with a string of As at GCSE, or the O-level equivalent, applied to Oxford university. The student was predicted to do well at A-level, but was rejected by the medical school at Oxford, and went on to America to study at Harvard. That student was me. However, I went to Harvard high school in Los Angeles—and only for a year. I then applied again to Oxford university and got in. It was right that I was rejected the first time, as my performance in the entrance exam was poor. As I understand it, my place was given to a young woman from an inner-city school. She was born on the Indian sub-continent and had done equally well in her education, although she had overcome many more hurdles, not least that of language. I made no complaint and I was pleased to enter the university a year later. The contrast between my approach and that of the Chancellor in the Laura Spence case is startling. I shall speak more about that later.

We should consider the figures, as they are the basis of the subject under discussion. We know that only 7 per cent. of people are educated in the private sector, but that 50 per cent. of places at Oxford university and some other top academic departments go to students from the independent sector. That huge discrepancy is very worrying. The corollary is that the 93 per cent. of our young people who are educated in the state sector form only 50 per cent. of entrants to some of our top academic institutions. The gap can be narrowed, and it is important to note where it is reduced, so that we can see where the problem lies. Information given by the Independent Schools Association to the Select Committee on Education and Employment during its recent inquiry suggests that 20 per cent. of A-level entrants are in the private sector, which, of course, leaves 80 per cent in the state sector. The figure narrows the gap significantly, although there is still a huge discrepancy between the 80 per cent. of A-level entrants and the 50 per cent. of acceptances to top universities.

The Parliamentary Under-Secretary of State, Department for Education and Employment (Mr. Malcolm Wicks) *indicated assent.*

Dr. Harris: I see the Minister nodding. The gap must be closed if we are to solve the problem, whose existence we both acknowledge. Approximately two thirds to 70 per cent. of pupils who gain the sort of qualifications—the Government consider A-levels the best measure—that are required for entry into the top institutions come from the state sector. The pool from which Oxford university and other top institutions can recruit is limited to that 70 per cent. Clearly, that percentage needs to be levered up, because it leaves a large discrepancy between the state sector pupils among those students eligible to be admitted and the proportion among those who are admitted.

The ratio of applications from the two sectors, which varies according to institution and subject of study, is approximately 50 per cent. each from the state sector and the private sector. That figure is approximate and varies year on year, but, crucially, it roughly matches the percentage of acceptances or offers made or entrants—the terms are analogous—into the top institutions. It gives at least prima facie evidence that the problem exists mainly in the proportion of the number of people with top A-level grades who are from the state sector and who actually apply to the top universities or, indeed, to higher education in general. It is that gap to which we should apply ourselves, and I hope that Government policy will be directed towards it as well as the others.

In any assessment of the relatively poor performance of young people in the state sector as compared with those in the private sector, we must first say that the poor performance is that of the sector and not of the young people themselves. It would be wrong to argue that there is anything to do with the students themselves that makes them on average less likely to do well in the state sector than students do in the private sector. Classes in the private sector are much smaller, which is what wealthier parents are paying for. We ask whether the Government are doing enough to ensure that funding in the state sector is equivalent to or is catching up with that in the private sector. That will help address the problems of morale in the teaching profession in the state sector.

In his latest Budget, the Chancellor of the Exchequer put nearly three times as much state money into reducing income tax, which will benefit the better-off, as he made available in additional funding to the state education sector. The Minister knows that the Liberal Democrat party and I oppose that. Our priority is yet more funding for the state sector, and we oppose those income tax cuts. It ill behoves a Chancellor who has such priorities to say that the problem lies not with inadequate resources in the state sector but in some sort of bias in our top universities.

The Chancellor who made those remarks is the same Chancellor who, although it was not mentioned in the election manifesto, cut at a stroke maintenance grants for the poorest students entering higher education and imposed tuition fees on most of the rest. Independent studies of the subject, not least the independent Cubie commission in Scotland, show that fear of debt is a significant deterrent to young people entering higher education, particularly for those from poorer backgrounds.

The Government are particularly keen on focus groups as a mode of gauging opinion. However, it is not surprising that the university partnership in East Anglia found that fear of debt among poorer families in areas with poor access to higher education is a major factor in deterring people from applying for higher education. That is also the view of the Independent Schools Association, which has no axe to grind on maintenance grants for poorer students. Indeed, the director of

Sutton Trust told the Select Committee that he was aware of the work of the Cubie commission and could understand its point of view.

The Government may have increased access funds, which is welcome as far as it goes, but I wonder whether that is the way forward, because it is a post-application, post-acceptance, post-poverty solution. Once students get into poverty, they are encouraged to enter a beauty parade to decide who is the poorest and who can qualify for access funds.

The major component of the problem relates specifically to the number of applications being made to our top universities and to universities in general. The Minister will know that a huge amount of work is already being done, although it could be argued that more should have been done earlier. Next week, at Oxford university, I shall again attend one of a series of summer schools to encourage young people from comprehensive schools, from poorer backgrounds and from the state sector in general to apply to Oxford university. Such summer schools can be found at other universities. Indeed, the Department for Education and Employment, in its welcome excellence in cities initiative, is funding some of them.

I applaud the Government for that, but it rather defeats the purpose of funding schemes that encourage people to apply to universities when the person in charge of the purse strings says, "By the way, however much you are encouraged to apply, you may as well not bother. The admission scheme is stacked against you because the old school tie or old boys' network is at large." That unsubstantiated allegation has caused great damage.

Application statistics show little evidence of bias in the selection and admissions system at Oxford university. For example, of the students from UK schools selected to study biochemistry—the subject that Laura Spence eventually decided to study at Harvard university—62 per cent. of candidates were from the state sector, and 38 per cent. from private schools. That is similar to the distribution of students doing well at A-level, which is welcome; crucially, the success rate is almost identical for students from each background—a 69 per cent. success rate for state candidates and a 70 per cent. success rate for independent school candidates.

Success rates are similar in the medical school, to which Laura Spence applied. Just over 100 places are available for UK students, and about 500 applications are received. Approximately half those application come from the state sector—the proportion should be higher—and half are from the private sector. Almost every one of those students will have gained straight As at GCSE and will be predicted for straight As at A-level; there is no point in applying without such grades, because it is such a competitive subject. Even if every one of those just over 100 places had been allocated to state school students, 150 eminently qualified and highly able state school students would not get a place. That is 150 Laura Spences—an awful lot of speeches for the Chancellor to make. The allegation that the offers received by that capable student from other medical schools were somehow unworthy is of concern to those who work in the top universities.

One must ask what the Government seek to achieve, particularly when the Foreign Secretary says, on the one hand, that too much cachet is put on Oxbridge degrees—I would agree with that—while the Chancellor says, on the other, that it was a terrible crime that someone as able as Laura Spence could not get a place at Oxford and that she was therefore right to reject the other top universities. That was her decision, and I wish her well wherever she studies, but the biochemistry scholarship that she was awarded by Harvard—not the subject that she applied to study at Oxford—will not cover the fees that she will have to pay. Poorer students at Harvard have to take jobs to pay their way, perhaps by cooking meals for richer students.

The Chancellor and his colleagues would do best to consider their own country—Scotland has done away with some of the barriers that prevented people from poorer backgrounds from getting into higher education—rather than some American panacea. The number of applications in Scotland as a percentage of the population has increased this year by nearly 5 per cent. following the abolition of tuition fees and the reintroduction of maintenance grants in some form, whereas it is still falling in the rest of the country. That must give the Minister pause for thought.

Finally, it is important that we realise that a problem remains to be tackled. We must ensure that people with a state-education background apply for higher education generally, and particularly to our top universities. That process is not helped by Oxford and Cambridge and other top universities being portrayed as having a Brideshead image. I get extremely frustrated—the Minister, too, must feel this—at press and television coverage showing Oxford students wandering about in academic dress. The times when academic dress is worn at Oxford are much the same as at every other university.

We must change those prejudices. We must ensure that universities do more to get people to apply for higher education, including at Oxford. That process is not helped by the Government's ill-founded, factually incorrect, offensive and counter-productive attacks on individuals in the Oxford admissions process. I look forward to the Minister answering some of the points that I have raised about Government policy. I hope that he recognises the damage that was done by the Chancellor's intervention in the debate.

12.48 pm

The Parliamentary Under-Secretary of State for Education and Employment (Mr. Malcolm Wicks): The hon. Member for Oxford, West and Abingdon (Dr. Harris) said that he was sorry that the Chancellor of the Exchequer was not able to reply to the debate. My right hon. Friend is elsewhere, helping to maintain a stable and growing economy, which must be good news for future public spending on education and many of our other priorities. It therefore falls to me to undertake the task.

I start with a quotation from the report of the vice-chancellor of Oxford university's working party on access of May 1999. In it, he said:

> Year by year, Oxford admits more applicants from the independent sector than from the maintained, although the latter group contains approximately two-thirds of those school leavers who obtain the highest A level grades. Fairness to applicants and fulfilment of the University's mission alike suggest that the

[Mr. Malcolm Wicks]

proportion of applicants accepted should be closer to the ratio of high grades at A level, one-third independent school pupils to two-thirds maintained.

I am struck by the fact that, although the Oxford university working party was not complacent about social inequalities, the hon. Member for Oxford, West and Abingdon appeared to be so on at least one occasion. He saw faults all over the place, but they did not relate to admissions policies. I side with the university in recognising that there is a serious problem.

Obviously, there has been much discussion about the matter in recent weeks and I for one welcome that, especially because it will become a spur for action. Many universities are doing good work to improve their links with state schools and colleges. They include Oxford, which is why I referred to the Oxford document. They are also reaching out to parts of our country where participation in higher education is traditionally low. As Oxford's vice-chancellor acknowledged, much more needs to be done. Although opinions differ on what precisely should be done, there is no doubt that action to improve the position should be taken in partnership: Government, universities, colleges and schools need to work together.

For our part, the Government have been taking action on a number of fronts to ensure that people with talent and all those who can benefit get their chance in higher education. Given the limited time that remains for this debate, this is not the occasion to speak in detail about our policies. However, I should point out that we are spending more on education. We have taken significant action for early-years and nursery education, and measures such as the primary school literacy hour and the numeracy strategy are in some respects as important to tackling this issue as encouraging an 18-year-old to apply to a particular university. The strategy applies across the board.

The hon. Gentleman presented a critique of our student finance strategy. The system that we have put in place is not subject to the failures that the hon. Gentleman outlined, but the system that we inherited failed in many respects. In his important report, Lord Dearing recognised that universities were seriously underfunded during the previous Government's time in office, which saw a dramatic fall in unit funding from public resources. Between 1989 and 1997, there was a 36 per cent drop, which is a drastic decline in standards. A further cut was planned for the subsequent two years. It is vital to get right the balance between quantity—with more of our young people going to university—and quality. Spending on higher education was also regressive, as the great majority of taxpayers who did not benefit from it paid for the minority of people who went to university and who came, predominantly, from the higher socio-economic groups. Until recently, the state spent almost twice as much on the education of graduates as on the education of people who left school at 16. Graduates benefit from higher earnings and are less likely to be unemployed.

The facts speak for themselves. In 1960, more than a quarter of the 18-plus group from the top three socio-economic groups went to university, but only one in 28 from the lower groups did so. Mandatory awards were introduced by the Education Act 1962, giving student support and paying tuition fees for most students. By 1990, however, participation by the top three socio-economic groups had risen to more than one in three. In the bottom three groups, however, barely one in 10 went to university. By the mid 1990s, the participation rate for the top three groups had risen to almost one in two, or 50 per cent., whereas for the other groups, it had risen to only one in six. Whatever was good about the old system, it did not crack the problem of socio-economic inequality.

The plain fact is that mandatory awards did not promote the increase in participation by the lower socio-economic groups for which many had hoped. We were determined to tackle that problem, which meant some tough choices about what was needed. Consequently, we accepted the Dearing recommendation that those who benefit from higher education should contribute towards its cost. The arrangements that we have put in place mean that we can provide the extra funds that universities and colleges need to widen access without damaging quality.

The income we receive from student contributions to fees has helped us to plan more than £1 billion of additional funding over the four years from April 1998, which is an 11 per cent. increase after allowing for inflation. The costs of higher education are now shared more fairly between students, their families and taxpayers generally. I was unsure whether the hon. Gentleman was suggesting that he would change that policy, but if he was, he did not say how that change would be funded. Not everything can be funded from that famous 1p on income tax. If the Liberal Democrats are to be taken seriously, they must spell out their funding and taxation priorities.

We have also ensured that students from less well-off families do not have to pay fees. Indeed, already more than 40 per cent. of all students are exempt from making any contribution. That will rise to 50 per cent. from next year because we shall raise the contribution threshold. I repeat—poor students do not pay fees.

We recognise that much more needs to be done on the issue of access. The recent data produced by the Sutton Trust and others are not new but are very worrying. We must do more to ensure that all our talented young people, whatever their background, get the chance they deserve in higher education. It is not satisfactory that only 17 per cent. of young people from lower socio-economic groups go into higher education, or that someone from a private school is almost 30 times more likely to get into university than someone from a disadvantaged background, or that 65 per cent. of those with three A-levels at A grade are educated in the state sector, but only 52 per cent. of entrants to Oxford and Cambridge in 1999 were from state schools or colleges. Many people are angry about that lack of equal opportunity. I am surprised that Liberal Democrat Members do not share that anger, and that they could not suggest one or two ways in which to improve the situation.

I applaud the work that has been undertaken by Peter Lampl and the Sutton Trust. The trust is sponsoring six separate university summer schools at Oxford, Cambridge, Nottingham and Bristol. The schools will run this summer and will be open to able 16 and 17-year-olds throughout the United Kingdom who fulfil the necessary criteria. Quite rightly, the focus will be on inner-city secondary schools and colleges where participation is still too low. We support that work and are contributing to its cost.

In addition, as the hon. Gentleman recognised, we are contributing £4 million towards piloting our own summer schools, which will start this month as part of the excellence in cities package and will offer opportunities to children from disadvantaged backgrounds. More generally, through the Higher Education Funding Council for England, we are allocating £30 million this year for initiatives to widen participation. A 5 per cent. funding premium for universities was introduced last year to recognise the extra costs incurred in recruiting students from disadvantaged backgrounds. I know that at Oxford that money has been carefully focused on the recruitment of students who might not otherwise aspire to study there. We have also introduced premiums for students with special needs and are supporting networks of universities, further education colleges and schools to enhance progression into higher education. We have provided £10 million for "opportunity bursaries" of up to £1,000 from autumn 2001, which will be aimed at young students from disadvantaged backgrounds.

We intend to build on that work to ensure that all universities have professional recruitment and selection systems that maximise applications from able students of all backgrounds. We will also ensure that schools and colleges not only raise the expectations of their students, but assist them in preparation for applications, interviews and selection examinations, which are crucial areas where there is much inequality within the different school systems.

I welcome this debate. The test for all of us will be how we move on. A great deal is being done to widen access, but a great deal still needs to be done. The Government and Oxford university recognise that. The issue is simple and has been debated in the House for more than 100 years. We are determined to offer every one of our citizens of high ability, whatever their social class, whether they are poor or rich, the opportunity to go to one of our top universities. This debate and that stimulated by the Chancellor's remarks have been useful, because they have provoked clashes between the forces of elitism and the values of equality. We know where we stand. I wonder whether the spokesman for the Liberal Democrats knows where he stands.

It being One o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Wednesday 5 July 2000

[SIR ALAN HASELHURST *in the Chair*]

Euro

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Dowd.*]

9.30 am

Mr. Geoffrey Clifton-Brown (Cotswold): I am delighted to have secured this debate in this parallel Chamber on the cost of changeover to the euro. I welcome my hon. Friends and the Minister.

The debate is especially timely. The press is full of spin and counterspin on whether the euro should be debated in public. The only time I have ever agreed with the Secretary of State for Trade and Industry was when he said that a proper debate should be held on the subject. I wholeheartedly agree, as do most of my constituents, who feel that a debate should be held to enable the general public to be thoroughly familiar with the issues involved so that, when a referendum is held, they can make a properly informed decision.

Eleven countries met the Maastricht criteria. Phase 3, to lock irrevocably the national currencies of the 11 countries, took place on 1 January 1999. The currencies of those countries will cease to exist on 1 January 2002. Interestingly, Greece, too, has now been admitted to the system. Denmark will hold a referendum on 28 September, the result of which will be eagerly awaited by the peoples and Governments of not only this country but Sweden, where Danish developments are anxiously watched.

In October 1997, the Government set out five economic tests that must be met before we can join the euro. I refer to box 2.1 on page 21 of the Government's Budget 2000 Red Book—interestingly enough, there is just three quarters of a page on the euro in the entire book. It is almost as though Mr. Brown personally wrote the Red Book to ensure little discussion of the matter.

Mr. Deputy Speaker: Order. The hon. Gentleman should know how to refer to other right hon. and hon. Members of the House.

Mr. Clifton-Brown: It is almost as though the Chancellor personally wrote the Red Book to ensure little discussion of the euro. That scant three quarters of a page sets out the five economic tests that must be met before a decision to join can be made. They are:

> whether the UK has achieved sustainable convergence with the economies of the single currency; whether there is sufficient flexibility in the UK economy to adapt to change and unexpected economic events; whether joining the single currency would create better conditions for business to make long term decisions to invest in the UK; the impact membership would have on our financial services... and, ultimately, whether the single currency would be good for employment.

Those five tests could be stretched to mean almost anything to anyone. I suppose that the first test is the most important and regularly cited. It relates to the problem with our exchange rate and the fact that our economy is out of synch with those of other European countries.

Some of my constituents who advocate joining the euro say that that will be a magical way to ensure either that the euro rises or the pound drops, placing us in a realistic position to accede to phase three. Commentators generally estimate that we need an exchange rate of DM2.60 to DM2.70 before it would be feasible for us to join. Surely if we magically achieved that exchange rate, the argument that manufacturing businesses would be put out of business would cease to exist. The core economic argument about whether to join the euro would then be the exchange rate of the euro against the United States dollar and the other major currencies of the world. It is worth noting that an exchange rate is an expression of the economic performance of a country or a group of countries. It is not some artificial mechanism.

That is where the argument becomes difficult. Economic tests have been set as to why we should join the euro, but on the major tests it seems that the United Kingdom economy does better outside the euro than it would inside it. The euro has dropped and our exchange rate has remained relatively strong against the dollar, the currency of our major trading nation. On inflation, which is one of the major reasons for wanting to join the euro, our rate is lower than those in all 11 countries on an adjusted basis. More importantly, our unemployment is favourable in comparison with that in other countries, and considerably so when one remembers that the average rate of unemployment in the European Community among those aged 25 and under was a staggering 18.4 per cent., almost twice our rate. On the major economic tests, there is good evidence to show that there is no urgency to join the euro.

The Government's case has been shot out of the water by some helpful figures from the Invest in Britain Bureau. One of the Government's major arguments is that we are losing out on inward investment, but an article in *Sunday Business* of 2 July blows a hole in that. It states:

> More than 40% of US investment in the European Union locates in the UK. And more than 25% of all investment in the EU comes to the UK.

It goes on to state that

> 70% of US businesses succeed in the UK compared with just 42% in Europe.

Some of those points will be made at a conference later this week that the Chancellor will attend, so no doubt he will get into an even more dormant mode about publicising the benefits of the euro.

The Government have announced the second outline national changeover plan, which said that preparations for joining should continue in the public and private sectors. I want to concentrate on those aspects. Through the introduction of secondary legislation on negative procedure, which is difficult to challenge in the House, the Government have given themselves wide powers to spend almost unlimited and certainly unspecified sums—whatever is necessary—on the changeover to the euro. That especially applies in terms of spending by the Inland Revenue and the Commissioners of Customs and Excise.

Each Department has produced its own outline changeover plan. By the end of February, £6.3 million will have been spent in planning. Her Majesty's

[Mr. Clifton-Brown]

Customs and Excise and the Department of Social Security will have invested £20 million in planning by the end of the year. That is a thoroughly good thing. The conclusion of the report of the Select Committee on the Treasury that was published on 22 April 1998 states that if we are going to go into the euro, proper planning will be absolutely essential.

Paragraph 9 of the report draws a useful parallel, stating that the European Commission frequently cites the UK's decimalisation programme as a good example of the implementation of a complex programme of change. The Committee recalled that one feature of its success was the fact that the decimalisation board consulted closely with retailers throughout and implemented the lessons that it learned.

Paragraph 9.2 reflects on the fact that preparations were in hand for five years, with no change for the value of the pound. Very few coins had to be replaced on decimalisation day itself, and there was general popular support. Despite all those factors, people working in shops in February 1972 say that that day was the worst of their working lives. The challenge of the euro is significantly greater, and one would expect people working in shops to find it difficult. Similar difficulty was anticipated on euro changeover day on 1 January 1999 but, despite the considerable numbers working in the City, the change itself was smooth. Whatever happens, everyone would admit that, in the unlikely event that the British people decide, in a referendum, that we should go into phase 3 of the euro, it is essential that the Government carry out proper planning. There is no doubt that considerable planning is taking place behind the scenes.

If the euro could be phased in over a longer period, costs to the taxpayer and private industry could be reduced. Existing systems would expire over their natural life, rather than being replaced prematurely in an accelerated programme to join the euro. The greater the warning before we join the euro, the lower the cost will be.

What is happening out there in the private and public sectors? It is worth examining the situation out there on the ground. In the past year, only 40,000 euro accounts were opened, only 4 per cent. of the total number of business accounts. London has 20 per cent. of the euro deposit market—my source is the Wholesale Market Brokers Association. London's global share of foreign exchange, at 32 per cent., compares with Germany at 5 per cent. In derivatives, London's share is 35 per cent., France's 10 per cent. and Germany's 7 per cent. My source for those figures is the Bank of International Settlements. People say that we are missing out by not joining the euro, but take-up of the euro is small in trade terms, especially among non-euro nations. The City of London is not at a disadvantage because we have not joined the euro, although it is often cited as being so. People can trade perfectly securely in a range of markets in London, which continues to have the lion's share of that trade.

Dr. Julian Lewis (New Forest, East): I apologise because a Select Committee engagement means that I will miss the last part of my hon. Friend's speech. It is hardly surprising that large firms and the City are making so few preparations for changeover, given that everybody knows that between 60 and 70 per cent. of the British people are opposed to scrapping the pound and replacing it with the euro. Why should businesses or the City want to spend great sums of money when they know that, if the referendum is ever held, the Government will lose it?

Mr. Clifton-Brown: I am grateful to my hon. Friend for making that point, which I was going to make myself later. There is also a more pragmatic reason for not making preparations. If there is no necessity to spend money on the changeover because business systems or trading patterns work perfectly well outside the euro, what is the incentive to spend on huge preparations for something that may or may not happen, on an uncertain time scale?

The Bank of England produces updated reports about practical issues, and it monitors the financial effects of the euro alongside the euro preparation units within the Treasury. Another problem, beyond the preparedness of the private and public sectors, is the production of euro notes and coins, which will have to take place in the 11 eurozone countries by 1 January 2002. Minting of all eight denominations of euro coins is also under way throughout those countries, and production is broadly on track to meet the requirement for 56 billion coins on the changeover date. Nine billion notes will need to be in circulation to meet transactions in the first fortnight after that date. It is a huge operation by the 11 eurozone countries, and it may be fortunate that we are not part of it. Those countries can allow their systems to settle down, and, should we ever want to go into the euro, we will be able to learn from their experience and see what the problems are.

What are the practical implications for Britain remaining outside the eurozone? The December 1999 edition of the Bank of England's "Practical Issues" report, to which I referred, states:

> All the available evidence indicates that, since the launch of the euro, London has fully maintained its market share. Statistics for the change in London's market share are not yet available in every market. However, the latest figures serve to demonstrate the extent to which the City is not just a UK asset but an asset for the EU as a whole.

That applies whether we are in or out of the eurozone. In a number of aspects, London is transacting the lion's share of the eurozone business. For example, it has more foreign banks and subsidiaries—537—than Frankfurt, Paris and New York, which have 242, 187 and 275 respectively.

I want to deal with the technical aspect of preparation in the public sector, as well as the private sector, money-handling sectors and opinion on the ground. This month was the deadline for all national health service trusts, which run our hospitals, to create a product initiation document. I have referred to the changeover document that every Department was required to produce, and trusts will be required to produce such documents by the end of this month. At a time when trusts are financially and physically stretched—out-patient lists, and waiting lists to get on to waiting lists, are growing every day—they are being saddled with the additional responsibility of producing a changeover plan. A document was presented to the Salisbury Health Care NHS trust by its finance director, who said, devastatingly:

> there are no known benefits from this project just a great deal of hard work.

Perhaps more importantly, no additional funding has been made available to pay for the huge amount of work and new equipment involved. That is an indictment of this Government, who are making preparations in the health service for something that may or may not happen, on a time scale that may or may not be certain, yet people's lives are at risk every day. It is incumbent on the Government to provide the trusts, and every other Government Department whose work is being hampered by changeover plans, with the proper funding and expertise to do the necessary work. It should not expect it to be funded out of existing budgets.

From my work on the Public Accounts Committee, I know the huge amount of money that has been wasted on highly expensive information technology systems that do not work properly. People's pensions were affected by the huge delay in getting the IRS2 computer up and running in the Benefits Agency. It is still not up and running properly. There have been problems with IT systems in the Crown Prosecution Service, the health service, the Ministry of Defence and the Passport Agency, just to mention a few. The Government grant of £20 million to update IT systems for the change to the euro, which is far bigger than any envisaged for those systems, is a drop in the ocean. It will be an interesting project to work out the true cost to the public sector.

Mr. John Bercow (Buckingham): The United Kingdom is variously rated as the fourth or fifth largest economy in the world, the second biggest overseas investor in the world, and the third most attractive location for inward investment in the world. Does my hon. Friend therefore agree that it is absurd that the Government are spending vast public sums on such an ill-conceived project? In the circumstances, should the Chancellor of the Exchequer be subject to a cash point fine?

Mr. Clifton-Brown: The sums to be spent on a changeover plan must be considered carefully. In the public domain, two tranches of £20 million have already been spent and considerably more will doubtless be spent. I shall concentrate on the total spent by the private and public sectors as well as the cash-dispensing and note businesses because future and uncertain benefit could be gained against the present cost.

I have dealt at length with public sector costs and I shall now refer to private sector costs. Various studies have been undertaken into those costs. For example, Chantrey Vellacott, a firm of accountants in the City, has produced a well-founded plan showing that the costs to the private sector have already been £36 billion or 4.2 per cent. of gross domestic product. Some have criticised the company's figure as being unreliable, but KPMG's recent study of the 600 largest companies in the country shows that £12 billion has already been spent—and that was just by the 600 largest companies. It is reasonable to suppose that costs are at least double that, and that they probably amount to £24 billion. If we add to that figure the costs that have been spent in the public sector and the £1.7 billion that will need to be spent by the coins and note business, we will see that the costs amount to a significant proportion of GDP.

The costs represent 10 per cent. of the total wealth of the economy in one year. On 27 January 2000, the *Daily Mail* compared the cost of changeover of the euro with the Y2K problem and the necessity for business to invest in new IT and other systems to deal with the growing trade of e-commerce. All such matters must be put into context because they are all costs that business will have to bear and which will come off their bottom-line profits. The article stated:

> Y2K is a known cost, whereas EMU estimates have been increasing over time, so it is likely that EMU will represent an even higher multiple of Y2K costs.

It admits that the costs of preparing for the euro could divert companies from developing e-commerce strategies. Europe is already lagging behind the US in selling products on the internet.

There does not seem to be a particular imperative why the Government's five key economic tests should be met. On exchange rates, inward investment, employment, inflation and growth, it appears that no damage is being done to the UK economy. Indeed, there is ample evidence to show that trade with the United States and the far east has been growing since 1 January 1999, when the 11 eurozone countries came together. Britain could continue to be a magnet for inward investment throughout the world. It should trade with the rest of the world

One of my great fears is what will happen once we lock ourselves in. Under the Maastricht treaty, we would make an irrevocable decision to lock our exchange rate reserves into the system once we agreed to drop our opt-out against joining. The British people will need to think long and hard about the economic benefits. However, the economic benefits will not ultimately be the test. There will be a referendum. The British people will have to decide whether they want to join a system that will lead inexorably to a single European economy, following which we will have gone a long way towards having one European state. If, in the referendum, the British people decide to join, they would be taking one of the most far-reaching decisions made by the country since the second world war. No doubt the Government, through their spinning machine, will try their level best to persuade us that that is the right thing to do but there is much evidence on the other side to show that there is not necessarily any advantage to joining.

9.56 am

Mr. Tony Baldry (Banbury): British business wants certainty, on which it can base investment decisions, as do potential overseas investors in Britain. A Conservative Government would bring certainty. It is certain that a Conservative Government would not introduce a referendum on the single currency during the lifetime of the next Parliament. That is settled Conservative policy, and it would be the outcome of a Conservative win at the next election.

We have, however, no clear indication of the consequences of a Labour win at the next election. There is an effective policy vacuum on the issue. I have no doubt that the Minister will say that the Government

[Mr. Tony Baldry]

have set five tests, but they are not tests and they do not constitute a line to be taken. The five economic tests are merely a policy mantra. I suspect that there are five of them because a Minister in difficulty on the "Today" programme or the "World at One" can simply recite them so that even the commentator becomes bored and moves on to something else. The Government's tests are merely a mantra.

As everyone now appreciates that there is no policy but only a mantra, leaks are inevitably emerging throughout Whitehall, from the Department of Trade and Industry to the Foreign and Commonwealth Office. The British people perceive that the Labour party and the Government want no debate whatsoever on the subject, this side of an election. The Room that we are in provides clear evidence of that: unfortunately, under the guidelines set up by the relevant Committee, the television cameras can focus only on the hon. Member who is speaking, and that means that they cannot show the area in which one would expect to see Labour Back Benchers, which is entirely empty. Not a single Labour member of the Select Committee on the Treasury, the Select Committee on Trade and Industry or the Select Committee on Education and Employment has managed to tear himself out of bed or from other activities to attend the debate.

The Labour party does not wish to engage in debate on the euro. It has sent the Minister, who of course draws his pay and rations from the Treasury, and I am sure that he will elegantly and eloquently recite the mantra of the five economic tests—but that will be it. That is all that we will hear from the Labour party, despite the fact that senior officials in the Department of Trade and Industry are talking about a meltdown. Andrew Fraser, the chief executive of the Invest in Britain Bureau—today renaming itself Invest UK—has referred to a manufacturing meltdown. Having given advice to the permanent secretary and others, the poor man was allowed to go to the media—not to renege on his advice that there would be an economic meltdown in manufacturing if we did not settle a policy on our membership of the single currency, but simply to apologise for the leak.

Our ambassador to Japan in a memo to the Foreign Secretary commented:

> we flagged up increasing concern about the level of Sterling and uncertainty about British policy on the Euro. We assessed that "in the absence of new developments, Japanese companies in the UK will probably sit tight for another year or so in the hope that the Government will succeed in moving public opinion towards acceptance of Euro membership.
>
> This is broadly what has happened, but with two new negative factors. First, we have seen some actual closures and moves to source outside the UK as a result of price pressure. Secondly, as prospects for early entry into the Euro are perceived through media coverage to be receding, companies are beginning to see £ Euro unpredictability as a long term disincentive to investment in Britain.
>
> More generally, a perception has been spreading among economic opinion formers that the UK is not at present a safe bet. For example a former vice minister of finance said at a Welsh seminar on the Euro recently that "Until the UK decides to join the Euro, there is an element of risk which makes the UK a difficult choice for investment."

Against that background, Madam Deputy Speaker, all Ministers can do is repeat the five economic tests. From whichever perspective one comes, a debate is needed on this issue. The London chamber of commerce recently carried out a survey that found that almost three quarters of London businesses want Britain to join the single currency. Nine out of 10 executives who feel that a decision matters to their own company back entry. Yet not a single London Labour Member of Parliament is present to express the concerns of those businesses.

Mr. Andrew Rowe (Faversham and Mid-Kent): The relevance of what my hon. Friend is saying is borne out particularly strongly by what is happening to companies like the big brewer in my constituency, Shepherd Neame, which must decide within the next two or three months whether to have tills capable of taking euro coins and notes. In Kent, particularly, places like Leeds castle and Shepherd Neame pubs will be forced to take the coins and notes, whether or not we join the single currency. If we cannot debate these issues, how can companies make an informed decision?

Mr. Baldry: I entirely agree with my hon. Friend's comments. I fear that the British people will feel that the Government are involving them in one of the greatest spins ever. It is a deception, and it is disingenuous to have no public debate on the single currency between now and the next general election, and beyond. The electors suspect a sleight of hand, and, if and when a referendum is held on the single currency, they will feel that they have been cheated of a debate. Even worse, if, perchance, there were a Labour Government after the next general election and if they held a referendum, the public would feel that it was part of some plan in which they were expected to take the role of patsies. We all know that our constituents dislike that role and would reject those who put them into that position.

As Peter Riddell wrote in *The Times* yesterday, in some wise words that everyone should read,

> What the Gomersall memorandum really reveals is that the debate on euro entry is already alive, and kicking, and cannot be put off until after the next general election.

Our discussion shows that the debate is alive and kicking only in the Conservative party, while the Labour party is running from debate. Labour Members want to do nothing more than recite the five tests as a mantra. Those tests are meaningless and politically self-seeking, and Labour Members could suddenly decide at any time that they were being met.

Mr. John Bercow: Does my hon. Friend agree that Ministers are divided only over tactics, and not over their absolute determination to abolish the pound and join the euro? Does he also agree that the Prime Minister is hell-bent on dragging Britain into the euro at a cost that he cannot calculate, for a benefit that he cannot quantify and at a risk to the self-government of the British people that he dare not admit? It is a pity that the Prime Minister does not have the decency to reveal those crucial facts to the British people.

Mr. Baldry: I should not necessarily use exactly the language that my hon. Friend employs, but if that is the Government's collective view, it would be much healthier for democracy and the United Kingdom if they said so and initiated a decent debate. All that we have now is some shadow boxing in the Cabinet and elsewhere. A proper debate is not taking place. That is disingenuous and dishonest, and discredits UK politics.

Mr. Clifton-Brown: I am grateful to my hon. Friend for giving way, especially as I have had the Floor for the bulk of our debate. Does he agree that when the Government participate in the debate, they will have a duty not to put a highly pro-euro case, but to balance the argument properly, in our schools and elsewhere?

Mr. Baldry: There will be no difficulty in having a proper public debate. I have no doubt that people in business, public life and politics will speak robustly for and against our membership of the single currency.

Whether we join the euro is one of the most important questions facing the country in the early part of the millennium yet we are in a policy vacuum, in which the only people with the guts to speak up are officials and ambassadors, who are then immediately chastised and accused of deliberate and orchestrated leaks. I do not believe that those people leaked, but if an honest and open public debate is not led by Ministers, who have a responsibility to make clear the view of Her Majesty's Government, leaks from officials and others are inevitable, because that is the only way in which they can vent their frustration with the Government.

Madam Deputy Speaker, my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) has done us a service by initiating the debate, which has provided the graphic picture of the empty Labour Benches. Labour Members are engaging in a conspiracy of silence to ensure that a proper public debate does not take place.

Mrs. Marion Roe (in the Chair): Order. I remind hon. Members that when I am in the Chair I should be addressed as Mrs. Roe, not as Madam Deputy Speaker.

10.8 am

Dr. Vincent Cable (Twickenham): Mrs. Roe, I welcome the opportunity to contribute to the debate. I shall refer only to the narrowly defined issue of the costs of euro preparation.

A couple of years ago, the Chancellor of the Exchequer established a committee on euro preparation, in which all parties were invited to participate. It is unfortunate that the Conservatives opted out, because that committee is questioning expert witnesses on many of the valid questions that Conservatives ask about the costs to the Government and the private sector. Participating in the committee at least removes some of the mystery and the elements of conspiracy that the hon. Member for Cotswold (Mr. Clifton-Brown) saw. I amicably ask the Conservatives to take a fresh look at their participation.

At the most recent meeting, for example, we had a perfectly businesslike discussion with a Government nominee and the leader of the Welsh nationalists. I represented the Liberal Democrats. The fact that the Conservatives were not present robbed the debate of much of the flow for which one would have hoped. Their complaints about secret information and spin lose much of their legitimacy because they have passed up that opportunity.

In the broader context, I am not a fundamentalist, as most hon. Members are not. Doubtless there are people who would have us enter economic and monetary union at any time, while others would not join under any circumstances. A sensible approach is to consider the undoubted costs and risks of entry and those of exclusion, and to balance the two. That is what the debate is really about.

The hon. Member for Cotswold was primarily concerned about costs to the private sector. Attempts have been made to quantify them, and they are well worth considering. The hon. Gentleman mentioned the Chantrey Vellacott study, a useful starting point that suggests substantial figures for the conversion costs. He alluded to a key point in that study: if capital stock is replaced as it becomes obsolete, there is no cost, because a new generation of investments would be required in any event. That is one reason why as much certainty and predictability as possible is desirable.

A whole set of studies has followed, one of which was made available to the Chancellor's sub-committee a couple of weeks ago. It dealt with the costs of preparation in Spain. Some detailed small-firm analysis was undertaken, which suggested that, if the UK experience was similar to Spain's, the cost would be a maximum of £1,000 each for about three quarters of companies—most of the small companies. We are talking about very small sums, although a lot more work clearly needs to be done.

The big question—this is where we get into the big debate about the five conditions—is whether the benefits of joining or the costs of exclusion are sufficiently large to outweigh the undoubted predictable conversion costs. As a result of the past two or three years' experience, we have a better understanding of the costs to the UK of both exchange rate instability and highly inappropriate exchange rates. Despite recent adjustments, the exchange rate is still, in real terms, higher than it was when we were members of the exchange rate mechanism. The costs of that are felt acutely by manufacturing industry.

Whatever the rate, exchange rate instability is a major cost that manufacturers in particular must bear. There have been fluctuations of 20 to 30 per cent. in both directions in the past few years. Clearly, if a rate can be fixed with trading partners who account for roughly 55 per cent. of our visible trade, one does not eliminate exchange rate instability, but one goes a considerable way towards mitigating its effects.

Mr. Rowe: I understand entirely the hon. Gentleman's concern about manufacturing industry, but it is my perception that the tourism trade, on which so much of our business depends, is also being hit very hard. Is not that also a considerable cost to bear?

Dr. Cable: Yes, the hon. Gentleman is absolutely correct. Perhaps I should more precisely have said that the trading part of the British economy, which is predominantly manufacturing, includes agriculture and tourism. All three sectors have been hit badly by instability and the over-valuation of the pound. The cost of exclusion from EMU is that the trading part of the economy would face indefinitely all that instability.

[Dr. Cable]

The second point—the debate is developing in an interesting way—relates to the impact on foreign direct investment. It is true, and this morning's figures show it, that Britain remains an attractive destination for foreign investment.

There was a revealing survey last week of the 10 leading foreign investors—American, Japanese and European—in the UK, nine of which made it clear that, although they were happy to continue to operate in the UK, future investment would be heavily dependent on whether they could see Britain making progress towards entry to EMU. The impact of exclusion on foreign direct investment is unlikely to be viewed dramatically, but Britain's share of new foreign investment flows will decline. We can already see the relative share beginning to tail off. The consequences for jobs and the overall impact on the efficiency of British manufacturing industry—will become increasingly onerous as time goes by.

To add anecdote to statistics, the most telling example last week was Nissan, which has made a major impact in the UK because of high productivity at its Sunderland plant. The Japanese and UK management made it clear that they viewed the future of Nissan in the UK as conditional on participation in EMU within a reasonable time.

Mr. Clifton-Brown: Does the hon. Gentleman agree that exchange rates are not the only factor that companies take into account when they decide whether to invest in Britain? The wider macro-economic situation, including regulations and legal systems, is also important.

Dr. Cable: Exchange rates are only one among several factors, but the hon. Gentleman is complacent if he believes that the UK is far ahead of continental competition in other respects. An increasing percentage of foreign investment is going into France—traditionally regarded as hidebound by dirigiste controls. France is liberalising, at least partly because of the impact of the single market and EMU. For those faced with the brutal choice between liberalising European economies or the UK economy—still attractive in certain respects—EMU could make a decisive difference.

The third respect in which the costs of exclusion will prove important—and they are already making an impact—relates to the workings of the single market. As I enjoy pointing out to Conservative Members, the single market was Mrs. Thatcher's great historic achievement and it is having major consequences on European industry. The combination of the present single market with stable currencies is—as anyone in frequent contact with European business will know—having a major impact on the restructuring of European industry, fuelled by the rapidly growing eurobond market.

EMU has been an important catalyst. Both foreign and indigenous businesses across Europe are radically restructuring to take account of the realities of EMU, but British companies are not part of that process. As long as they are excluded, the long-term consequences on investment will be negative.

The costs of exclusion can be measured in terms of interest rates. Despite the fact that British short-term rates are moving upwards, the differential is about 2 per cent., which reflects long-term experiences of inflation. That amounts to a real cost for business and for domestic householders. The Government and the private sector will face conversion costs—and we should be honest about that—but the costs of exclusion will become more tangible and apparent as time goes by.

In conclusion, I share some common ground with previous speakers, who are absolutely right about the importance of debating these issues publicly. The Government have done us no favour by stretching out the uncertainty associated with British entry. Major uncertainty remains about when the referendum will be held and its likely results, which could have been reduced if the referendum had been tackled earlier in the Parliament.

Mr. Bercow: May I challenge the hon. Gentleman on what he just said? Interest rates rise and fall, and the proportion of variable rate mortgage finance in this country is substantially greater than in the member states of the eurozone. When calculating the cost of our becoming part of the eurozone, does the hon. Gentleman accept that he must factor in the surrender of our exclusive right to set our interest rates to people whom we do not elect and cannot remove?

Dr. Cable: The hon. Gentleman makes a major point about sovereignty, and a more specific point about interest rates and mortgages. I shall respond to the latter. It is true that there is more exposure to inappropriate interest rates if there is a variable interest rate system in the housing market. The hon. Gentleman, who is interested in finance and economic policy, knows, however, that much experimentation is taking place by British institutions. For example, Standard Life, which survived a proposal for demutualisation last week, is leading the market in introducing fixed-rate mortgages. When that spreads throughout the City, many of the associated risks will disappear.

The Government were remiss in not accepting the challenge of public debate, which those who favour EMU entry would win. They should make it absolutely clear that entry to the EMU is right for the British economy and should not hide behind the five conditions. Secondly, they should state that they will hold a referendum at the earliest opportunity—at the start of the next Parliament. Thirdly, on the basis of the promise of an early referendum, they should set out a timetable to prepare United Kingdom business to join.

10.22 am

Mr. Howard Flight (Arundel and South Downs): I congratulate my hon. Friend for Cotswold (Mr. Clifton-Brown) on securing the debate, which affords the Government the occasion to report on the changeover. If the Minister gives a full report of what is going on, we shall learn some interesting truths.

The debate is not about whether we are for or against the euro. First, the citizens of this country are not stupid; they know that, for a long time, the British economy has been broadly in synch with that of the United States, not Europe's, and that our exchange and interest rates therefore move in tandem with those of the USA. Secondly, events in Asia have shown how important it is to allow the exchange rate to take the strain, even though doing so may cause pain. It could be argued that that is the reason why the United Kingdom and the United States have enjoyed an extra three years of strong growth.

I take issue with some of the comments of my hon. Friend the Member for Cotswold. Europe is restructuring because that is what its business desperately needed to do; the feebleness of the euro reflected Europe's economic weaknesses. Restructuring in the UK started long ago as part of the Thatcherite supply-side reforms and it continues here, as it does in the USA.

Our debate focuses on the mechanics of the changeover and the costs. The Finance Act 1998 required the Treasury to be transparent about financial matters, and the Government's policy on the euro is relatively clear: they are pledged to join the euro when five conditions have been met. As has been stated several times, it is Government policy to prepare for possible entry by putting in place the necessary mechanisms, so that entry is not delayed by lack of preparation.

Making preparations is consistent with Government policy, but what has been happening in reality? What progress has been made and what are the plans? As with any commercial undertaking, one needs to know first about the costs to the public and private sectors. I acknowledge that capital equipment will need to be replaced, especially where such equipment relates to cash. It will not be difficult to produce figures for gross costs and estimated net costs to the public and private sectors. I hope that the Financial Secretary will take this opportunity to report estimated costs in the light of money spent and efforts made. We have seen only the Chantrey Vellacott report and KPMG estimates. According to Government data, Marks & Spencer estimates a gross figure of £100 million, and Tesco estimates £20 million. Lloyds-TSB estimates the cost of system conversions to be about £300 million. I assume that all that homework will ensure that we leave this Chamber much better informed about estimated costs.

The national changeover plan has allegedly identified the measures necessary to prepare the business sector, but I have read the reports, and to be frank, much of the information is guff. No clear analysis is provided of what is to be done and when. As hon. Members have pointed out, the process cannot compare with decimalisation—a relatively modest process that was successfully planned and executed over five years.

According to current Government figures, £6.3 million was spent on planning to the end of February and there is a further budget of £20 million. Although that may be wasted money, it is not very much to finance the grand changeover plan. The expenditure of such a sum would not prepare this country for joining the euro, were we foolish enough to decide to do so. Some £20 million has been budgeted for the Department of Social Security—what is that about? What will the health service be obliged to spend, given that it often has other, more pressing priorities?

In short, what is the plan? What are the plans for the public and private sectors, and what costs will they incur? Last year, many businesses voiced strong objections to being pressed to spend money before a decision has been taken. Last week, I made several inquiries and found to my surprise that very little has been happening. In most cases, there has been all talk and no action. As I shall explain, the perception throughout the private sector is that the matter is on the back burner and, unlike a year ago, is not being addressed actively.

The Bank of England is the one body that soldiers on doing a splendidly professional job. Although its Governor has made it clear that the Bank does not think that it would be a good idea for this country to join the euro, it has set out for the financial sector, both institutional and retail, what would be involved, what needs to be done and what sort of detailed plan needs to be drawn up. I commend the Bank, as ever, for its diligence and professionalism.

The Government formed an organisation called BAG—the business advisers group—to go round visiting private sector businesses to tee them up, tell them what to do and gather information. I have received personal representations from several of the main banks: as far as I can tell, BAG has done precious little and nothing much has happened. Businesses are focusing on and concerned with the regulatory changes, taxes and UK employment burdens that have been imposed on them, but they are certainly not focusing on planning for euro membership. I understand from the banks that they have effectively told the Government that they have no intention of improperly wasting shareholders' money on the necessary technical changes until Government policy has been sharpened up considerably. They have also told me that it would take at least three years from now to put the economy in a financial position suitable for euro membership.

The Government are in exactly the position that they said that they did not want to be in. Even if—unlikely as it now appears—they were to win the next election and hold their referendum, they could not possibly meet the requirements within the time scale that they have set, because the necessary organisation and preparation has not been done.

Mr. Clifton-Brown: Is my hon. Friend aware of an article that was published in *The Times* on 17 February, which described an ICM survey of 1,001 company chief executives that revealed that 87 per cent. would not make any significant preparations for the euro before a referendum, and that 73 per cent., compared to 63 per cent. last March, were opposed to joining?

Mr. Flight: I thank my hon. Friend for that extremely relevant intervention. He reminds me of another survey—which he has, no doubt, seen—revealing that only 15 per cent. of Japanese businesses that have invested in this country have any material concern about whether we join the euro—they have invested here because of the quality of our law, our language and the fact that we do not have expensive employment taxes. The myth that international investors believe that everything hangs on whether we join the euro is peddled for political reasons by those who want to join the euro, but it is manifestly not true.

The key issue is the Government's timetable. One of the few concrete things to have come out of all their planning is their bold and important argument that, if

[Mr. Flight]

they get back into power, they expect to take four months between proposing to join the single currency and holding a referendum, and 30 months between the referendum and joining. Given the state of organisation in the private sector—and, I assume, the public sector, although we have little knowledge of what it has been doing—it is clear that there is absolutely no way in which that timetable could be met. In 1999, regional forums were held around the country, but little emerged from them, because, as my hon. Friend pointed out, almost 90 per cent. of businesses are, rightly, not prepared to waste their funds until the Government show greater clarity of policy.

The events I describe reflect the fact that the wise people in the Treasury have quite rightly gone cold on the euro. I dare say that they have come to appreciate the sound economic and political reasons for which the Conservative party has, for some time, opposed euro entry. A major division between the Treasury and the Department of Trade and Industry, and between individual Ministers, has become apparent.

The Chancellor recited as usual the mantra of his five principles in his Mansion House speech. However, it is telling that, toward the end of his speech, he said something that struck me as a coded signal against membership of the euro. He stated:

> We cannot pre-judge the five economic tests. To do so before we have secured sustainable convergence would risk repeating past failures, mistaking exchange rate stability for stability across the economy and prejudicing our commitment to move Britain from the instabilities of a stop-go economy to greater long-term stability. The Government will not agree to a short-termist approach that would put at risk economic stability or the discipline that has created sustained growth, rising investment and—

so many new jobs.

Despite the coded nature of that statement, the crucial point is that there has been no material development towards convergence. As Europe gradually comes up, and the United States and the United Kingdom go down, as is likely after eight years of growth, there may be some coincidence of interest rates and inflation rates. However, in terms of economic cycles, the United Kingdom is ever more in tandem with the United States, while remaining at a 180-degree variance with continental Europe.

The Financial Secretary to the Treasury (Mr. Stephen Timms): The hon. Gentleman said a moment ago that the Conservative party was opposed to entering the single currency. My understanding of the Conservative party's formal position is that it would not take Britain into the single currency during the life of the next Parliament. Will the hon. Gentleman clarify his party's position?

Mr. Flight: I am glad to hear that the Financial Secretary knows Conservative party policy and that he describes it correctly. The essence of our position is that, on both economic and political grounds, it would be against the interests of this country to join the euro. However, no one can ever claim to have perfect wisdom, so we say, "Let us see what happens." We could be wrong, and the lifetime of a Parliament is a reasonable period in which to determine whether we are wrong. That is common sense.

Treasury Ministers appear to be moving fast toward the same policies, in complete contradiction of the official policy of the Prime Minister and the Labour party. It is hardly surprising that the pro-euro camp in the Government has resorted in recent weeks to slightly desperate spin and public relations, led by the Secretaries of State for Trade and Industry, for Northern Ireland, and for Foreign and Commonwealth Affairs, who are spinning as hard as they can against the shift in policy that the Chancellor is attempting to initiate and to control.

As I said earlier, the Labour party is committed to entry, and, if it wins the next election, to holding a referendum as soon as possible. It is also committed to ensuring that the country is organised to join the euro if all those conditions are met, and to ensuring that delays do not occur because the pre-planning and organisation have not been carried out. However, if one focuses on reality, not on spin, one can see that little has been done in connection with the national changeover plan. The Government have given no advice to the nation or its businesses about what the true costs are likely to be. If the Minister acknowledges that and says that the approach is not part of a deliberate Treasury slowdown, he will have to say, by default, that incompetence is involved.

Representatives from the real business world, including the Confederation of British Industry, banks, companies and trade representatives, have told me that the issue is definitely on the back burner. The Government's measures mean that they have plenty of other things to do. Last year, they thought that they were being kicked and cajoled into making progress, but that has stopped and they have heard nothing for the past year or so.

I conclude by repeating the request that I put to the Minister at the start of my speech. What is going on? What will the costs be, what are the Government doing in the public sector, and what do they want to achieve in the private sector?

10.41 am

The Financial Secretary to the Treasury (Mr. Stephen Timms): I welcome the fact that the hon. Member for Cotswold (Mr. Clifton-Brown) secured this debate. We have had an interesting discussion, and I congratulate him. To some extent, the discussion has trodden on familiar ground but I am pleased to have this opportunity to set out, once again, the Government's policies on these important matters.

Our policy can be summed up in the slogan, "Prepare and decide". That summarises the policy set out to Parliament by my right hon. Friend the Chancellor of the Exchequer in October 1997 and reiterated by my right hon. Friend the Prime Minister in February 1999. We announced our commitment in principle to economic and monetary union and our belief that the decisive test for United Kingdom membership should be whether there was a clear and unambiguous case for us to join. That is why we set out five economic tests, to which several hon. Members have referred, which will have to be met before any decision to join can be taken.

I remind hon. Members that those tests are: first, whether the UK economy has achieved sustainable convergence with the economies of the single currency;

secondly, whether there is sufficient flexibility to adapt to economic change; thirdly, whether joining the single currency would create better conditions for businesses to make long-term decisions to invest in the UK; fourthly, the impact that membership would have on the financial services industry; and, fifthly, whether joining the single currency would ultimately be good for employment.

In view of the magnitude of the issue, we have said that, as a matter of principle, if, having assessed those five tests, the Government decide to enter, the decision should be put to the British people in a referendum. If we are to join the single currency, the Government, Parliament and the people must agree. We want to give Britain a genuine option to decide whether to join, if that is what the Government, Parliament and the people want to do.

We are keeping open the option of making a decision early in the next Parliament. That involves ensuring that those parts of the economy that would be central to changeover, such as the Government's revenue Departments, the wholesale financial markets and the retail banks, should continue to plan effectively. I welcome the point made by the hon. Member for Cotswold about the importance of having those plans in hand and of making progress. The second outline national changeover plan makes it clear that, thanks to the targeted work that has been carried out individually and collectively during the past year, the strategy is firmly on course.

I can tell the hon. Member for Arundel and South Downs (Mr. Flight) that we have had continuing discussions with key stakeholders in the private sector. The illustrative timetable—the period of up to 40 months set out in the latest edition of the changeover plan, published in March—remains valid. It has been endorsed by the Confederation of British Industry, the British Chambers of Commerce and the Trades Union Congress, so the fears that the hon. Gentleman expressed are ill founded.

Mr. Flight: Has it been endorsed by the all-important institutions, namely the banks? The Minister will recall that I mentioned that my soundings with the heads of some of our main banks had pointed towards a three-year programme.

Mr. Timms: As I said, the period envisaged in the changeover plan is 40 months. The plans have been endorsed by the banks. The hon. Gentleman said that the Bank of England had done a great deal of work with the financial services industry. Last month, it published a report on the practical issues arising from the euro. Progress has been made, and is continuing satisfactorily.

Our approach to preparing for the possibility of joining the single currency is to co-ordinate planning and facilitate the appropriate level of preparation. That involves, first, identifying areas key to a smooth and cost-effective changeover. Secondly, we will work with the key parties to agree effective ways forward. Thirdly, we will provide a framework within which organisations can take forward their planning. Fourthly, we will set out a critical path for the process. Fifthly, we can give a lead by planning for the public sector.

Following publication of the first outline national changeover plan, Ministers agreed that all Departments should advance internal planning and prepare outline changeover plans by the end of 1999. Departments used a template-based planning approach. Officials worked with consultants to design a model—Ernst and Young was involved—that was piloted and rolled out to all Departments and designated key agencies. All Departments prepared internal planning documents before the end of 1999. Departments considered the services that they might provide during changeover and how they might convert their systems to the euro. They identified key planning activities and lead times for carrying them out. That exercise confirmed that only the Department of Social Security and the revenue Departments have lead times that require them to start detailed development before a referendum. Many public sectors are drawing on the experience of member states in the first wave and are working with the private sector in developing their planning.

With the private sector, we have facilitated a series of discussion groups, involving suppliers and users of financial services, to produce a set of common assumptions on the likely pattern of demand for euro services during a UK changeover. Those discussions will form the basis of future work to develop an understanding of the likely pattern of demand. The work will take into account the experiences of first wave member states and the evolving expectations of suppliers and customers.

The process has involved the retail banks, the utilities—through the Utility Buyers Forum—the Inland Revenue, Customs and Excise, the Department of Social Security, the Association of British Insurers and the British Retail Consortium. The City euro group is working on the needs and expectations of those in the wholesale financial markets who rely on retail linkages—for example, the fund management industry. There will be further consultation, including discussions with representatives of the large and small corporate markets. Contrary to the impression that was given earlier, a great deal of work is going on.

We are also learning by monitoring what happened in the first wave member states. We have an opportunity to see how the 11 participating member states managed the changeover to the single currency. They successfully converted their wholesale financial systems in time for the locking of currencies. That evidence backs up what United Kingdom businesses that have considered making a changeover are saying: that demand for euro services early in a transition period would be limited mainly to wholesale financial markets and larger businesses.

Mr. Clifton-Brown: I am sorry to interrupt the Minister, but as well as detailing the considerable amount of consultation, will he speak about the financial cost to the public sector using the Salisbury Health Care NHS trust example that I gave, in which patient care was being put at risk because the health service has received no additional budget to meet the cost of the changeover plans?

Mr. Timms: I shall certainly comment on the financial aspects, but I assure the hon. Gentleman that there has been no diversion of resources from front-line patient care to planning work. I shall speak about the costs that have been incurred by the public sector and respond to his intervention.

[Mr. Timms]

We have continued to give regular updates on our changeover work and, of particular importance in the context of our debate, the cost of the work that we have carried out. We provided details in the second outline changeover plan, published in March, on spending to date on preparations for the possibility of United Kingdom entry, which is some £6.3 million. That includes £1.6 million by the Department of Social Security, £1.8 million by Customs and Excise, £1.3 million by the Inland Revenue, £600,000 by the Bank of England and £500,000 by the Treasury's euro preparations unit. That investment has allowed us to undertake analysis and design work. We recognise that further work will be necessary in the key departments, and legislation has been implemented to allow Departments on the critical path—revenue Departments and the Department of Social Security—to invest in preparation for their large and complex information technology systems. References have been made to £20 million, which has arisen because three Departments—the Department of Social Security, the Inland Revenue and Customs and Excise—plan to invest around £20 million during the current financial year. That will ensure that the public sector is ready for the possibility of a decision to join early in the next Parliament and to follow the illustrative 40-month timetable set out in our published changeover plans, if required.

Mr. Rowe: I do not wish to distract the Minister from his argument and, if I have intervened too early, perhaps he will forgive me. Will he say something about the likely impact on the local economy of the circulation of notes and coins, and their acceptability across counters?

Mr. Timms: The hon. Gentleman makes an interesting point. Major stores in Oxford street already accept notes and coins of other currencies, and I have no doubt that they expect to accept euros. The hon. Gentleman may be right: there may be a wider decision to accept euros in tourist areas in the United Kingdom.

I turn to spending beyond a positive referendum result. We must distinguish between the costs incurred by the public and private sectors. We have not estimated the total cost to the public sector of a changeover because planning is still incomplete, so we are not able to do so. However, the cost of a changeover would essentially depend on the approach adopted by the public sector.

We recognise the importance of continuing to monitor the position closely. In the event of a changeover, any spending would be scrutinised by the Treasury in the usual way, just as departmental spending has been. In the private sector, the cost would depend on the approach taken to a changeover by each firm and the extent to which the euro had been considered in investment decisions prior to joining. Those are commercial decisions for individual companies.

I am a little sceptical about the value and the feasibility of trying to produce overall estimates for the whole private sector. A major survey would certainly be necessary for the production of a robust estimate, the conduct of which would place a significant and unnecessary burden on businesses. However, we are working hard to ensure that a changeover would be cost effective. We are consulting widely to establish the key issues in a changeover and how they might be addressed, and we are monitoring the experiences of the first wave countries. We are consulting their key customers and learning from the experience of the first wave member states. The revenue Departments believe that the best use of resources would be to phase in euro services, ensuring that they invest only in those services for which there will be real demand.

I wish to respond to a couple of points that were critical of the Government's position. Hon. Members have asked why businesses should spend on something that might never happen. I agree with the hon. Member for Cotswold that people should take steps to prepare for a changeover. Each company has to decide on its own approach. Some sectors, such as the retail banks, the wholesale financial markets—to which the hon. Member for Arundel and South Downs referred—and retailers are critical of the changeover process, because they provide the infrastructure on which other parts of the economy depend.

Mr. Clifton-Brown: I am grateful to the Minister for being exceptionally courteous during the debate. Are the Government considering whether returns for value added tax and income tax may be filed in euros and, if so, when is that likely to happen?

Mr. Timms: That is one of the issues that the revenue Departments are considering. A gamut of matters will need to be addressed. As the hon. Member for Cotswold said, changeover planning will take money from front-line services. All parts of the public sector must undertake analysis and planning for the possibility of UK entry. The hon. Gentleman was right to support that planning and, by undertaking it now, the Government will ensure that any changeover takes place in a smooth and cost-effective way. It will be a management exercise and such work will be developed to ensure that it does not disrupt front-line patient care, for example. Proper preparation will help to deliver a smooth and cost-effective changeover and ensure that public services will not be significantly disrupted.

Our policy on the single currency can be summed up neatly as being to prepare and to decide—the policy set out by the Chancellor of the Exchequer in October 1997 to Parliament and by the Prime Minister in February last year. I am grateful for the support expressed for preparations to be made in Parliament so that, should the economic tests be met, a decision to join the single currency can be made early in the next Parliament. Without preparation, that would not be a practical option. We need a framework for businesses that want to plan ahead. We have a unique opportunity to learn from the experiences of the first wave member states. Where expenditure might be required in the public sector—for example, in the revenue Departments and the Department for Social Security—legislation has been passed that will allow planning for that.

Parliament should be asked to provide permission for such expenditure. We have been open about our investment in pre-planning work, and our changeover plans set out what we have achieved and invested, the direction of our future changeover work and the amount that the public sector has spent on preparations. We cannot estimate the cost of changeover at this stage. Interestingly, even the first wave has not produced official estimates of the cost of changeover work.

Mrs. Marion Roe (in the Chair): Order. We now move to the next debate.

Organic Food and Farming

11 am

Joan Ruddock (Lewisham, Deptford): I am grateful for the opportunity to introduce a debate on Government support for organic food and farming. I am only sorry that it coincides with the Select Committee on Agriculture's taking evidence in its inquiry into organic agriculture. Perhaps that merely proves the subject's topicality.

My interest is long-standing, and was greatly increased by my involvement with Sustain, the coalition of organisations that drafted the Organic Food and Farming Targets Bill. I first raised the issue in the House as a ten-minute Bill in the previous Session, and the hon. Member for North Cornwall (Mr. Tyler) introduced it this year as a private Member's Bill. I pass on his apologies for his absence for the early part of the debate; he hopes to join us later.

I acknowledge the Government's support for organics, and especially the interest shown by my right hon. and hon. Friends. Last year, more than £11 million was allocated to farmers who wanted to convert to organic production; in 1997, the figure was just £1 million. I was delighted by last month's announcement by my hon. Friend the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food that a further £140 million will be made available over the next seven years.

The number of farms that have converted has trebled. In 1994, there were only 715 certified organic farms in the United Kingdom; by November 1999, there were more than 2,000. Research funding has increased, too. I do not know the details of today's announcement by my right hon. Friend the Chancellor of the extra £1 billion for science, but I hope that some of it might find its way into the sector.

As in many other aspects of Government policy, much has been done, but there is much more still to do. The Government's declared policy and strategy is to expand organic farming in an open-ended way as far as the market will allow. I must tell my right hon. Friend that there is great scope.

UK farmers currently supply only 30 per cent. of the organic market—a market that is set to treble by April 2003. Given such a rapidly expanding market, there is an urgent need for more research, for expansion in certification capability and for infrastructure building. Much of the demand for organic produce stems from objections to genetically modified foods. Yet organic farming is set to receive 1.8 per cent. of the research budget allocated to agriculture this year, while biotechnology and genetic modification will receive more than 23 per cent. That equates to £2 million for organic farming and £26 million for biotechnology research, although organic farming has a huge market, and GM foods almost none.

I hope that my right hon. Friend the Minister of State will take the opportunity to tell us how she plans to increase the amount of organic food grown in the UK. Demand is already growing at 40 per cent. per year, and Iceland's welcome decision to go 100 per cent. organic, along with plans to set up dedicated supermarkets all

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over the country in the next four years, suggests an even greater acceleration. The irony is that that demand cannot be met by crisis-ridden UK farmers, as the organic farmers scheme ran out of money eight months ago and will not reopen until April next year. Farmers will naturally hold off until incentives are in place, while other countries take advantage of our growing demand.

The Government's information line has received more than 2,000 inquiries about conversion to organics while the scheme has been closed. Can my right hon. Friend give any encouragement to those who are seeking to convert now? Are there any prospects of additional funding that could enable her to give guarantees of retrospective funding for farmers who could start converting before April 2001. I also invite my right hon. Friend to give us her estimate of market demand and the financial support necessary to achieve the Government's objective of meeting that demand. She will know that I, and the supporters of the Organic Food and Farming Targets Bill, estimate that £90 million per annum, or £70 million more than has been promised, would be necessary for English farmers in the new organic farming scheme if the targets in our Bill were to be met.

I now turn to the wider picture. The current EU average for the percentage of land farmed organically is 2.2 per cent., so we can be pleased that the UK figure of 3 per cent. is above that target. That is partly due to the Government substantially increasing the amount available for conversion. However, we are nowhere near the top of the league table for European countries. In Sweden, more than 11 per cent. of the land is organically farmed. In Austria the figure is 10 per cent., and in Denmark and Finland the figure is around 6 per cent. Some—but not all—countries have had a longer period of conversion, but there are significant funding differences. First, the total funding that is paid to organic farmers in the UK is lower than in many other EU countries. Secondly, two of the 14 countries also pay on-going maintenance payments to farmers after the conversion period has ended. I suggest that we are considering a straightforward competition issue here, which my right hon. Friend might use in any conversations with the Treasury. I would be grateful for her comments on that.

Finally, UK organic farming is at a comparative disadvantage because the four European countries with the most organic farming are those that have set targets and developed a strategy to achieve them. That is no coincidence. My hon. Friend the Parliamentary Secretary has acknowledged that targets can be useful in terms of fixing aspirations and underlying commitment. I guess that our competitors agree.

Organic farming straddles so many sectors and Government Departments that it is increasingly clear that its sustained and balanced development cannot be achieved without one clear target for all interested parties to work towards. Denmark made no fewer than 65 recommendations in its action plan, which resulted in increased investment in research and training, increased agri-environment support and the removal of barriers to increased organic production. We need to do the same. We need to examine the barriers to the development of the organic sector and find ways to overcome them. That need not mean extra Government funding in every area. In some cases, the Government could simply act as a catalyst, analysing problems and promoting market support.

What should the Government do to benefit from increased organics demand? How can the Government put the UK among the best in Europe, rather than it being just one of the rest? Many of my right hon. and hon. Friends agree with me that the Government should adopt a target based on projections for the market. We believe that the market will require 30 per cent. of agricultural land to be organic by 2010. A strategy should also be developed to achieve that target, as suggested in the Organic Food and Farming Targets Bill, as proposed by the hon. Member for North Cornwall. The Government's strategy is to expand the organic sector only to the extent that the market will accept. That clearly has an undeniable logic, but it is far too passive. Even a strategy designed to follow the market has already fallen way behind it. Setting targets and a strategy to meet them has many advantages, as the experience of other countries demonstrates.

Most of us believe that farming in this country is in crisis, and farmers have been encouraged to get themselves out of it through Government plans to help them diversify. The last thing farmers need is to plan to diversify by converting to organic farming, only to find six months later that the Government's money has run out again. That could result in financial ruin, and farmers will clearly not undertake the risk. They need to have confidence in the sector, and they need to see that the Government have a strategy and a clear direction.

We need to change from an organic sector that is developing in fits and starts, grinding to a halt when money runs out, to one that is set on a sustainable course of growth. A strategy to ensure that would need to be based on analysis of past demand and trends to predict demand from farmers and consumers. Enough money could then be allocated to the organic farming scheme to guarantee its continuity. The confidence of farmers and the industry in the sector would be raised enormously by a clear Government commitment to targets and a strategy to achieve them.

Such a strategy would also reduce imports. As a result, our farmers, wildlife, environment and economy would begin to benefit from the increased demand for organic production. The Government have found targets useful for procuring progress on many other subjects, such as poverty reduction. Why should organic food and farming be any different? Increasing organic farming through a target will not distort and restrict Government priorities. Instead, it will help to deliver current Government objectives on other matters, such as the environment, health, jobs and animal welfare.

The benefits of organic farming are now being well documented, but I would like to emphasise a few of them. There are major biodiversity benefits. Wildlife figures are plummeting, especially in farmyards, which is a major Government concern. Research carried out by the British Trust for Ornithology found that populations of most farmland bird species were higher on organic than conventional farms. That is one of the main reasons why the well-respected Royal Society for the Protection of Birds supports the Organic Food and Farming Targets Bill.

There are human health benefits too. Organic food is less prone to synthetic chemical residues. For example, a quarter of conventionally grown new and salad potatoes tested for pesticide residues in 1998 were found to contain them, but none of the organic potatoes tested did. The Ministry of Agriculture, Fisheries and Food still advises the peeling of fruit and vegetables because of concern about pesticides. The continued use of lindane in this country is a specific worry, due to its link to breast cancer. Male fertility levels have fallen by about half since the second world war, and a new Dutch study suggests links to pesticide exposure. The steady rise of food poisoning costs between £1 billion and £3 billion a year, and is thought by many to be caused by some of the methods used in intensive food production. No agriculture debate can take place without reference to the BSE crisis, which cost £4 billion and the loss of 37,000 jobs, while the organic sector was BSE-free.

Organic farming also has benefits for the economy. It is estimated that between 10 per cent. and 30 per cent. more jobs can be created in organic systems. Importantly for the Government, organic farming, through delivering those benefits, eliminates some of the enormous hidden costs of conventional production, which have been estimated by Professor Jules Pretty of Essex university to be about £2.3 billion a year. Water companies estimate that it costs around £120 million a year to remove pesticides from drinking water. I urge my right hon. Friend to attempt some audit to find out how much a widespread take up of organic farming would reduce costs to the Treasury and other Departments and organisations, such as the national health service.

I tabled early-day motion 51 in support of the Organic Food and Farming Targets Bill, which will target 30 per cent. of land to be organic by 2010. That early-day motion has been signed by 221 right hon. and hon. Members. In addition to that support, 71 groups representing more than 3 million people within their membership, also support the Bill. All sectors of society are represented in those groups, as are many private-sector organisations, including four of the largest supermarkets—Asda, Sainsbury, Waitrose and Marks and Spencer. The British public clearly want to green not only the fringes, but all of agriculture, and I believe that it is time for the Government to catch up with them.

The time is right for a total re-evaluation of Government agriculture policy. It would cost £90 million a year to ensure that the targets in the Bill were met in England. Although that represents only 3 per cent. of the £3 billion being spent under the common agricultural policy, it would be a highly constructive investment for the agriculture industry. In only a few years, there has been a colossal change in public attitudes to food standards, animal welfare and the environment. Food processors and retailers have been quick to respond.

As someone who buys as much organic produce as I can find in my local Sainsbury and Tesco—sadly, there is no local Waitrose—I am conscious that the supermarkets are monitoring my purchasing patterns. I am the target of mailshots that give me increasing amounts of information about the organic products that are available so, for a change, I am delighted to receive junk mail.

There is clearly a risk that expansion in market competition could undermine the benefits that I have extolled today. That is why the Government need to take a lead. Conservation standards and accreditation will undoubtedly become real issues in the continuing expansion, and I hope that my right hon. Friend will have something to say on those matters. Choosing organic food used to be the preserve of a tiny minority of the better-off, but today it enjoys widespread popular support. Research commissioned by Iceland, the food retailer, shows that 53 per cent. of people questioned said that they would like to be able to do a complete organic shop. Iceland mainly serves the less well-off in the community, but it has led the way in organics.

In conclusion, Madam Deputy Speaker, there will be enormous beneficial possibilities for this country if the Government give us a greater lead by embracing the targets in the Organic Food and Farming Targets Bill. I urge them to accept those targets, or some of their own devising, to ensure that we seize on the great opportunity that will deliver real health, environmental and economic benefits. Such a course of action has widespread support.

Mrs. Marion Roe (in the Chair): Before we continue, I remind hon. Members that I should be addressed as Mrs. Roe when I am in the Chair.

Joan Ruddock: On that point, I have previously been told precisely the opposite. That is why I did not follow the previous speaker.

Mrs. Marion Roe (in the Chair): Perhaps I should clarify the position. Deputy Chairmen have been appointed to take the Chair in this Chamber, but I have been nominated from the Chairmen's Panel. That is why hon. Members should address me as Mrs. Roe.

11.20 am

Ms Julia Drown (South Swindon): Thank you, Mrs. Roe, for giving me the opportunity to contribute to the debate. I would like to congratulate my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) on securing the debate.

My hon. Friend mentioned that the Agriculture Committee is taking evidence, in connection with which it visited a successful and long-established organic farm in my constituency. I want to raise some points mentioned to me by local organic farmers and farmers who are trying to become organic, so that my right hon. Friend the Minister can respond. I acknowledge the huge increase in support that the Government have given to organic farming. I welcome that, but I agree with my hon. Friend the Member for Lewisham, Deptford that more help now could make a huge difference in the future.

The first and most crucial point is that money to help to convert to organic farming has stopped for this year. There is no more available until next April, which is frustrating for farmers who want to get on with the conversion programme. A farmer in my constituency has 80 per cent. of his land already covered by the conversion scheme and wants to get further involved by going 100 per cent. organic. He cannot do that because that extra 20 per cent. of the land cannot be covered by

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any other grant. It is a shame that someone who is enthusiastic cannot get extra support this year. When consumers are crying out for more organic food, and when farming is in such huge difficulties and has a real need to diversify, that situation seems crazy.

There is a growing demand for organic products across the board; the way in which the markets are increasing month after month, with no prospect of the demand falling back, is a salesperson's dream. More support now would make a big difference, especially in light of concerns raised over genetically modified crops and the other directions that farming might take. More support for organic farming would be widely welcomed by communities.

In organic farming, we have a golden opportunity that should not be missed. I say that for three reasons. First, Iceland has bought up supplies of organic food; that retailer would have liked to buy more from this country, but that has not been possible, so it has had to go abroad. Every month the number of GM crop imports increases, exceeding the growth of United Kingdom production in organic food. Therefore, every month the trade deficit widens. I would have thought that the Chancellor might want to consider that; perhaps he should discuss the matter with my right hon. Friend the Minister.

Secondly, the Government should invest more in organic crops because farming makes a huge contribution to biodiversity and would help to achieve the Government's sustainable development targets. As those involve the percentage of land farmed organically and change in the number of farmland birds, having more organic land would help us to achieve them. The Soil Association recently produced a report containing not anecdotal, but real evidence that organic farming contributes to biodiversity. The report brings together the findings of nine studies on biodiversity and organic farming. Lowlands were the main focus, but the study's conclusions can be broadened to other areas. Organic farming was compared to conventional farming systems.

The studies found greater levels of abundance and diversity of species on organic farms. There were five times as many wild plants in arable fields and 57 per cent. more species. Several rare and declining wild arable species were found only on organic farms. As to bird species, 25 per cent. more were found at field edge; 44 per cent. more in field in autumn and winter; and there were 2.2 times as many breeding skylarks.

Greater biodiversity was found in vertebrates; there were 1.6 times as many arthropods, which are important as bird food; three times as many non-pest butterflies in crop areas; one to five times as many spiders and one to two times as many spider species. On crop pests, there were significant decreases in aphid numbers and no change in the number of pest butterflies. Those significant findings provide concrete evidence that organic farming makes a positive contribution to biodiversity.

Farmland represents 76 per cent. of the UK's total area, so organic farming can clearly make a major contribution towards the conservation of our biodiversity. Organic farming is not limited to species that we can see in the fields. It also offers huge biodiversity benefits for soil and aquatic ecosystems, while reversing the dangerous trend of falling agriculture and genetic diversity. For all those reasons, we should support a major increase in organic farming.

Another reason for seizing a golden opportunity and finding more money from every budget in MAFF relates to jobs. The Government rightly made the creation of jobs a priority and succeeded in doing so through the new deal. Conversion to organic agriculture could create even more jobs. Sustain, the alliance for better food and farming, estimates that 17,000 more full-time jobs—in rural areas, significantly—could be created. Job creation schemes can be less successful in rural areas, so rural employment is important.

It is widely acknowledged that organic farming creates more jobs—by somewhere between 10 and 30 per cent. Sustain adopted a middle course and estimated that 20 per cent. more agricultural jobs could be created. Increasing the current 3 per cent. of land farmed through organic methods to the 30 per cent. target in the Bill that we all support would create an additional 17,000 jobs—and perhaps even more down the line, through local markets and so forth. That should not be ignored; it could make a real difference.

Finally, I should like to raise a couple of specific issues mentioned by farmers in my constituency. The first is from a farmer who wanted to convert: he received his grant payment, but decided for several reasons not to proceed. One reason was that he did not own his land: he was a tenant and, although the grant came to him as a person, the land was separate from him. If the land were not farmed for the requisite number of years, he, as an individual, would have to pay back the money to the Treasury.

That is unfair because part of the problem is outside his control. If something went terribly wrong, and he had to move off the land, he would be in danger of having to pay back the grant if the next tenant did not want to farm the land organically. Will my right hon. Friend confirm that there might be some flexibility in future to accommodate circumstances in which a farmer unexpectedly cannot continue to farm the land and someone else takes it over?

The farmer's second problem was that the banks put a lot of pressure on him, querying whether the market would exist for organic food. Banks are known to be prudent but that is taking prudence to extremes. They argued that because Iceland is buying up the market, prices would drop. Iceland has said that it does not want to drop the support that it gives to farmers and that it does not intend to drop its prices. The banks, however, were using the mere fact that it has woken up to this and has quite rightly bought up some of the organic supply to argue that they do not know what will happen in future. That is regrettable. There is obviously some concern out there.

The other concern, which has been raised by a dairy farmer who is converting in my constituency, relates to the different time limits. It takes a minimum of two years and three months to convert from milk to organic in the UK. In some other European countries it is possible to convert in three to 18 months. Denmark and the Netherlands were mentioned as areas where conversion takes place more quickly. Surely there should be a level playing field. Is it perhaps a question of different accrediting bodies in different countries? Will we get to the point where farmers in Britain go to Denmark or the Netherlands to ask for accreditation? We could end up with two different definitions of organic in this country. Consumers want to know that a product is genuinely organic and properly registered. They would rightly expect organic food from France and organic food from the Netherlands to be the same as that from this country. Any comments that my right hon. Friend the Minister can make on that would be much appreciated.

I am pleased that we are having this debate. It is very timely as the Select Committee on Agriculture is in South Swindon today. I congratulate the Government on everything that they have done on organic farming. There is a golden opportunity: please can we find some more money to convert more farms to get closer and closer to that target of 30 per cent. of land farmed organically in this country?

11.32 am

Mr. David Drew (Stroud): I am a member of the Agriculture Committee, which is taking evidence at the moment, so, had I not been given leave of absence, I should trying to be in two places at once. I should preface my remarks by saying that I do not intend to go into our investigations, other than in general terms. The Committee is fortunate to have the evidence of the House of Lords inquiry, which looked into organic farming and the European Union a couple of years ago, and I shall dwell on some of the ideas contained therein. A lot of evidence has already been provided by my hon. Friends the Members for Lewisham, Deptford (Joan Ruddock) and for South Swindon (Ms Drown) and I shall not go over that again. Instead, I shall raise some points that my right hon. Friend the Minister of State might want to consider before she and her ministerial colleagues give evidence to the Select Committee.

I support the Bill proposed by the hon. Member for North Cornwall (Mr. Tyler). It is important that we stand up and argue the case for organic food production. That case is clearly gaining momentum, as shown by Iceland's decision and that of millions of individual consumers. They have decided to go organic in part because of the problems with genetically modified organisms—the scandal I could say—and, more particularly, because of the BSE difficulties. There is also a positive aspect, which is that people genuinely want to know what they are eating, where it comes from, and what the possible impact on their own health and general disposition will be. That is a jolly good thing.

One of the arguments against the Bill is that its supporters are setting unrealistic targets that interfere with the natural market mechanism, which is not the right way to go about the problems: if the movement is driven by the consumer and the retailer responds, why are targets needed? That argument is wrong in two respects: first, there are stop-start problems, so there should be some smoothing of the conversion pattern, and to set a target for annual improvements enables the allocation of appropriate sums for the purpose. Secondly, we should take a more humane and sensible approach to agriculture per se than is possible in the madness of the common agricultural policy. We want to discuss the matter with other European Union member states and within the World Trade Organisation, so that we can learn the extent to which organic farming can progress, and how it can be measured and encouraged.

Much of the evidence accrued on organic farming is anecdotal. An objective study of its environmental, economic and consumer benefits is needed; a study should also be made of the controversial subject of health benefits. I am in favour of organic farming, but I am not necessarily against conventional farming. There should be no trade-off. The notion that organic farming is good and conventional farming is bad is not the way forward. Objective research can benefit everyone. Besides helping those who wish to go into organic farming, research will also drive up standards in conventional farming, which will be no bad thing. There is much evidence for the benefits of integrated crop management schemes and reduced use of pesticides and fertilisers.

I am confused by the regulation and certification processes. Evidence to the House of Lords inquiry showed that the United Kingdom register of organic food standards—UKROFS, as it is lovingly called—is under pressure. There is a dispute about the role of the state in setting good standards for organic food, and it is argued that UKROFS should become the regulator in such matters. Self-regulation may be all very well, but the role of advocate must be separated from that of regulator if organic farming is not to fall into the same traps as those to which conventional farming has fallen victim. I hope that my right hon. Friend the Minister of State will comment on the role of the regulator.

Finally, I want to give the diversity of the organic movement a quick plug. I have in my constituency a biodynamic farm, Koliska: biodynamic farming is a pure form of organic farming. People use the term "organic farming" to suggest that it entails a massive changeover to a Soviet-style approach, but it is not like that at all. Organic farming is a philosophy and those who believe in it know that there are different types of organic farming, of which biodynamic farming is one.

The debate is timely both because the issue is being investigated by the Select Committee on Agriculture and because of a consumer-led upsurge of interest. We are right, as parliamentarians, to tease out some of the issues. If we are not careful but simply allow events to unfold and arrangements to fall into place, adverse consequences may follow. I support the Bill introduced by the hon. Member for North Cornwall and I congratulate my hon. Friend the Member for Lewisham, Deptford on securing today's debate.

11.40 am

Mr. Colin Breed (South-East Cornwall): I welcome the opportunity to make three brief points on matters that are almost side issues, but which I believe are pertinent to the thrust of the debate.

First, organic farming requires a somewhat higher level of skill than is needed for conventional farming. Therefore, it is essential that we put enough resources into training courses, particularly in places such as Duchy college in my constituency, which now offers people involved in farming more opportunities to acquire the additional skills needed to manage organic farming properly. I hope that we will not forget that it is necessary not only to encourage new entrants to organic

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farming, but to give those farmers that want to change their methods the opportunity to hone their farming skills.

Secondly, many people are switching to organic farming because they can obtain premium prices for produce, so the Government should recognise that the premium should not be eroded. We must ensure that new entrants' margins meet the expectations on which they base their business plans, and that can, in part, be achieved by not allowing supermarkets to attain a dominant position. At present, supermarkets are scrabbling around to find organic produce and they are prepared to pay higher prices than they would normally expect to pay. However, as supply increases to meet demand, the supermarkets will slowly and inexorably reach a dominant position. I hope that the Competition Commission report due out shortly will deal with fair trading contracts, which ensure a fair contractual arrangement between primary produce growers and retailers. We cannot allow the supermarkets to reach a dominant position from which they can squeeze farmers and growers, as they have done in other sectors dependent on supermarket trading.

Thirdly, the danger grows that unscrupulous traders will jump on the wonderful bandwagon and threaten the integrity of the organic farming movement by passing off non-organically grown produce as organic to obtain a much higher price for it. We must ensure that the powers of trading standards organisations are strengthened so that only truly organic produce can be presented as organic. If the public become less supportive because they feel that they are being conned, the process of regulation will be undermined. Trading standards organisations need the powers and the resources to assure consumers that when they choose organic produce, they get organic produce.

11.43 am

Mr. Paul Tyler (North Cornwall): I am delighted to contribute to the debate, but I apologise to you, Mrs. Roe, to the Minister and especially to the hon. Member for Lewisham, Deptford (Joan Ruddock) for being a few minutes late, as I was involved in a Select Committee.

If I am the adoptive parent of the Organic Food and Farming Targets Bill, the hon. Member for Lewisham, Deptford undoubtedly is its godmother. I pay tribute to her for all her work and for succeeding in securing the debate. I have not the slightest doubt that if that Bill does not reach the statute book, she, other hon. Members and I will redouble our efforts to ensure that we make real progress.

I am delighted that the Bill has attracted cross-party support. As the Minister will know, it is supported by not only a number of former Ministers, such as the right hon. Members for Bridgwater (Mr. King) and for Chesterfield (Mr. Benn), but a cross-section of all parties and people of wide experience in agriculture and related sectors. I am interested in the subject for a number of reasons, not least because my constituency is agricultural and is suffering a great deal as a result of the decline in mainstream agriculture. Organic food and farming represent an extremely important opportunity for diversification by a hard-hit part of the rural economy.

I pay tribute to other hon. Members, some of whom have spoken this morning, who do not have a huge number of farmers in their constituencies. However, the Bill has attractions for us all. I have the pleasure of being a neighbour of my hon. Friend the Member for South-East Cornwall (Mr. Breed), who is our party spokesman on food and farming. In the previous Parliament, I was responsible for that policy. Therefore, I approach it with some experience.

I take as my text—having been properly brought up in a churchy family—the important statement made by the Prime Minister to the annual general meeting of the National Farmers Union on 1 February. He said:

> Our plans envisage a trebling of the area under organic farming by 2006.

I have discussed with Ministers whether that is a target, pledge, promise or merely an aspiration. I do not want to play semantic games. I take that statement as an encouraging sign. I think that all hon. Members will acknowledge that organic food and farming is an idea whose time has come. We may differ on the mechanisms by which our objective is achieved. However, we are all concerned to ensure that our fellow citizens, who are crying out for more choice of organic food, get that choice, with the assurance of quality, integrity and, if possible, that the food comes from British sources. I emphasise that point.

At present, British farmers supply less than a third of the organic food that appears on our retailers' shelves. I participated in an extremely interesting conference on 14 June, organised by *Marketing Week*. As far as I was aware, there were only one or two farmers in the audience of 100, but the representatives of the retail sector were there, clamouring for more choice, sourcing and supply from British producers. That is the challenge that faces the Government and, indeed, Parliament.

For reasons that have been well advanced by hon. Members, it is incredibly important that we enable British producers to meet the demands of the market. It is important to get a sense of the relative investment that has already been made. The hon. Member for Stroud (Mr. Drew), to whom I pay tribute for being a dogged defender of the organic sector of British agriculture and an effective champion on its behalf, referred to research. Organic farming is set to receive 1.8 per cent. of the total research budget allocated to agriculture in the current financial year, while biotechnology and genetic modification will receive £26 million. Organic food has a huge potential market. As we all know, genetically modified food has a very small market and it is probably declining. I would like to know how we should address that discrepancy.

Retailers are making it only too clear that the discrepancy in demand is huge. Unless we can speedily bridge the balance of trade gap, to which the hon. Member for South Swindon (Ms Drown) referred, we shall have a difficult problem. The evidence of retailers speaking at the conference that I mentioned is that they will simply have to source elsewhere.

I take to heart the comments made by a number of hon. Members about quality control. Perhaps the Soil Association can be reasonably confident of comparable standards in other EU states, but I am afraid that we cannot be entirely confident about the current monitoring of food imported from other parts of the world. I imply no criticism—that is a fact of life. However, it is clear that we cannot rigorously monitor production methods and the supply chain in distant countries.

It is therefore extremely important that we investigate quality control on imports. Conservative Members have raised this issue in this Parliament, and I support them in that regard. I raised it in the previous Parliament, when the Conservative party was in government and could have made a start on the problem. There must be quality control, so that British farmers can be confident of—to repeat the expression used by the hon. Member for South Swindon— an even playing field.

I shall speak only briefly, because I want to give the Minister maximum time to respond to this debate. There has been no full statement on the Government's position in recent months, but I realise—and hope—that things might be changing. I endorse everything said by the hon. Member for Lewisham, Deptford, who opened the debate, and other hon. Members, but I should add two specific points that relate to my own part of the country, the south-west.

First, as my hon. Friend the Member for South-East Cornwall said, the Duchy of Cornwall has taken a pioneering role, and I welcome the Duke of Cornwall's setting a practical example of what can be achieved. I hope that it will not be taken amiss if I describe the Duchy of Cornwall as a large operation—it is certainly a lot larger than most farms in my constituency. It is easy for such land-owning organisations to take a long view, but given the current state of the market and the profitability levels to which my hon. Friend the Member for South-East Cornwall referred, it is extremely difficult for smaller organisations to take a risk on conversion. In the light of the hiatus in support to which reference was made this morning, diversification by small farmers, who are the backbone of the rural economy in the south-west, presents them with a major problem.

We must put the figures in perspective. Last month, when I asked about the total amount paid under the common agricultural policy to farmers in the United Kingdom in 1999-2000, and what percentage of that money was paid to organic farmers, the Minister produced the following figures. Under the CAP, total forecast UK and EU expenditure on national grants and subsidies was £3,172 million, but the figure for the organic aid scheme was just £11.35 million. I would argue that that discrepancy is too great.

The second issue is of particular significance to the south-west, but it is also important elsewhere. In a number of areas, the relationship between methods of agricultural production and various forms of environmental protection is very close. That is true not only in the south-west but in East Anglia, where pesticide residues in the water supply present a major problem. They raise health concerns, but they are also expensive to deal with; indeed, they could even prove a major problem for water undertakings and water consumers in your constituency, Mrs. Roe.

Water charges in the south-west are already extremely high. I should hate to think that we had to pick up a bigger bill for environmental protection and reduction in pollution simply because we failed to invest positively in a better form of agricultural production. That is an important issue, to which reference was made earlier. The rural White Paper, which is due in a matter of weeks, must contain a balance sheet showing the investment in organic food and farming and the benefits of reduced expenditure in other Departments because of the value that organic food and farming can give the rural economy.

In summary, the Bill is a win, win measure. There will be no losers in agriculture, because farmers who continue to farm conventionally will not lose out if some of their neighbours move over to a different form of production. Indeed, there could be a useful spin-off for conventional husbandry at a time when many farmers are really up against it and are seeking opportunities to diversify. There would be huge advantages for them if they could obtain this support, especially after their first conversion. Maintaining and sustaining the organic conversion is so important. Other European Union countries have been a great deal more successful than we have in that area, which is why we are comparatively far down the league table.

Major environmental advantages will be gained by promoting biodiversity, as the hon. Member for South Swindon said, and by reducing pollution and its related costs. There will be huge health advantages for consumers. I have tabled many questions on that subject. I regret that, so far, the health advantages have not received the attention or the research investment that one would have hoped. Water companies will also enjoy great advantages, at a time when they face increasing problems relating to chemical residues.

Rural communities will benefit from the employment opportunities. I would not go to the stake over the figures produced by SUSTAIN, but there are clear advantages in a more labour-intensive form of agriculture. Anyone—such as Mrs. Roe and I—who avidly listens to "The Archers" will know that Tony and Pat Archer work themselves into the ground. Sometimes, I think that they slightly overdo it. If they went to a real, modern organic farm, they would find that it was not quite as bad as we are given to understand.

The biggest single change will be the huge advantage for food retailers and processors. Market demand has leapt in recent months, and I was told by one of the most revered forecasters and analysts in retailing, at the conference to which I referred, that that increase in demand is unprecedented. Nothing has ever hit the retail sector with such speed and on such a scale as the demand for organic produce.

Last but not least, the Government are in a win, win situation. Having set their hands to this plough, they will reap great benefits if they are prepared to go the whole way, and to set clear targets and strategies for the development and expansion of this sector. I have noted hundreds of targets in publications from various Departments. There are so many that I have not managed to count them. Even the Ministry of Agriculture, Fisheries and Food has more targets of various kinds hidden away. I have no doubt that when the rural White Paper emerges in a few weeks, it, too, will contain targets. Those who have sponsored my Bill simply ask that there should be a target for the expansion of organic food production in this country. We have set a realistic time scale of 2010, and we look

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forward with considerable appetite—and, we hope, cheerful digestion—to the approach that the Minister will take.

Finally, if we can do anything to assist the Minister, to strengthen her arm and to give her any support and encouragement that she needs in terms of another statement that the Government will make shortly on the comprehensive spending review, she has only to ask us.

11.59 am

Mr. Malcolm Moss (North-East Cambridgeshire): I congratulate the hon. Member for Lewisham, Deptford (Joan Ruddock) on securing this important debate.

Frankly, the Government's record to date on organic farming is a sorry one. It is characterised by an underestimation of demand, incompetent planning and inadequate resourcing. The Minister of State will doubtless claim that the Government have greatly increased funding for organic farming under the organic aid schemes and the organic farming scheme. However, the Government are being less than honest with us because they compare the situation with that in May 1997, when British consumers' demand for organic produce exploded. Before May 1997, the organic market was tiny, but that did not stop the then Conservative Government setting up the organic aid scheme as far back as 1994.

The real question is whether the Government have capitalised on the opportunities of the organic boom that is taking place or thrown them away and held back the British organic farming sector at a crucial phase of its development. As has already been said, the organic farming scheme in England opened for applications in April 1999. The Government set a budget of £6.5 million for 1999-2000 and of £8.5 million for 2000-01. However, they massively underestimated demand from the farming community. That two-year funding ran out in six months because the scheme was over-subscribed. In October, the Government pulled the plug and said that no more money would be available until April 2001. Incredibly, they slammed the door on the growth of Britain's organic farming sector just when demand for organic produce was booming.

In an excellent briefing paper sent to hon. Members, the Soil Association stated:

> To us it seems unacceptable that while UK agriculture is undergoing such a serious crisis and organic farming is one of the few sectors with an undersupplied and growing market, that its development in the UK is now on hold and foreign producers are taking advantage

Late last October, the Government were shamed into providing £10 million in additional funds for the organic farming scheme, but that was sufficient only to clear the backlog in applications. They have since confirmed that they will not consider further applications until April 2001. By shutting off the flow for the new conversion payments for 18 months, they have ensured that foreign producers will tighten their grip on our organic market.

The Government say that they will reopen the organic farming scheme in April 2001, when they will start providing £18 million or thereabouts each year for the sector through the England rural development plan. During that plan's seven-year period of operation, the Government are committed to making £140 million available through the organic farming scheme. The Soil Association says that that is not enough. On 15 June 2000, Simon Brenman stated in *Farming News*:

> At least £25 million a year is needed to meet the demand.

It is interesting to note that £25 million was needed to satisfy demand from farmers during the six months in which the organic farming scheme operated before it was shut down.

Spending under the England rural development plan will amount to £140 million over the next seven years. The Soil Association calculates that that will take the level of organic farming to about only 8.5 per cent. in England by 2010. In view of the fact that domestic supply currently constitutes only one third of the market, which is expected nearly to triple by 2003, there should be enough funding to increase current supply, in the Soil Association's estimate, by 10 times by then if the Government's aim is to be met. Extrapolating forward, the Government should plan for 30 per cent. to be converted by 2010. In the Soil Association's calculations, the English scheme would need annual funding of £87 million a year. The Soil Association estimates that the Government's suggested figures are wildly out.

Mr. Drew: Is the hon. Gentleman saying that the Opposition are committed to the 30 per cent. target and will fund it accordingly?

Mr. Moss: I do not have much time, if the Minister is to respond.

The signs are that the Government are no less complacent now than they were at the outset of the organic farming scheme. Commenting on the first six months, the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food told the *Farmers Guardian*:

> There was an enormous rush. But I suspect we have reached a peak in those two years. We think the new money is enough to manage a careful expansion of the sector. We must have a steady increase, because if it is too sudden it could damage the market.

Such comments are patent nonsense. For a start, the peak was not reached in two years, but in six months. In the remaining 18 months, until the OFS is reopened, it is likely that demand for conversion payments will accumulate, not dissipate. Furthermore, as demand for organic produce is increasing at 40 per cent. a year, while British supply increases at only 25 per cent., failure to step up the rate of organic farming will weaken further the share of the domestic market held by British farmers. As a final twist, the Government have confirmed that farmers who start conversion outside the OFS—that is, those who convert during the 18 months for which the scheme is closed—will not be eligible for OFS payments, once the scheme reopens.

The Government's support for organic farming is more than a matter of finance, although the Government fail in that respect, too. Little has been done to control imports of food that calls itself organic, but which falls well below the organic standards legally required of British producers. Most importantly, the Government's incompetent policies on genetically modified crop trials have placed the future of the British organic sector in some doubt. Organic farming is threatened by the Government's insistence on pressing ahead with the commercial planting of genetically modified crops, before research into their environmental impact has been completed. A survey by the National Pollen Research Institute puts the risk of cross-pollination as high as one in 93. Organic farmers have the right to farm without such a threat from neighbouring farms. Indeed, the Government do not seem to care about genetic pollution of GM crops. On 18 January 2000, Baroness Hayman told the Select Committee on Agriculture:

> The organic movement has to recognise and find a way of living with...contamination from conventional crops.

The organic market is one of the fastest growing sectors of British agriculture, as it attempts to meet consumers' demands for new food sources. Organic farmers should benefit from common agricultural policy reforms that encourage less intensive and more environmentally sustainable methods. All European Union member states support farmers who convert to organic methods, and we feel that the Government should match the help afforded by their continental counterparts. The next Conservative Government will fund increased payments by redirecting the rural development regulation and seeking our share of the redistribution of the tobacco subsidies paid under the CAP. The research and development budget for agriculture has been skewed by the Government's over-hasty endorsement of genetic modification. We would redirect the £120 million research and development budget and increase the £2.1 million allocated to organic farming. The Government's mismanagement has obliged farmers to spend money to start the conversion process, only to learn that funding has run out. The next Conservative Government will reform the system to guarantee support to suitably qualified farmers, before they embark on conversion.

As I said, the Government's record on organic farming is sorry indeed. The Soil Association believes that the Government fail on three counts, and we concur with some of its findings. First, there has been no forward planning. Secondly, specific problems have not been addressed—for example, the poor conversion rate in the horticultural sector and the fast-growing imbalance between conversion of the livestock and arable sectors. Thirdly, there are no targets. It is no coincidence that the countries with the highest levels of organic farming in Europe have all adopted targets and a strategy to meet them. Based on an analysis of targets in other countries and the development of the market here, the Soil Association believes that a target of 30 per cent. by 2010 is desirable and practicable. The Organic Food and Farming Targets Bill proposes such a target.

Wherever one turns and whoever one listens to, this is a major opportunity for British agriculture, but the Government are failing agriculture by failing to support the embryonic and fast-developing organic sector.

12.10 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Ms Joyce Quin): We have had an interesting and worthwhile debate with a number of thoughtful speeches. I welcome the opportunity to discuss an issue that is important to the future of agriculture and food production.

I pay tribute to my hon. Friend the Member for Lewisham, Deptford (Joan Ruddock) for introducing the debate. The House recognises that she has considerable knowledge of the sector and that she has taken an interest in it for many years. I am glad that she and most other speakers acknowledge the greatly increased commitment to the organic sector that has been shown by the Government. Like other hon. Members, I welcome the fact that the Select Committee on Agriculture is investigating the issues. We were fortunate to have in attendance the hon. Member for Stroud (Mr. Drew), who is a member of the Select Committee; the Government look forward to the outcome of its investigations.

My hon. Friend said that I might be giving evidence to the Committee, but that is unlikely. My hon. Friend the Parliamentary Secretary, who has shown great commitment to the organic sector, is responsible for the matter in the Department, but he is away at an international conference at the moment. However, I am an enthusiastic supporter of the organic sector and more than happy to be responding to this debate.

The exception to the interesting contributions was that of the hon. Member for North-East Cambridgeshire (Mr. Moss), who speaks for the Conservative party. He could at least have recognised that we are spending more than 10 times the amount that the previous Government spent on the organic sector. It is bizarre to witness, as we so often do, Conservative Front Benchers talking about unspecified but huge increases in spending on whatever subject is under consideration when their party has an apparent tax guarantee policy based on decreasing public expenditure. The figures quoted by the hon. Gentleman this morning do not add up.

One of the obstacles to the Government's providing money for rural development generally has been that we were held back under European rules by the historically low level of funding that our country has spent on that matter and which we inherited from the previous Government. I am glad that my right hon. Friend the Minister of Agriculture, Fisheries and Food was able to increase the amount of European support for rural development measures, including organic production, by around 30 per cent. Those historically low levels have caused us real problems when trying to reach agreement at European level on the way forward for the rural development regulation.

I hope to respond to several of the issues raised in the debate, especially the detailed points made by the hon. Member for North Cornwall (Mr. Tyler) in connection with his Bill. However, I do not have any dramatic or particularly good news to give him other than that which he has already received.

Organic production has made great strides, especially in the past two years. It has certainly caught the interest of a much wider consumer base and is well placed to consolidate and expand. This is an exciting period in the history and development of the organic movement, which holds great promise for its future development and expansion. We all know that consumers take a considerable and increasing interest in being better informed about the food that they buy. They take a much greater interest in what they eat and in the quality of food, and their considerable purchasing power can

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obviously effect changes in types of food consumption. The degree of that consumer interest must be regarded as a healthy and welcome development.

Consumer pressure can lead to changes in the behaviour of retailers and processors, and in recent months we have witnessed such changes. That is particularly true in respect of the sale of organic food in multiples, through which about 70 per cent. of organic food is sold. We all witnessed a great expansion in the range and quantity of organic produce that they now offer. As well as increased interest from supermarkets and multiples, there has been welcome expansion in the number of specialist outlets, for example through box schemes and farmers markets, to which reference has been made this morning. I recently visited a farmers market in London and it was good to hear the dialogue between farmers and customers, much of which focused on issues such as the safety and quality of the food on offer.

Mr. Breed: Sometimes when people want to set up a farmers market, they are prevented from doing so by an ancient charter relating to a nearby city. Will the Minister not give consideration to such matters? Is it not time to sweep away such arrangements, so that farmers markets can be established where they are wanted?

Ms Quin: I certainly accept that, in some areas, there have been difficulties arising from antiquated arrangements. It is important that we look for ways to encourage farmers markets in areas where people want to establish them. In some cases, changes in legislation are needed, and they take time, but it is sometimes possible to exploit more flexible interpretation of planning guidance and planning rules. I agree that it is a matter to which we should give our attention.

One of the commitments made at the farming summit on 30 March was to work with planning authorities, especially on issues such as farm diversification. Farmers markets are an important part of the diversification of British agriculture, so we need to address and solve the problems that have frustrated the farmers market movement. None the less, we should rejoice in the fact that the number of farmers markets has increased so dramatically: from having almost no farmers markets a couple of years ago, we now have about 100 of them flourishing and doing well, and the movement continues to gather momentum.

Farmers are obviously seeking new ways in which to sustain their livelihoods. Those in the United Kingdom have become more environmentally aware and sensitive in recent years, in part because of financial incentives that encourage them in that direction. It is also part of a wider trend that reflects the growing desire in society as a whole for environmentally benign and environmentally friendly methods of production.

Ms Drown: Is my hon. Friend conscious of the distinction between other agri-environment schemes, which are funded continually and which, I am glad to say, farmers throughout the country have taken up, and organic farming, which does not receive any more funding once the farmer has converted? Will the Government consider that issue?

Ms Quin: Organic farmers are eligible for participation in other environmental schemes and some take advantage of such provision. We should not consider aid to organic farmers solely in terms of the organic farming scheme or its successor under the rural development regulation. Several agri-environment and other schemes under the rural development regulation are of interest and benefit to organic farmers.

I stress the worthwhile nature of agri-environment schemes. Yesterday, I visited the Royal show, where I was pleased to see some of the pilot work that is being done in arable stewardship, by which I mean arable farming that promotes bio-diversity, the habitats of farmland birds and a tremendously welcome array of wild flowers and plants. It was a pleasure to see fields of colourful poppies and other flowers that were once prevalent in the English countryside, but which have disappeared in the post-war years. It is important that organic farmers consider such schemes, as they can have a real impact on British agriculture and on the countryside generally.

The demand for aid under the organic farming scheme shows the considerable interest of farmers in organic farming. Organic farming is not necessarily an easy option: it demands commitment. It is not simply a matter of not doing things—for example, not applying synthetic pesticides, herbicides and fertilisers—but one of disciplined and positive management. Close attention must be given to the health of crops and livestock and to the early management of pests and diseases. Above all, it requires the adoption of an holistic approach to the farming enterprise based on an effective rotation that ensures soil health and fertility, and many farmers have grasped that approach with enthusiasm. None the less, organic farming certainly needs to be undertaken with a sense of responsibility and commitment.

The Government's general ambition is for British farming to be prosperous, forward-looking and sustainable. It must be competitive and sufficiently flexible to be able to respond quickly and effectively to market changes and consumer needs.

Mr. Moss: Before the Minister finishes, will she enlighten the Committee on the Government's forward-planning approach for organic farming?

Mr. Deputy Speaker (Mr. Nicholas Winterton): Order. This is Westminster Hall, not a Committee of the House.

Ms Quin: Those are precisely the issues that I intend to address. The Government have a strategy for the organic sector that will have a positive part to play in agriculture in future. However, I accept some of the views expressed about there being a great deal more to do. The area now under organic cultivation in the United Kingdom is modest, as are sales of UK organic farms in our shops and supermarkets. I recognise the potential for replacing imports, to which many hon. Members have referred: we can supply considerable amounts of some organic produce through domestic production, but the amount of some other types of produce supplied by the UK industry is disappointingly small—I refer to fruit and vegetables, although some of them grow better in climates warmer than ours. However, I am convinced that a considerable increase in UK organic production is possible, and I hope that it will take place in the next few years.

We want organic farming to prosper and succeed. The schemes that have been in place since the Government took office have channelled a huge increase in money into the organic sector. Under the new scheme and the rural development regulation, the aid available from next year will be more than 20 times that which was available under the previous Government. That sum will increase in the next six years, which is the period of the regulation. The extra money that we have brought in has enabled us to tackle the backlog, which is important. We are aware that several farmers were frustrated by the fact that, especially under the previous Government, money was limited and that the incentive to go organic was therefore not as strong as they would have liked.

It is worth mentioning that some farmers are converting without aid. The sector is so attractive that there is a movement to go organic even among farmers who have not been successful at achieving aid so far. We are conscious of the fact that aid during the conversion period is especially important, as that is when various measures that result in a loss of income to the farm have to be taken. Despite the fact that farmers expect increased income once the conversion period is over, there is a difficult period to get through first. We have been especially eager to target aid on the conversion period, rather than on a system of on-going aid, as is the case in other European countries.

The Government have increased aid to research and development in organic farming; that support is now worth slightly more than £2 million a year, and organic farmers benefit from some of the other research programmes that my Ministry administers, for example, some of the £8 million aimed specifically at research into biological methods has a direct and beneficial spin-off for the organic sector. Public expenditure on organic research in the UK is significantly higher than in most European countries. We should welcome that, although I am not averse to hon. Members telling me that we could do more, as that is also true.

The hon. Member for North Cornwall referred at some length to his Bill in respect of targets. He will be aware of the reaction to the Bill of my hon. Friend the Parliamentary Secretary. He referred to the Prime Minister's words at the farming summit—

Mr. Deputy Speaker: Order. Time is up. We now move to the next debate, which is a standard half-hour Adjournment debate initiated by the hon. Member for Birmingham, Selly Oak (Dr. Jones).

Human Rights (Saudi Arabia)

12.30 pm

Dr. Lynne Jones (Birmingham, Selly Oak): Two weeks ago, the Minister of State, Foreign and Commonwealth Affairs, my hon. Friend the Member for Neath (Mr. Hain), spoke at the conference on investing in Saudi Arabia held at the Four Seasons hotel in London. He extended an especially warm welcome to Prince Abdullah bin Faisal bin Turki, president of the Saudi General Investment Authority, and expressed his delight at the presence of His Highness in the United Kingdom, which, he told the prince,

> we like to think is your second home.

During his speech, my hon. Friend made much of the fact that Britain is the second largest investor in Saudi Arabia, with investments of $3.5 billion. He listed a string of well known British companies with investments there, and exhorted British business men to regard Saudi Arabia not only as a market for goods and services but as a joint venture and investment partner. He said:

> You will have the... Government's full backing.

including Export Credits Guarantee Department support, and added:

> There is ample capacity under the Department's Overseas Investment Insurance Scheme to help with projects in Saudi Arabia.

No doubt that would include the export of military equipment, given that almost half of total British arms exports go to Saudi Arabia.

Hospitality to the Saudi royal family continued this week, during the eight-day visit of Prince Salman bin Abdul Aziz, governor of the capital, Riyadh, who was welcomed by the Deputy Prime Minister and received by the Queen at Buckingham palace, as well as by the Lord Mayor of the Corporation of London at a luncheon given in the Prince's honour. I understand that Prince Salman also accompanied Prince Charles to a polo match, at which he presented the prizes, and had meetings with other Ministers, including my right hon. Friend the Foreign Secretary.

Meanwhile, back in Saudi Arabia, a different sort of hospitality was being provided for my constituent, Mr. Mohammed Chaudhry, who continued to languish in a Saudi jail in Riyadh, the area under Prince Salman's jurisdiction, where Mr. Chaudhry has been detained without charge since 23 June last year. As has been well documented by Amnesty International and other organisations, Mr. Chaudhry is just one of many people who have been denied their basic human rights by the Saudi authorities. We must ask why the Government are prepared to subordinate the human rights of people such as Mr. Chaudhry to the interests of the arms trade and other economic considerations? The purpose of this debate is to highlight his plight, which has already been the subject of early-day motion 810, which was signed by 120 Members from all parties, and to give the Government an opportunity to explain to the House what action has been taken to secure justice for that British citizen.

I shall briefly outline the events that led up to my constituent's arrest. From 1988, Mr. Chaudhry was employed on an annually renewable contract as a manager in receipts and storage distribution at Riyadh military hospital. Every December, he was responsible for annual stocktaking in the supplies department. Midway during the 1998 stock take, Mr. Chaudhry was mysteriously suspended from duty by his immediate superior, Captain Meshal Al Meshal. No reason was given, but Mr. Chaudhry was asked to return to work after one week. On his return, he found that his job had been taken over, which amounted to constructive dismissal. He felt that he had no option but to hand in his resignation, which was accepted by Captain Meshal.

Mr. Chaudhry believed that Captain Meshal wanted to replace foreign nationals with Saudi staff. He was required to work three months' notice to receive the full benefits of his term of employment, and planned to return home with his wife and two children on 25 March 1999. However, when stocktaking was completed, without further involvement by Mr. Chaudhry, a deficit of 20 million riyal was found. The hospital chief executive, Colonel Musa, dismissed Captain Meshal and reinstated Mr. Chaudhry, who was asked to investigate the deficit. As a result of miscounting by inexperienced staff, which Mr. Chaudhry identified, the deficit was subsequently reduced to 8 million riyal—about £1.5 million. However, the stocktake was never completed as it was cancelled in writing by Colonel Musa.

At about the same time, in February 1999, Shahid Bukhari, a storeman from Pakistan who worked under Mr. Chaudhry, was caught in the act of stealing medical supplies from the warehouse. Everyone working in the supplies department came under suspicion, and Mr. Chaudhry was told that he would not be allowed to leave the country until investigations had been completed. As he was required to remain in Saudi, Mr. Chaudhry's contract, which was due to expire, was renewed until 6 August. He was asked to help with inquiries, which he did willingly. All members of staff, including Mohammed Chaudhry, were questioned by hospital security. During questioning, Shahid Bukhari claimed that one Egyptian and one Saudi national had also been involved in the theft of supplies. The men were arrested and the matter was passed on to the military police, under Colonel Abdullah Al Mughari—the head of security who is believed to be a friend of Captain Meshal— and then to Colonel Ali Johani from the Ministry of Defence.

Mrs. Chaudhry, who is in Westminster today, says that she was told in a telephone conversation with Simon Lovett, then British consul in Riyadh, that Captain Meshal was given a court martial, fined and imprisoned, and that Colonel Musa was arrested. That has since been found to be inaccurate. Colonel Musa remains chief executive at the hospital, but Captain Meshal was moved within the Ministry of Defence.

The investigating authorities never completed the stock take begun by Mohammed Chaudhry to establish the exact value of missing supplies. Instead, the matter was referred to the Saudi Ministry of the Interior, which took the decision to arrest Mr. Chaudhry, apparently at the request of the military hospital. He was detained on 23 June 1999, five months after the irregularities had first been identified. During the first few days of his imprisonment, Mr. Chaudhry was interviewed twice. He co-operated fully and was assured by Saudi officials that there was no evidence against him. He was led to believe that he would be released after answering all their questions. Sadly, that was not to be the case. He remains in prison even though no further interrogation has taken place.

The family fear that the involvement of Colonel Musa, who was arrested and then released, brought a political dimension to the case, and that Mr. Chaudhry is being detained as some kind of smokescreen. The conditions in which he was detained at Sulemaniya police station were appalling—a 12 ft sq basement cell with only one toilet, which had to be shared by 22 occupants. After six weeks he had become infested with bugs. Following the involvement of Simon Lovett, who visited Mr. Chaudhry on 4 and 10 July 1999—but who was not allowed to see him when he visited on 23 and 26 June, as it takes five working days for the British consul to obtain permission for each visit—he was transferred to Malaz prison, where conditions were better.

As can be imagined, Mr. Chaudhry's family, by then back in the United Kingdom and expecting him to follow them home, were distraught at news of his arrest. Mrs. Chaudhry has tried to maintain continuous contact with Simon Lovett at the British Embassy, and Liza Gibb, consular desk officer for Saudi Arabia in London, but her efforts at communication have not always been reciprocated. The family has been fortunate that Mr. Chaudhry's brother-in-law who has also been working in Saudi Arabia has been able to visit him and pass on messages. That relative also appointed a lawyer, but the British authorities have not been able to persuade the Saudis to let him see his client, other than on one unofficial occasion when he was not allowed even to discuss the case.

After Mrs. Chaudhry told me of her husband's plight, I, too, began protracted correspondence with the Foreign and Commonwealth Office and received replies from the Ministers responsible for consular matters—first, from Baroness Symons who told me that it was not possible to interfere with the legal process of another country and, subsequently, from Baroness Scotland whom I thank for confirming much of the information given me by Mrs. Chaudhry.

On 29 December 1999, the control and investigation board in Saudi Arabia told the British embassy that Mr. Chaudhry could be released into the custody of his sponsor, the Riyadh military hospital. However, the hospital told the British consul that his contract had been terminated in August, so he was no longer under its sponsorship. The police said that Mr. Chaudhry could be released on bail if an unlimited financial guarantor could be found. None of Mr. Chaudhry's friends was in a position to provide such a guarantee. The embassy wrote to the governor of Riyadh, none other than Prince Salman, asking if one of Mr. Chaudhry's friends could give an appearance guarantee instead.

Eventually, on 22 February, the director of the governor's office, Dr. Nasser Daoud, said that Mr. Chaudhry could be released on bail only on the same conditions as the other defendants in the case, who had somehow managed to secure an unlimited financial guarantor. Meanwhile, I had written to the Saudi ambassador to ask him to meet Mrs. Chaudhry and me. He replied in January 2000, around the time when Mr. Chaudhry was returned to the Sulemaniya police station as discussions about bail were taking place—which, to the dismay of the family, came to naught. The ambassador suggested that the matter was best dealt with by the British embassy in Riyadh.

On 18 May this year, as the anniversary of Mr. Chaudhry's detention without charge approached, I wrote again to the Saudi ambassador informing him that, although British consular staff had continued to raise my constituent's case, no progress seemed to have been made either in bringing forward his release or in the Saudi authorities bringing forward any case against him, despite having had 16 months to carry out investigations. I informed the ambassador that preparations were in hand to draw my constituent's plight to the attention of the British Parliament.

I received the ambassador's reply on Monday, in which he noted that the Egyptian and the Saudi who had been arrested had been released on bail after investigations. While the ambassador did not specifically mention it, Mrs. Chaudhry also believes that Shahid Bukhari is free. The ambassador told me that nobody offered bail for Mr. Chaudhry. He said that the British embassy knew about the case and had said that it was not its policy to provide bail. Hence, Mr. Chaudhry remains in custody. The ambassador ended his reply by stating that, because of the unusual situation, Mr. Chaudhry's case is now being expedited.

It would appear that a person caught in the act of stealing and his named accomplices are free, as are Mr. Chaudhry's superiors—the senior military officials who prevented Mr. Chaudhry from properly carrying out the work that he had always completed satisfactorily. At least, however, there is some hope that his case will be expedited. That means that the Saudis are now prepared to release Mr. Chaudhry on an appearance guarantee only, on condition that he remains in Saudi Arabia and is available for questioning while inquiries continue—as if he could go anywhere while his passports and documents are retained.

Understandably, Mr. Chaudhry and his family want to reject that offer. The Saudis have had 18 months to question him and have failed to do so. Furthermore, there is no sign of an investigation taking place. Mrs. Chaudhry is extremely worried that her husband could be kept in Saudi Arabia indefinitely. She wants the whole business brought to a conclusion. She fears for her husband's health if he is left in jail, where he can exercise only once a week. If he is let out, she worries about his safety and wonders how he will survive with no employment. Mr. Chaudhry eventually agreed to bail, but it is still not clear whether he is to be released.

Let us hope that the Saudi ambassador was right when he said that the case was to be expedited. If relations with the Saudis are as cordial as they appear on the basis of the reception given here to members of the ruling family, how can a British citizen be treated as badly as Mr. Chaudhry? Why has it taken 12 months to get bail on reasonable conditions?

Will the Minister explain why the British embassy was not prepared to offer an appearance guarantee for Mr. Chaudhry when another member of staff did so for another British detainee? Why has Mr. Chaudhry had no access to a lawyer? What information has been obtained about the likely length of the continuing inquiry? What guarantee can the Government, who are encouraging better relationships with the Saudi regime,

[Dr. Lynne Jones]

give to British citizens that their basic human rights will be protected if they travel to that country? Mrs. Chaudhry, is present today, and I hope that the Minister will respond to those questions.

12.46 pm

The Minister of State, Foreign and Commonwealth Office (Mr. John Battle): It is usual to congratulate an hon. Member on winning an Adjournment debate, as if the choice of topic were an achievement in itself. I certainly want to congratulate my hon. Friend the Member for Birmingham, Selly Oak (Dr. Jones) on her presentation this morning and on the manner in which she set out the facts of the case. I know that she has championed this case assiduously ever since she was informed about the arrest. I have a sheaf of letters in front of me, which were written by my hon. Friend on behalf of her constituent to various Government Departments from 5 July last year. She also tabled an early-day motion. She demonstrates exactly what Adjournment debates should be about—championing the cases of individual constituents, but also highlighting what Members of Parliament view as flaws in the structure of operations.

The case of Mr. Mohammed Chaudhry, who is in prison in Saudi Arabia, is a matter of great concern to me and, indeed, to the Foreign and Commonwealth Office generally. My hon. Friend the Under-Secretary of State has closely followed the case and our ambassador in Riyadh has actively pursued it. I have in front of me a chronology of developments—from Mr. Chaudhry's arrest on 23 June 1999 to the proconsul's visit at the police station on 4 July and beyond—and I am happy to make the information available to my hon. Friend. It shows that more than 40 direct representations have been made, as well as regular contact every other week. I hope that my hon. Friend will accept that we have actively pursued the case.

My right hon. Friend the Foreign Secretary has raised the case at the highest levels in the Saudi Government. On Monday this week, he raised Mr. Chaudhry's case directly and personally with the governor of Riyadh: he asked for the case to be expedited and for due legal process. It is wrong to convey the impression that the Government, the Foreign Office and the embassy have stood idly by. That is not true, as the evidence shows, and as I know my hon. Friend would acknowledge.

I do not accept that it is a case of human rights being made subservient to commercial interests in Saudi Arabia. As my hon. Friend the Minister of State, the hon. Member for Neath (Mr. Hain), said, in a speech to which my hon. Friend the Member for Selly Oak referred, greater openness will improve mutual understanding, develop common values and increase respect for international standards on human rights. That is why my right hon. Friend the Foreign Secretary raised the case personally with Prince Salman on Monday. I hope that the House will accept in good faith that we do not resile from raising such matters when they need to be raised. Our commitment to human rights cannot be reduced to commercial interests.

The case highlights concerns about human rights in Saudi Arabia. It also highlights the difference that can be made by trying to be proactive, firm and sensitive to achieve results. I must emphasise to my hon. Friend the Member for Selly Oak that no single international law applies throughout the world. Different countries have different laws. French law is different from UK law, as is Sharia law. I underline that point, because we cannot assume that our law can override everyone else's. I know that that point has been taken.

I will summarise the case that my hon. Friend the Member for Selly Oak has outlined. Mr. Chaudhry was a manager at the military hospital in Riyadh, looking after medical supplies. On 23 June last year, he was arrested, along with three colleagues, following the apparent loss of £3 million-worth of supplies.

Our consul tried to visit Mr. Chaudhry that day, but was not allowed to do so, as the investigating officer was not there. He was unable to see Mr. Chaudhry until after the Saudi weekend, three days later.

The case was investigated twice—once by the police and once by the control and investigation board of the public prosecutor's office. In November, its report was sent to the public prosecutor. In December, it was recommended that all the detained men be freed on bail, pending the final outcome of the investigation. That recommendation did not benefit Mr. Chaudhry. He could not put up the unlimited financial guarantee that the Saudis required, and his former employer, the military hospital, would not sponsor him.

Our embassy lobbied the Saudi authorities at the highest levels to get them to drop the requirement for a financial guarantee. Our ambassador raised the case with Prince Sultan, the Defence Minister ultimately responsible for the hospital in which Mr. Chaudhry worked. The lobbying worked, because the Saudis said that Mr. Chaudhry could be released with only an appearance guarantee. That remains the condition, so the terms changed a little.

Mr. Chaudhry initially rejected that offer. He said that he wanted to be free and allowed to leave the country, or charged. I understand that he has now reconsidered and accepted the offer. We are pressing for his immediate release.

The case raises difficult questions. First, why was Mr. Chaudhry held for almost a year without charge? I emphasise that the Saudi system is radically different from ours: a suspect can be held without charge. We cannot demand that the Saudis change their system. However, we can lobby for our nationals to be given bail, when the length of time in jail becomes unacceptable, as it clearly has in Mr. Chaudhry's case. Therefore, we lobbied hard and our tactics achieved some benefit.

Secondly, why was Mr. Chaudhry not allowed to see his lawyer? We believe that all people charged with criminal offences should have the right to a lawyer to defend them. That is accepted in our law. Speaking to a lawyer is an integral part of our justice system, but that right does not exist in the Saudi justice system of Sharia law. We cannot assume that the Saudis will immediately adopt our practices. We would like that right to be extended internationally to all. In this case, we did what we could to mitigate the problem, meeting frequently but separately with Mr. Chaudhry and his lawyer.

Thirdly, why is the case still going on, given that Mr. Chaudhry has not been reinterviewed since his arrest? Again, we have lobbied the Saudi authorities at the highest levels. We have been told that this is a complex fraud investigation and the truth will take time to uncover. We know from our experience in the UK that fraud cases are complex and lengthy. The key point is that Mr. Chaudhry does not now have to stay in prison until the investigation is completed. I think that we can hold that line.

I know that hon. Members wish—as the Government do—that we could do more for Mr. Chaudhry, but there are limits to what we can do. We cannot physically get him out of Saudi Arabia. Mr. Chaudhry is accused of committing a crime in that country. He is therefore subject to Saudi law and justice. We cannot decide whether he is guilty or innocent. That is a matter for the Saudi courts.

Dr. Lynne Jones: May I pick my hon. Friend up on one point? He said that Mr. Chaudhry is considered to have committed a crime, but has not been charged. Surely that is the crucial point.

Mr. Battle: Yes, but there is a difference between the law in the UK and that of Saudi Arabia. In our understanding of law, Mr. Chaudhry has not been charged, but under Sharia law the fact that he has been picked up and accused of a crime is considered part of the process. That is the difference between Sharia law and our law. We cannot simply override the process. We all agree that the situation is unsatisfactory, but what can we do about this man? We cannot give him legal advice. Our consular staff are not lawyers and it is obviously a job for lawyers. Even the legal advice structure is different under Sharia law because there is no habeas corpus in Saudi Arabia. That is the crucial difference. We have built that into our law, but it does not exist there.

We must live with the reality of the situation and press as hard as we can. It does not mean that we can do or have done nothing. Our staff have visited him 38 times and on four other occasions they reached the prison but were not allowed to see him. They have taken him clothes, toiletries and letters from his family. They have supported visa applications for his mother, brother, wife and children to enable them to visit him and arranged for him see a doctor and get medicine. Our embassy in Riyadh has raised his case with the Saudi authorities on 46 separate occasions, often at the highest levels. They have raised the subject of bail. They have urged the Saudis to conclude their investigations. They have complained formally about the quality of some of his food.

Our approach throughout has been determined by the need to do the best we can for Mr. Chaudhry in the constraints of the circumstances. As in the whole of our consular and human rights policy in Saudi Arabia, the key is getting results. We believe that Mr. Chaudhry should soon be able to leave jail on bail as our result of our lobbying. We will continue to press the case and do our utmost for both Mr. Chaudhry and human rights.

Hon. Members may know that we have concerns about human rights in Saudi Arabia. We take, and will continue to take every realistic and responsible step to press for improvements. At bilateral meetings, before, during and after the United Nations Commission on Human Rights in 1999, British officials encouraged the Saudi authorities to co-operate more closely with such UN human rights bodies. At the same time we joined our European Union partners in a public statement of concern at the shortcomings in criminal procedures, freedom of expression, assembly and worship and women's rights. We urged Saudi Arabia to become a party to the remaining core international human rights instruments: the international convention on economic, social and cultural rights, the international convention on civil and political rights.

The UN Commission on Human Rights concluded that Saudi Arabia had responded sufficiently to complaints about human rights violations, including its judicial system, for consideration under the 1503 procedure to be discontinued. I can only emphasise that in welcoming the commission's decision to discontinue consideration of Saudi Arabia under the 1503 procedure, the Saudi Arabian Government announced their intention to accede to those international conventions and covenants. We will continue to press for early accession.

Throughout the whole of 1999 we maintained a policy of constructive engagement on human rights with the Saudi Government through frank and private exchanges, meetings and visits. In April 1999, at the invitation of the British Government, the Saudi Minister of Justice attended a British Council seminar in London on "Britain and Islam" which included debates on aspects of human rights, education, gender, race and religion. The Saudi Minister met the Lord Chancellor and my right hon. Friend the Home Secretary to discuss human rights and Sharia law and relations between Muslim and non-Muslim communities in the UK and Saudi Arabia.

During a visit to Saudi Arabia in October 1999, my hon. Friend the Minister of State raised human rights with the Saudi Deputy Foreign Minister. They agreed on further bilateral exchanges. That was followed in December by a debate at the UK-Saudi Joint Cultural Committee in London, a forum specifically established to develop relations between Government and non-Government organisations. We intend to keep up the pressure and to continue to focus on human rights and the differences that Sharia and UK law throw up in particular cases such as this one.

On 22 May at the European Union Gulf Co-operation Council ministerial meeting, my right hon. Friend the Foreign Secretary debated human rights with his Saudi opposite number. My right hon. Friend emphasised the importance of the universal declaration of human, economic and social rights and the UN mechanisms designed to protect individuals.

On 20 June, my hon. Friend the Minister of State spelt out the importance of human rights at the investment conference to which my hon. Friend referred. I hope that she accepts that we want Saudi Arabia to ratify the United Nations conventions and we welcome the efforts to bring its law into line with them; but Saudi Arabia is an Islamic country in which justice is based on Sharia law, which has a major bearing on rights in the kingdom. Of course, we must have a dialogue on human rights—

Mr. Deputy Speaker (Mr. Nicholas Winterton): Order. I regret to tell the Minister that time is up and we must move to the next debate.

Parades Commission

1 pm

Mr. William Thompson (West Tyrone): I welcome this opportunity to debate the second report of the Parades Commission. The Minister will recall that the commission was set up following troubles with various parades in Northern Ireland. Parades had previously been a public order matter, and the responsibility of the Chief Constable.

Those of us from Northern Ireland vigorously opposed the Bill setting up the so-called independent commission. The policing of parades is a public order and operational matter for the police; they should take the decisions because they are the people on the ground, who know the local situation.

We objected to the fact that the Parades Commission was a quango—an unelected body not answerable to the people of Northern Ireland. It consisted of people who, in many cases, did not know the facts and were unfamiliar with the situation on the ground.

The fundamental issue relating to the Parades Commission is the right to freedom of expression. That right has been described in many cases in the European Court, which states:

> As the Court has consistently held, freedom of expression constitutes one of the essential foundations of a democratic society, one of the basic conditions for its progress and for the development of everyone. Subject to paragraph 2 of Article 10, it is applicable not only to "information" or "ideas" that are favourably received or regarded as inoffensive, or as a matter of indifference, but also to those that shock, offend or disturb the State or any sector of the population. Such are the demands of that pluralism, tolerance and broad mindedness without which there is no "democratic society".

Thus, provided that they act and march peaceably, the Orange Institution and the loyal orders have the right under British and European law to march the highway without let or hindrance.

When the commission was set up, we argued that instead of making the situation better, it would make it worse, and the facts confirm that. Last year's report stated that 132 parades were contested, and as a result, 119 route restrictions were placed on those parades. This year's report shows that the situation is worse. A total of 297 parades were contested and route conditions were imposed on 152 of them. It is therefore obvious that the commission is making the situation worse. There are more contested parades, and more determinations are changing the routes. Those are indisputable facts.

Last year's report at least gave the impression that two sides were involved in the disputes, because it contained a picture of Garvaghy road, on which many flags of a foreign state were flying, as usual. It also contained a photograph that, from the pictures and banners shown, appeared to be of a nationalist march. However, it is difficult to find any pictures of a nationalist march in this year's report. That gives the impression, which we have always contended, that the commission is more interested in curtailing Orange and loyalist marches than nationalist marches. Although, as I have said, it is difficult to find a picture of a nationalist march, I do concede that one is included. I can determine that it is a nationalist or Ancient Order of Hibernians march only because a well-known Member of the Northern Ireland Assembly is shown objecting to it. The Parades Commission should be more circumspect with its photographs and show that there are two sides to the dispute, not one.

On publishing its annual report, the Parades Commission issued a statement, which makes clear what it considers to be important. It said:

> Finally, we are keen, above all, to promote genuine engagement between parades organisers and those affected by parades. We attach real weight to evidence that people have sought to address the legitimate concerns of others and to accommodate those concerns where it is within their power to do so.

In other words, the Parades Commission attaches great weight to liaison between those who organise parades and those who oppose parades. It attaches such great weight that it has often changed the route of a parade because its organisers had not reached some accommodation with the protesters.

If one has a right, one should not have to seek permission from someone else to exercise it. One should not be prevented from exercising that right because someone has refused to agree with the exercising of that right. That is a fundamental issue.

I shall now deal with some of the Parades Commission's determinations, starting with that relating to Newtownbutler. The commission said:

> We note that this is a traditional evening church parade, and that it will not of itself bring about undue disruption in Newtownbutler. We recognise also that the route which the organiser has notified represents a curtailment of a past route, and that the parade proposes to proceed direct from the Orange Hall to the church.

That is a small distance. The commission continues:

> However, it is clear that the organiser of this parade continues not to take account of the Commission's consistent message in relation to the parades issue in Newtownbutler. The continuing refusal to come to an agreed form of engagement with the residents' representatives ensures that there can be no possibility of addressing the issue, or resolving it...It is also clear to us that the unchanged position of the loyal orders may place considerable strain on the acceptance by residents, in principle, of the right to parade in Newtownbutler. We therefore consider that for this parade to proceed on both its outward and return routes would have an adverse impact on local community relations.

One must question what is meant by a parade placing

> considerable strain on the acceptance by residents, in principle, of the right to parade in Newtownbutler.

If the parade has the right to proceed along the route, it makes little difference whether the residents accept that right in principle: it should retain the right to proceed. However, because those who wish to march did not follow the behest of the commission and enter into dialogue with the residents' group, they will be penalised. They may march to the church, which is a short distance, but they may not march back. That is ridiculous, and shows that members of the commission want to impose their views on the loyal institutions.

I turn now to a Parades Commission determination that relates to a parade in the village of Mountfield, which is in my constituency. The commission states:

> We have noted that this is a small traditional annual church parade, comprising 70 people and one pipe band. Previous parades have been conducted in an orderly manner, and the parade in itself would cause minimal disruption to the life of the community.
>
> In issuing a decision in respect of this parade last year, we understood that organisers had expressed a willingness to consider how aspects of the parade which are perceived by some residents

> as problematic might be addressed. We considered that such a willingness represented a significant expression of respect on behalf of the parade organisers and we took this into account when assessing the impact of the parade on relationships within the community. However, we have been informed that no efforts have been made by parade organisers in the interim period to address these concerns. In the absence of any form of dialogue which might address the perceived problems we do not see how a parade as notified could proceed at this time without having a detrimental impact on relationships within the community.

Again, the Parades Commission has used the phrase

> a detrimental impact on relationships within the community

If people have the right to march peaceably, it makes no difference what the community thinks.

I know Mountfield well. When the Parades Commission banned the parade in 1998, it took 150 policemen to enforce the ban. Last year, it allowed the parade to go ahead—as it should—and only 12 policemen were needed to police it. This year, the parade was re-routed again, and 130 policemen were needed to enforce the ban. How ridiculous can a situation get? In fact, the police are more adept than the Parades Commission, and we were allowed to march up the footpath, because there is apparently no law to prevent anyone from doing so. The Orangemen consequently got to their church service and returned happily, without any problem.

In the case of the parade at Parkmount Junior Orange Lodge in Portadown, the Parades Commission stated:

> We note that this is a very small parade, comprised principally of children and young people accompanied by their parents. The parade has taken place along the notified route for many years, and organisers and parade participants have complied fully with the Code of Conduct. We are aware that there have been considerable disturbances at the parade over the past two years, and are advised that there is the possibility of public disorder irrespective of our decision.

The Parades Commission should be more honest and tell us where the disturbance at that parade is likely to come from. It will not be from the parade, but from those who do not like the parade and who wish, by breaking the law and creating a public disturbance, to get the Parades Commission to stop it. Any action taken should be directed towards those who act against the parade rather than the parade itself. Happily, on that occasion, the Parades Commission allowed the parade to go ahead, having asked its organisers

> to take all reasonable steps to ensure that the parade disperses no later than 5.30 pm.

Another decision taken by the Parades Commission relates to the Altnaveigh LOL 37 parade in Newry, and states:

> The Commission notes that the purpose of this parade, following a religious service, is to dedicate a new banner, and as such is not a traditional parade. The parade is scheduled to begin between 8.30 pm and 9 pm and to last for a maximum of one hour. As the parade occurs on an evening when there is late night shopping in Newry there will be a level of disruption to the life of the community. We are informed however that the parade organisers will co-operate with police to ensure that this disruption is kept to the minimum extent possible. The Commission is aware that there is no record of disorder or damage having been caused by participants in this parade. There are however significant sensitivities about loyal order parades in Newry, a largely nationalist town. While we note that the Newry community have generally shown a greater tolerance of church parades than for other loyal order parades, there remains a significant degree of opposition to parades in the locality...The Commission does not feel that this parade could take place at this time along the entire notified route without having a detrimental impact on relationships within the community.

The commission therefore placed a condition on the parade that it should not proceed along a certain part of the route, despite the fact that there was no likelihood of any trouble being caused by the parade.

I turn now to the decisions relating to the most important areas, in terms of trouble at parades. I shall refer particularly to the Ormeau road, where there has been a great deal of trouble, and which has been in the news constantly. The decision made in relation to the Belfast Walker Club Apprentice Boys of Derry parade stated:

> The Commission has noted that this is a traditional parade held by the Belfast Walker Club of the Apprentice Boys of Derry...prior to their departure to the Annual Easter Monday Apprentice Boys of Derry Parade, due to be held this year in Tobermore. The Commission notes that this is a small parade, comprising 50 participants including one band, and that the outward journey is scheduled to leave Ballynafeigh Orange Hall at 8.15 am, proceeding by way of Ormeau Road, Donegall Pass, Charlotte Street, Lindsey Street, Maryville Street and Ormeau Avenue to Linenhall Street. The return journey is notified to proceed from Dunnes Store at Annadale Embankment at 6.30 pm via the Ormeau Road to return to Ballynafeigh Orange Hall...The Commission has set out its position in relation to loyal order parades along the Ormeau Road in its document—"Lower Ormeau Road"...In the Commission's determination in relation to the parade notified by the Belfast Walker Club along the Lower Ormeau Road on Saturday 14 August 1999, the Commission noted the evidence it had received of meetings between the representatives of Belfast Walker Club ABOD and the Lower Ormeau Concerned Community (LOCC) between 10 May 1999 and 20 July 1999. The Commission noted the stated willingness of the Belfast Walker Club ABOD representatives to address the legitimate concerns of the residents of the lower Ormeau community, where they were able to do so. The Commission further noted undertakings made by the Belfast Walker Club, both with regard to the parade notified to take place on 14 August 1999, and, notably, to a winter programme of dialogue with residents, regardless of the decision reached by the Commission regarding the 14 August 1999 parade. While the Commission regretted that a mutually acceptable solution had not been possible, it was satisfied that the direct dialogue that had been entered into represented "substantive, sustained and genuine engagement". With conditions imposed to ensure, so far as possible, that the parade could be carried out in a peaceful and dignified manner, the Commission decided not to impose route conditions. The event did not pass off peacefully and there were scenes of violence. We note that the parade was conducted with dignity and that it was the unlawful actions of persons sitting on the road so as to block the passage of the parade that caused the intervention of the police. We would add that unlawful protest effectively and on that occasion, dramatically, detracts from any engagement that has been entered into by the party engaged in that unlawful protest.

The determination continues:

> We, as members of the recently appointed Parades Commission, have read further minutes detailing a series of meetings between the Belfast Walker Club ABOD and the Lower Ormeau Concerned Community on 5 August 1999, 16 September 1999, 25 October 1999, 19 November 1999, 24 January 2000, 8 February 2000, 28 February 2000, and 14 March 2000. In addition we have read the previous minutes and papers relating to the earlier meetings. We acknowledge that our decision on the August parade was a difficult one for the LOCC, and while particularly disappointed with the events which ensued on the day of the parade, we are pleased that the talks between the two parties resumed again in September.

It goes on to state:

> We have spoken to representatives of both the Belfast Walker Club ABOD and the LOCC, as well as other interested parties, including elected representatives, about the parade notified on

[Mr. William Thompson]

> Monday 24 April 2000. From the evidence available to us it is clear that there is no room for optimism that any agreed solution may be imminent.

Mr. Deputy Speaker (Mr. Nicholas Winterton): Order. The hon. Member for West Tyrone (Mr. Thompson) is presenting a very detailed case, and we respect that. However, a half-hour Adjournment debate is supposed to allow for a full ministerial response, and there are only eight minutes left.

Mr. Thompson: I am conscious of that, Mr. Deputy Speaker. That is why I am rushing as fast as I can to get finished.

The determination concludes:

> In the absence of local agreement, and following consultation with the police, we are aware of the very real danger of serious public disorder should the parade proceed as notified. While disruption to the life of the community would be minimal in terms of the timing and size of the parade, there would be a negative impact on relationships within the whole community.

That parade was banned. The commission realised that the residents had put in for two parades, which, it said, was to stop this legitimate parade.

The determinations show that the Parades Commission is acting unreasonably in many ways, and is doing more harm than good. I await the Minister's reply to see what he proposes to do about that.

1.23 pm

The Minister of State, Northern Ireland Office (Mr. Adam Ingram): I am grateful to the hon. Member for West Tyrone (Mr. Thompson) for the opportunity to comment on the work of the Parades Commission in its second year as a statutory body. It would be appropriate for me to begin by commenting on events since last Sunday, which emanate from a determination of the Parades Commission.

Since the Drumcree parade on 2 July, we have seen disgraceful scenes both in Portadown, and more widely throughout Northern Ireland, in defiance of the lawful rulings of the Parades Commission. That violence could easily have led to death and serious injury. Blast bombs have been found and used, acid has been thrown at police, vehicles hijacked and acts of sectarian intimidation carried out. The police and the Army are well prepared for that sort of violence, which is, regrettably, familiar from previous years.

If the rioters believe that their actions will bring about a change in the determination of the Parades Commission or the Government, they are very much mistaken. The Secretary of State has made it clear that we will not be bullied into a change of course by such thuggery. The violence should stop now before it descends into an even worse climate of public disorder.

I turn to the substance of our debate, although I doubt whether I shall cover all the issues raised—

Mr. Thompson: I endorse all the Minister's comments on violence. We do not want any violence in Northern Ireland—we want peaceful parades. I hope that people will eventually accept that and that there will be tolerance in Northern Ireland. I condemn any violence, from whatever source.

Mr. Ingram: I gave way because I thought that the hon. Gentleman would respond in that way.

The hon. Gentleman and I were perhaps never likely to agree on the commission's merits and role, about which we have argued time and again. I express the Government's support for the commission and the way in which it set out to deal with the fundamental issues that were so comprehensively analysed in the North report, which gave birth to the commission.

When the North report was published in January 1997, decisions about parades and marches rested with the Chief Constable and were based on the provisions of the Public Order (Northern Ireland) Order 1987. The North report agreed that it was inappropriate to focus solely on the public order consequences of parades. It took that view because it argued that doing so ignored the right to peaceful assembly, the rights of those in the areas through which parades passed and the rights of the wider community. Moreover, the report considered that it was undesirable for the police to be seen to decide whether conditions should be imposed and to enforce them. Accordingly, it set out the case for an independent body that would take views from interested parties, encourage local agreement and, where that was not forthcoming, come to a view on what, if any, conditions should be imposed on what are called contentious parades. Furthermore, it would base its decisions on a broader range of factors than was previously the case, including the impact of a parade on relationships within the community, in addition to its impact on public order and the likely disruption. In one of their earliest actions in Northern Ireland, the Government legislated for the conclusions reached by the North report.

The Parades Commission is taking forward the objectives that were so clearly identified in the North report. It is doing so on the basis that determinations are a last resort, and should be made only when local agreement has not been possible. The Parades Commission takes all such factors into account when it responds to parades and marches—that matter was discussed by the hon. Member for West Tyrone.

When the commission makes a determination, it has to balance a complex series of conflicting rights. It recognises the right to march, and the competing rights of others. In a democratic society, rights are not absolute when they collide. The hon. Gentleman read out details from a European judgment. I shall write to him explaining my response to the issues that he raised.

As the North report observes, events surrounding parade disputes, such as those in Portadown, continue to dominate the public's awareness of parades. That inevitably colours the public's perception of the commission and its role. However, the report, and the previous year's report, show that the number of parades on which route restrictions had to be imposed represented a tiny proportion of those that were notified. The hon. Gentleman said that there were 132 cases last year and 152 this year. It is interesting to note that 52 of this year's 152 cases involved marches and parades in the Portadown area. He said that the Parades Commission had made the situation worse. The absolute number of parades that the commission has had to consider overall was 3,198 last year and 3,403 this year. There was a substantial increase in the total number of parades over which it has had to give a determination.

The Commission does not underestimate—indeed, it understands only too well—the difficulties that are inherent in dealing with the parade from Drumcree church down the Garvaghy road. That understanding is reflected in its determination on the parade notified by the Portadown district Loyal Orange Lodge No. 1 for this coming Sunday, 9 July. In its own way, the commission is addressing both sides of the debate. It continues in its efforts to find an equitable resolution of the Drumcree situation and it contributes to the increasing stability of relationships elsewhere in the Province.

The hon. Member for West Tyrone recited a whole range of parades over which he said that there could be a debate about how they were dealt with. He did not refer in detail to the Drumcree—

Mr. Deputy Speaker: Order. I must stop the Minister because time is up and we must move on to the next debate.

Asylum Seekers (Inner London)

1.30 pm

Mr. Iain Coleman (Hammersmith and Fulham): The central point that I want to bring to the Government's attention today is narrow, but vital to inner London boroughs. Before doing so, I want to make clear the climate in which we are operating.

The issue of asylum seekers and the way in which the Government have tried to deal with the backlog of applications have caused considerable controversy in recent times. This sensitive area of policy has been subject to disgraceful and dangerous propaganda by some newspapers and by some of the tactics employed by the Opposition. A proportionally large number of asylum seekers have settled in the London borough of Hammersmith and Fulham and I am aware from my contact with many of them that the majority have been through deeply scarring and traumatic experiences. I do not have time today to detail the brutalising and often horrific treatment to which many of them have been subjected, but I believe that the majority that I have seen are genuine asylum seekers who have a right to expect to be treated fairly and with the proper dignity that is enshrined in the 1951 convention to which our country is a signatory.

I regret to say that some of the measures in the Immigration and Asylum Act 1999 are unnecessarily harsh and reactionary and caused considerable disappointment and even shock to many supporters of our Government. In particular, the decision to operate a stigmatising and inefficient voucher system, which is expensive to administer and open to fraud was a serious policy mistake. The level at which support for such vulnerable people has been set is unacceptably low and many of my constituents who are seeking asylum are suffering as a consequence, especially many of the innocent young children who have been caught up in the system. I want to make it clear that I dissociate myself from the language of the Opposition and much of our national press who have covered the matter so hysterically and dangerously.

The central issue that I want to raise is the fact that clear evidence demonstrates that a number of local authorities have not secured full funding from the Government for the care of asylum seekers. I shall demonstrate that with evidence gleaned largely from my constituency, although I am aware of a similar pattern of underfunding in other inner London boroughs.

On 2 June this year, the Audit Commission published a report that was concerned principally with the dispersal arrangements and the impact on asylum seekers and the areas receiving them. A careful analysis of the report clearly supports the case in some instances for additional funding over the current maximum available grant. Page 16 of the report states:

> Local Authorities that have been unable to support Asylum Seekers with current grant thresholds will continue to subsidise this expenditure from their General Revenue Budget, as Authorities will not have made provision for this in their 2000/2001 budget since they expected this duty to be passed on to the national Asylum Support Service from Aril 2000.

That is beyond doubt.

Page 82 of the report refers to the immense pressure on local authorities and the importance of ensuring that the funding regime for asylum seekers meets the reasonable costs of key local services. In Hammersmith and Fulham, the average cost of supporting asylum seekers with children for the previous financial year was £370 a week. The maximum grant available is currently £240 a week. The council has been supporting an average of 500 such families a week, leaving a shortfall of £130 a week for each family. A simple mathematical calculation shows that that leaves an overall bill above the grant available from central Government to my local authority of approximately £3.25 million a year—just for social services. Page 85 of the report refers to the variable costs of different local authorities. Average accommodation costs in Hammersmith and Fulham are £230 a week and with subsistence costs the figure ranges between £350 and £380 a week per family.

The Government have correctly and justifiably asked why the costs in Hammersmith and Fulham, and other inner-London boroughs such as Camden, Wandsworth and Westminster, are significantly higher than those in other areas of the country. There are several reasons. First—and crucially—the boroughs in question easily have the highest accommodation costs in the UK, if not the whole of Europe. They have a high number of asylum seekers and the uncertainty about the legislative position and Home Office policy on asylum seekers means that it has been very difficult to forward plan strategically. Another factor that places great pressure on Hammersmith and Fulham, which has made it difficult to place families in potentially cheaper boroughs or in immediately neighbouring boroughs, are families who, as port-of-entry applicants, were initially accepted as a housing responsibility but who were transferred to the responsibility of social services.

The regulations published by the Government made it clear—regrettably in my judgment—that councils should entirely disregard choice of placement, but other regulations require the councils to take into account the welfare of the families concerned. I know many families in my constituency who have been in their accommodation for well over 12 months. There is clear legal advice, which councils are bound to consider, that the longer the family has been in a particular area, with the children in a particular school, the more inevitably powerful are the arguments, on welfare and compassionate grounds, for not moving them to another area.

The uncertainty about the strategy for supporting asylum seekers has undeniably led to other problems, particularly in such areas as Hammersmith and Fulham and Westminster, where temporary accommodation of any kind is at a premium. Potential providers of block accommodation sought long-term contracts that the council was unable to negotiate because of uncertainty about how long its duty would last.

What reason have the Government given for failing to pay the bills submitted by local authorities that have exceeded the set expenditure maximum? The one possibly hopeful reference for the Government in the Audit Commission report is at paragraph 88, which states that

> service provision for asylum seekers should be subject to the same value for money scrutiny as other services.

I agree with that. However, the Government have been paying £300 a week or more per family for accommodation in Glasgow. The costs in

Hammersmith and Fulham have been the subject of both internal and external audit, although the Government have not said, as far as I am aware, that the costs are bogus; they accept that they were genuinely incurred in supporting asylum seekers and their families. The last annual district auditors management letter in Hammersmith and Fulham was entirely positive and particularly praised the authority's sound financial management. The district auditor said that

> the council continues to adopt a financially prudent approach to the management of its affairs. The authority secures tight control to keep within spending limits and demonstrates effective arrangements for ensuring value for money.

There is no question of irresponsible or lavish spending occurring and no hint of the figures having been massaged. The council has not hesitated to open up its books for close and careful scrutiny. Indeed, it has said that it would welcome an inspection of its expenditure. The Audit Commission report, if read comprehensively, strongly supports the inner-London boroughs' case for additional funding.

My concerns are twofold. First, central Government must clearly take responsibility for support for asylum seekers. It is central Government who set down the rules governing the support mechanisms that local authorities have been allowed to use. The aggregate of external finance in my borough has been set to increase by just 1.5 per cent. in the current financial year. Over £16 million of cuts, in a budget of less than £200 million, have been made in just five years. There is little or no scope for use of balances, which stand at less than £2 million. If the council is now obliged to cut services to the local community yet further, or to raise the council tax significantly, local people will not understand why the situation has been allowed to arise. I plead with the Government to think again about the extra costs incurred by the inner-London boroughs.

The Association of London Government has calculated that the expenditure incurred by the boroughs in question above the grant level last year was £27 million. In inner London, authorities have worked hard to provide a quality service within the boundaries set out by central Government, and they believe that they have been financially penalised for seriously tackling the brief that the Government gave them. In other areas, no such financial penalty has applied when local authorities have been less willing and less enthusiastic to carry out their duty. The inner-London boroughs hold the view that he who provides least and complains most has been treated best. That cannot be right.

The effect of the shortfall could be serious for the financial position of some local authorities affected, including my own. The chair of the Association of London Government, Councillor Robin Wales, has pointed out that the current levels of grant do not reflect the actual cost to the borough. The London boroughs currently support 63,000 destitute asylum seekers. That is a difficult job, and it has been made more so by the underfunding that I have sought to highlight. I urge the Government to consider the issue again, and pay in full the real and actual costs incurred to all the local authorities that now find themselves out of pocket to such a large amount, through no fault of their own.

Mr. Deputy Speaker (Mr. Nicholas Winterton): Order. Two hon. Members have said that the initiator of the debate has given them permission to speak, and that they have notified the Minister of that. I shall be happy to call them both if they will be extremely brief, but I want an opportunity for the Minister to reply in full to this important debate.

1.41 pm

Ms Karen Buck (Regent's Park and Kensington, North): I am grateful to you, Mr. Deputy Speaker, and to my hon. Friends the Member for Hammersmith and Fulham (Mr. Coleman) and the Minister for giving me a few moments to contribute to the debate. I endorse the comments of my hon. Friend the Member for Hammersmith and Fulham about the general aspects of asylum-seeker policy. I was and remain unhappy about many aspects of the operation of asylum legislation.

I differ from my hon. Friend in one respect, in that I support the general principle of a dispersal programme. I believe that a national solution is necessary, given the numbers of people seeking asylum. Like him, I represent an area with a large number of asylum seekers, many of whom are highly traumatised individuals with tragic histories. My experience is of victims of torture, families torn apart by war and shattered lives.

I congratulate the Government on having made progress on meeting the cost and policy issues connected with asylum seekers since 1997. Progress was made immediately after the election in dealing with the shortfall of costs bequeathed to us by the disastrous Asylum and Immigration Act 1996. For the reasons outlined by my hon. Friend, several inner-London authorities still carry a significant shortfall.

I shall give figures for the two boroughs that I represent in part. The total net expenditure after Government grant borne by the royal borough of Kensington and Chelsea in 1999-2000 was £1,493,000 in direct costs of housing and supporting asylum seekers, and an additional £1.7 million in indirect costs. Those costs are recognised by the Government as being spent on matters such as the assessment and the administration of asylum applicants. The royal borough of Kensington and Chelsea is, unfortunately, excluded from the otherwise extremely welcome grant from the Department of Health for unaccompanied asylum-seeking children. That has left it with an additional shortfall of £593,000.

In the London borough of Westminster, the net cost to social services was £4.6 million in 1999-2000 for adults and families, and £4.3 million for asylum seekers for whom the council had a housing duty. The 2000-01 estimates offer a £6 million and £3.9 million shortfall respectively, assuming that the National Asylum Support Service takes over responsibilities for new adult and family applicants in the near future.

As my hon. Friend explained, the inner-London boroughs are now in competition with the National Asylum Support Service for accommodation. That has been intensified by the extreme shortage of temporary accommodation in the capital. Boroughs cannot negotiate long-term contracts for temporary accommodation as the National Asylum Support Service can, and that has added dramatically to their costs. The inner-London boroughs cannot sustain the costs of running void properties, which has made it extremely difficult for them to achieve the cost savings

[Ms Karen Buck]

available to NASS. That helps to explain why the unit costs are so much higher for those London authorities than for others.

I have not always seen eye to eye with Westminster city council about asylum seekers, just as I have not on virtually every other policy. However, the council, along with the other London boroughs and the Association of London Government has been supportive of the Government's dispersal strategy. Politicians there have responded to the issue in a commendably restrained manner, given the intense pressure on their finances and services.

I do not believe that either of the local authority areas that I partially represent, both of which are controlled by the Conservative party, are relaxed in principle about the costs that they have to bear and the provision that they must make for asylum seekers. They and other London authorities are struggling to find reasonable quality accommodation and support services at a reasonable cost, and should be fully remunerated for doing so.

1.46 pm

Mrs. Teresa Gorman (Billericay): I endorse much that has been said during the debate. I was formerly a member of Westminster city council, and served on the housing committee. I saw the problem in the light of the dilemma not only over the increase in asylum seekers, but over homelessness in general. People would focus on Westminster and the central boroughs and refuse to move across the river to places such as Peckham, where accommodation was available. I should like the Minister to deal with that in her response. Reserve powers are there to require the regions and even outer London boroughs to offer accommodation, which is in short supply, because very few regions have taken up the opportunity to contribute a solution to the problem. The Minister might also comment on the possibility that we could require asylum seekers to move to outer London boroughs and the regions.

I endorse what was said by the hon. Member for Regent's Park and Kensington, North (Ms Buck). The National Asylum Support Service is competing with inner-London boroughs in attempts to persuade outer areas such as Glasgow to take asylum seekers. The Government programme allows contracts of several years to be offered in those areas, whereas boroughs such as Westminster cannot countenance that owing to their budgetary system and because they cannot afford to pay for voids, which are inevitable when a contract is taken out for three to five years.

The housing problem is not simply an asylum-seeker issue. Persuading homeless people or seekers of public help with housing to go even as far as across the river, where there is often spare accommodation, has always been a problem.

1.48 pm

The Minister of State, Home Office (Mrs. Barbara Roche): I congratulate my hon. Friend the Member for Hammersmith and Fulham (Mr. Coleman) on raising this issue. He is right to say that it is an important matter, and I will do my best to address the issues that he and other hon. Members have addressed during the debate.

I understand my hon. Friend's interest in these matters, and I know that he showed considerable interest when the legislation was passing through the House. He has some experience in these matters, and will know that I also represent a London constituency with high numbers of people seeking asylum.

The Government have a clear policy. We are committed to honouring our obligations under the 1951 convention, to which my hon. Friend the Member for Hammersmith and Fulham referred. We seek to ensure that, when people have a genuine claim under that convention, we recognise that claim as quickly as we can and give them the full package of refugee integration. However, we have a policy to deal as quickly as possible with people who make unfounded claims.

When the Government took office we faced a chaotic situation. That was due solely to the previous Government's removal of access to cash benefits for one category of asylum seekers—those who had applied for asylum in-country—without making any provision for their support pending the outcome of their asylum claim. Subsequent court cases determined that local authorities were responsible for those people. Given the pattern of asylum claims, the main share of the responsibility fell to local authorities in London and the south-east. Of course, the situation was not helped by people claiming asylum at the port, who still had access to cash benefits but could only turn to local authorities for help with housing. That exacerbated the problem.

At an early stage, the Government determined that that could not continue. As hon. Members will know, we devised a national asylum support scheme that would lead to the transfer of responsibility for the support of destitute asylum seekers from local to central government. As the scheme rolls out—it started on 3 April—we will gradually help with and remove the immediate responsibilities on local authorities for supporting new asylum seekers. Local authorities in London recognise that those measures will help them.

Of course, the question remains about the role of central Government, and what more they can do to help local government with the costs of supporting asylum seekers. Local authorities in London have done good work generally, and dedicated council officials have played their part. NASS works closely with local authorities, up and down the country, to ensure that dispersal away from London and the south-east is a reality, and that it provides an appropriate environment for asylum seekers.

I am pleased to say that more than 3,000 asylum seekers and their dependants who rely on the National Asylum Support Service have been dispersed outside London and the south-east. That is in addition to those whom local authorities were able to disperse under the voluntary scheme introduced in advance of the new provisions. I am not just talking about the ad hoc dispersal by local authorities—the figure of 3,000 is in addition to those dispersed under the voluntary arrangements that started on 6 December under the new legislation. I thank all those involved in the voluntary scheme, in which local government played its part. The reception of asylum seekers in the dispersed areas has involved a combination of work by the Government, local authorities and the voluntary sector.

All those measures, and the success of NASS so far, will bring welcome relief for local authorities in London and the south-east. Many local authorities will still accommodate asylum seekers who secured support prior to the introduction of the new scheme. In those cases, reimbursement will continue to be provided through grant aid. I cannot yet give details of this year's grant arrangements, which we are still in the process of finalising. The National Asylum Support Service currently applies to all new port asylum applicants and in-country applicants in Kent, and will shortly be extended to other in-country applicants. That will mean that there will soon be additional relief for local authorities as they will no longer have the job of providing housing to new claimants on a case-by-case basis.

My hon. Friend the Member for Hammersmith and Fulham rightly concentrated on the costs incurred by his authority. The whole picture for London boroughs, based on last year's grant claims, is surprisingly varied. The figures are still subject to audit adjustments, but the wide range of costs that they reveal is interesting. Some boroughs have significant difficulty living within the unit costs. For example, Hammersmith and Fulham spent nearly £13 million on asylum-seeker support in 1999-2000, but only £10 million of that was recoverable under the weekly cost limits of the grant regime. That placed the borough second in the league of support cost shortfalls behind Westminster, which recovered £10 million from a total spend of £15 million. Five London boroughs, including Hammersmith and Fulham, and Westminster, accounted for more than half the London unreimbursed costs, but only a fifth of the total support costs for London. While some boroughs had difficulty living within the grant limits, seven London boroughs had their costs fully reimbursed, and that included two of the top five spenders on asylum support, Newham and Lambeth.

Hammersmith and Fulham's weekly unit costs were £144 for adult singles and £367 for families compared with the weekly grant levels of £140 and £240. At the other end of the cost spectrum, nearly half the London boroughs were able to support adult asylum seekers for £140 per week or less and, in some cases, weekly costs were well under £100. Thirteen London boroughs could support families for £240 or less. The picture is complex.

Given that many of the boroughs, including Hammersmith and Fulham, and Westminster, are dispersing asylum seekers out of their areas, it is difficult to understand why there is such a great variation. We have asked the Audit Commission to look further into cost variations between local authorities to see if any lessons can be learnt on ways in which to reduce them.

When we can announce it, I hope that the extension of NASS to cover in-country London cases will ease the pressure on authorities such as those that we have heard about today. We are taking the matter seriously, which is why we are investing resources in setting up a system that removes the responsibility from a few and co-ordinates a national approach to meeting our international and humanitarian obligations, to which my hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck) referred.

We are not in a position in which the unfair share of the responsibility should fall on just a few boroughs. Along with all other European Union member states, we are facing a national problem, which demands a national solution. We are moving on from the mess created by the previous Administration. It has taken us time to do so, not least because we have had to introduce a major piece of legislation. We have set up the National Asylum Support Service and entered into contracts for the provision of a national voucher scheme, accommodation around the United Kingdom and provision of other support services. That was a major undertaking. We have engaged people from all sectors in meeting this challenge.

It is time that we recognised the enormous strides that have been made in the past 18 months. I certainly look forward to the benefits that will result from better management and co-ordination. We want to make sure that those whose asylum claims are being processed are treated with respect and dignity during that period.

Question put and agreed to.

Adjourned accordingly at one minute to One o'clock.

Westminster Hall

Thursday 6 July 2000

[MR. MICHAEL J. MARTIN *in the Chair*]

Community Legal Service

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Betts.*]

2.30 pm

The Parliamentary Secretary, Lord Chancellor's Department (Mr. David Lock): I welcome the opportunity to debate the Community Legal Service. Its development is a manifesto commitment and the Government's flagship policy for reforming civil justice. The creation of the service is a radical programme, which will transform access to justice, make it easier for people to understand their rights and responsibilities, and enable them to resolve disputes, enforce their rights and, if necessary, seek the protection of the courts.

Traditionally, the legal world conjures up images of court rooms with judges and barristers in wigs, but that is only the tip of the legal iceberg. The vast majority of community legal work is unseen by members of the public and operates away from courts and often away from formally qualified lawyers. The CLS challenges the public perception of legal services. We are redefining the concept to make them relevant and important to all of us who take responsibility for the welfare of those whom we represent. This wider, more inclusive view of legal services in the CLS covers the full range of different levels and types of help, whether provided by public libraries which provide people with information about their legal rights and responsibilities, local advice centres which help people with debt problems and benefit claims, advisers doing casework on behalf of clients with immigration or employment problems, or lawyers who advise and represent people in court, at tribunals and in any other areas where legal rights are concerned.

Those providing legal services are not restricted to solicitors and barristers in private practice. They include professionals who work in the not-for-profit sector, advice workers, local authorities, including trading standards officers, and trained volunteers in advice agencies such as citizens advice bureaux, who do such valuable work throughout the country and work so closely with many hon. Members. All are part of the CLS and help the public to have better access to good quality advice on their rights and duties. It is no good people having rights in theory if they do not know what they are, how to exercise them or who to turn to for advice. Without that information, legal rights are merely illusory.

Some, including the president of the Law Society, have asked why we need the CLS. The answer is that, despite the efforts of many professionals and volunteers, in reality too many people are unable to access necessary legal services or obtain necessary legal advice.

A few areas of the country benefit from a range of good quality advisers, who form ad hoc networks to refer people to the right sort of advice and provide a better service to the public. However, that is the exception and too many areas are advice deserts or advice mazes through which those in need of help struggle to find the right adviser. That situation has arisen because of the fragmentation and lack of co-ordination in the funding of legal advice. For anyone who suggests that there are no problems, the research paper, "Paths to Justice", which was produced by Professor Hazel Genn and the National Centre for Social Research, is suitable bedtime reading. Professor Genn's paper is the most comprehensive survey ever of the experiences of people with problems that could ultimately end up in the civil courts. It does not make easy reading for lawyers or anyone who wants to defend the present situation.

The old civil legal aid scheme had to change because of several problems. Expenditure on civil legal aid was increasing year on year, while the number of people being helped was not. There was no way of targeting expenditure on the areas of greatest need, and no connection was made between legal aid expenditure and other funders' spending on legal and advice services. Lawyers had no incentive to provide services cost effectively or to provide the services that people really needed. Anxiety was increasingly expressed that too many weak and unmeritorious cases were receiving funding. However, it is not merely a question of money. Significant amounts of public money are already spent on legal services. About £150 million of local authority money is spent on purchasing legal services each year. Through the Legal Aid Board, the Government spent, in net terms, £780 million on civil legal aid last year, including £206 million on civil advice and assistance. This year, that figure will increase to £226 million.

Funding is also provided by other central Government Departments, charitable foundations and through the valuable contribution of the National Lottery Charities Board. A great deal of money has, therefore, been committed to ensuring that people have access to legal services. Civil legal aid spending has increased vastly over the past six years. How, therefore, have we ended up with advice deserts and advice mazes? The answer is that all those different funders have been acting in isolation, and sometimes even at cross purposes.

As a result of that failure to work together, a single funder has only a limited overview of an area's legal needs, and no consistent or comprehensive quality standard can be relied on in deciding whom to fund. As one local authority funder said,

> It's like doing a jigsaw puzzle with half the pieces missing.

In the past, the largest single funder of legal services, the Legal Aid Board, did not even have a jigsaw. Under the system that Opposition Members support, the Legal Aid Board simply acted as a cheque payer on demand, rather than as a purchaser of services that decided where there was unmet legal need, which services should be funded and how to use taxpayers' money to best effect.

Those are major, long-standing problems, which the previous Government ducked. They responded by cutting the number of people eligible for legal aid while doing nothing to tackle the fundamental problems—classic short-termism, year after year.

Throughout consideration and implementation of the Access to Justice Act 1999 the Opposition whinged and made personal attacks, but proposed no coherent

[Mr. David Lock]

alternative polices. I accept that they do not like the CLS. They have railed against it so often that I do not expect a Pauline-like conversion today. However, I hope that the Opposition will use today's debate as an opportunity to come clean with alternatives.

We know that the Opposition want to abandon full-cost recovery and transfer £300 million from court fees to general taxation. Do they also propose to revert to a demand-led legal aid budget? If so, would they put up taxes or cut other services in order to increase payments to lawyers? I hope that the single Opposition Member present today will show us whether there is any legal thinking on their side of the political divide. Do they have a policy or is this a Tory policy void? I refer the hon. Member for Surrey Heath (Mr. Hawkins) to "Macbeth". It is a case of

full of sound and fury,
Signifying nothing.

I draw his attention to the first part of that quotation.

The Lord Chancellor launched the CLS in April this year. The launch marked the replacement of the existing civil and family legal aid budget with the CLS fund, and the implementation of three core policies for the CLS. Those policies are, first, CLS partnerships, which will take responsibility for planning local legal services; secondly, the CLS quality mark, which will be awarded to providers of legal services that achieve the required quality standards; and thirdly, the CLS website, called "Just Ask!", which contains a directory of legal services and guides users to the most appropriate sources of information and advice on more than 300 other sites.

CLS partnerships are at the heart of the community legal service. Each partnership includes the two players common to every area: the Legal Services Commission, which from April succeeded the Legal Aid Board, and the local authority. Working with other local funders and providers of legal services, they will support the creation of local referral networks of good quality services. CLS partnerships have four main tasks: to assess the extent of need in their area for legal and advice services and to prioritise those services; to identify how well the current supply meets the need in priority areas; to plan together how best to organise the funding that each partner brings to the table so as more effectively to meet priority legal needs; and to facilitate the creation of active referral systems in the local network of services.

The term "partnership" is not used lightly. The CLS does not involve a pooling of funds. Each funder—the Legal Services Commission, the local authority and the National Lottery Charities Board—will maintain its independence, distinctive approach and discrete responsibilities. The partners come together to gain the benefits of pooling expertise and knowledge so as to engage in activities that are of mutual interest and concern. By working together in that way, they are in a better position to share information, to understand what is needed in a particular area and to target individual decisions to achieve objectives. That process will be underpinned by concordats which will promote confidence and encourage trust between independent partners working together to deliver common objectives.

Before we hear special pleading on behalf of lawyers, I remind hon. Members that the sort of prioritising decisions the partnerships will have to make are precisely the sort that all public authorities providing services from large but, none the less, controlled budgets must make. How, for example, does a health authority balance health promotion and heart surgery? Those are tough decisions, and the views of local partnerships will be similarly vital in deciding how public money is spent on legal services.

The Legal Services Commission is able to participate fully in local partnerships because of the radical changes to legal aid made in the Access to Justice Act 1999. The previous civil and family legal aid scheme has been replaced by the CLS fund. Instead of the previous demand-led system, the CLS fund will enable us for the first time to target money on national and local priorities by awarding contracts to the providers best placed to deliver a quality service that meets local priority needs and is purchased in a best-value context. Contracts have been issued from the start of this year to providers throughout England and Wales.

A key difference is that, under the new CLS, funding is now allocated on the basis of priorities that have been decided locally and, at national level, by the Lord Chancellor. They include the welfare of children, domestic violence and helping people avoid or climb out of social exclusion. Those priorities are given effect by the introduction of contracts. By April 2001, all civil and family legal services will be provided by quality-assured suppliers that are under contract with the Legal Services Commission. The contracts enable the commission to choose what services it wants to provide and ensure that taxpayers' money is directed at the areas of greatest need. They also provide suppliers with an incentive to provide services cost effectively.

Another key difference between the CLS fund and the previous legal aid scheme is that the new fund replaces the old civil merits test with a new funding code. The funding code gives effect to identified priorities in terms of deciding which cases receive funding by setting more or less stringent tests according to the priority of the category of case.

Although the CLS is still at a very early stage, there have already been encouraging signs. There are now 109 CLS partnerships, which involve 184 local authorities and cover 50 per cent. of the population of England and Wales. We have, therefore, exceeded the Lord Chancellor's target of covering 33 per cent. of the population by autumn 2000, and are well on the way to achieving the targets of 66 per cent. by spring 2001 and 90 per cent. by spring 2002.

The CLS partnerships are delivering where it matters in the communities in which they serve. For example, the CLS partnership in Northumberland is involved in the local action against poverty initiative. It provides debt advice workers in general practitioners' surgeries and primary health care teams throughout the county, enabling health workers to refer on those in need of debt advice.

In the East Riding of Yorkshire, the Legal Services Commission and the local council are running a pilot scheme to improve access to services by providing advice kiosks at locations throughout the county, which will link with the local council's customer services centres. That highly impressive scheme was developed specifically to use information technology to overcome the problems associated with that type of rural area. We will be monitoring the pilot scheme closely to see whether it should be adopted elsewhere.

There are now over 5,500 solicitors and advice agencies with the CLS quality mark, and an increasing number of organisations are applying every month. I especially praise the involvement of the National Association of Citizens Advice Bureaux, which is fully engaged in working with us and will become the first external organisation to be accredited to award the CLS quality mark.

The CLS website, "Just Ask!", has already proved a winner. It has won a major award and attracts an average of more than 1,000 users every day and sometimes more than 2,000. We anticipate that the figure will increase steadily over the coming months, particularly as the design of the website is further enhanced.

Mr. David Drew (Stroud): If I may, I shall talk about my own experiences in Stroud with the local citizens advice bureau. Debt counselling was clearly identified as a priority and I would support that because a large number of people go to citizens advice bureaux for advice on that. However, there is also a clear need for housing and employment advice. The problem that needs to be considered is how to achieve the second level of prioritisation through the franchising. Will my hon. Friend say whether there may be a revisiting of the priorities in due course?

Mr. Lock: I am grateful to my hon. Friend for that helpful intervention. The priorities are being kept under review, and the fact that categories such as children's cases or domestic violence are not of the highest priority does not mean that we are not providing extensive funding for them. Housing, employment and immigration funding is being substantially increased as part of the extension this year from £206 million to £226 million for contracts for legal help. I am sure that suitable priorities will be identified in my hon. Friend's constituency, and I would be delighted if he wrote to me about any specific problems that he would like me to consider.

As long ago as 1968, the Society of Labour Lawyers wrote an influential pamphlet about the need to develop community legal services. That remained unfinished business for many years, but this Government have turned the ideas into substance and created the framework in which community legal services can be genuinely delivered for the first time.

I hope that the CLS will receive a warm welcome in all parts of the House, because those services will be delivered in all constituencies. I look forward to hearing about the needs and experiences of individual hon. Member's constituencies.

2.48 pm

Mr. Nick Hawkins (Surrey Heath): The Parliamentary Secretary, Lord Chancellor's Department, the hon. Member for Wyre Forest (Mr. Lock), is developing something of a reputation for trying to get his retaliation in first, and today appears to be no exception. Before addressing his specific points, I shall respond to his final statement, in which he said that he looked forward to hearing hon. Members talk about experiences in their own constituencies.

I shall start with an account from the sharp end, which is not the sort of thing to be found in the official Government brief that the Parliamentary Secretary has just read out, with its slogans and buzz words about sustainable legal services and solutions to social problems. I shall talk about reality, about what is happening on the ground, focusing on a particular firm of solicitors in my area. The firm is not based in my constituency, although it has many clients there; it covers a wide area and has several offices.

One of the partners, who is also an associate of the Institute of Chartered Secretaries and Administrators, writes:

> We have a mix of both Private and Publicly Funded Clients. Our Private Client rates have risen over the years to take account of the cost of practising, the rising costs of the overheads which we have to bear, including the rising staff costs which we have to pay.
>
> Publicly Funded work has increasingly become more uneconomic. Our Accountants have advised us to restrict the amount of Publicly Funded work which we do within the general mix of our practice. Our Accountants have gone further and suggest that we should cease doing Publicly Funded work at all, because it is doubtful that we can do this work at a profit...there has been no increase in the rates of Publicly Funded work in the areas in which we practise for nearly eight years...it is unfair for Legal Aid rates to have been frozen for such a long period of time given the general increases in overheads which we have had to absorb.
>
> In truth the absorption of these overheads has been only possible by a conscious effort being made by the Partners of this Firm to increase the volumes of Privately Funded work whilst not seeking to increase the volumes of Publicly Funded work.

He states that the firm's office in the constituency of my hon. Friend the Member for Woking (Mr. Malins)

> found it uneconomic to continue with a Criminal Law Department and the Woking office no longer carries out any criminal work.

As the Parliamentary Secretary knows, such work is one of the most vital aspects of service to the community.

Although we did not overlap, the Parliamentary Secretary and I were in the same west midlands chambers, which undertook a lot of criminal work. When I hear him read out a departmental brief that refers to bleats from lawyers, I start to believe that he has undergone a transformation—that he has ceased to be a lawyer. Perhaps some of the firms that instructed him when he was in chambers might agree. Despite the hon. Gentleman's comments, we must be conscious of the effect of the Government's plans on lawyers working at the sharp end. The example that I have given reinforces the view that the official Opposition have expressed repeatedly: that the so-called Access to Justice Act 1999—probably the worst misnomer of any piece of legislation introduced by the current Government—has become known, not only among Opposition Members, but generally in the profession, as the denial of justice act.

The letter to which I have referred also states:

> unless the whole system is properly resourced then there will be insufficient quality legal advice available.

[Mr. Nick Hawkins]

That is the reality. It continues:

> To attain a Legal Aid Franchise and subsequently a Contract for Advice and Assistance, this Firm had to make a substantial investment in systems to give the Government the quality assurance it required. This has substantially increased the administrative burden and this Firm's overheads in order to demonstrate that this Firm is able to deliver the quality legal advice demanded by the Government. However, in return, there has been almost no recognition in terms of remuneration rates.
>
> By seeking Franchise status and by taking a Contract, we wish to demonstrate our commitment to providing Advice and Assistance through the Community Legal Service. The problem, however, is that as a business we must make a profit. I sure that you will appreciate that any firm in a commercial environment which identifies an area of work which is unprofitable will be well advised to cease doing that work as to continue doing unprofitable work can only lead to the failure of the firm.

That is what will happen. Firms will either carry on doing such work and go out of business—which will not enhance the service to the public—or they will not do it. The Opposition, the Bar Council and the Law Society have warned the Government of that many times. They have got it wrong.

Mr. Lock: The hon. Gentleman cites with approval a statement that the current CLS budget of £1,600 million a year is not properly resourced. What are his resourcing proposals for that budget? How much would he increase it by?

Mr. Hawkins: The much-vaunted plans for the CLS that the Government introduced are not working. The Parliamentary Secretary will hear exactly what our proposals are in due course, when the time comes, as and when we have policies to put to the electorate, but today we are discussing what the Government are doing. This is their debate, not an Opposition-led debate. We are here to respond to the Government's—and the Parliamentary Secretary's—outrageous boasts that they are doing all the right things and that everything is working. I have cited a concrete example given in a letter that was written on behalf of many people. It is not the only letter that I have received on the matter; it just happens to be the best one and it is from a firm in my constituency. I am responding to the hon. Gentleman's challenge—he wanted to hear what was happening at the sharp end; well, the answer is that his plans are not working. He can smirk all he likes, but he will find that, along with the current chorus of disapproval will be heard a chorus of protest.

The letter goes on:

> Many firms have chosen not to continue providing Publicly Funded services. This Firm is now at a point in its development where that decision may have to be taken.
>
> Whilst we have Contracts in certain areas of law, we also provide a significant service to the community under the "Tolerance Provisions". We are currently considering whether we can continue to provide the broad spectrum of advice which historically has been given to Clients in our community. We are able to withdraw from that area of advice immediately. If remuneration rates do not improve over the longer term, then our existing Contracts for Family and Crime, may also not be renewed.
>
> The public perception is—

this has been said repeatedly by both the Lord Chancellor and his Ministers—

> that Solicitors are "fat cats". This is not an accurate description of Solicitors doing Publicly Funded work and if there is to remain a network of Publicly Funded lawyers, then the unfairness...needs to be recognised and remedied. I would, therefore, urge you to take the Lord Chancellor to task over this issue...Surely the basic requirement must be that it should be properly funded.

That is the response to the Government's much-vaunted policy: firms will either choose to stop offering the service or they will go out of business.

Despite such warnings, the Parliamentary Secretary says that the policy is a success. He believes that the problem is nothing other than lawyers' whinges. The Government do not recognise reality. I sometimes think that those in the Lord Chancellor's Department live in a dream world of their own, where everything is in line with the Government's press releases. Well, that is not the reality, and the Parliamentary Secretary and his colleagues must wake up to what is really gong in.

I shall now deal with the more general points that have been made by the Law Society, which is not just an individual firm, but the official organisation that represents solicitors throughout the country. It has a number of concerns about the partnerships. It states:

> It is unclear how those local authorities who have historically had no interest in advice provision will be encouraged to set up Partnerships. This is important given that their reluctance to do so could lead to patchy provision around the country.
>
> It is intended that there will be strong encouragement to local authorities to take the lead in setting up local Partnerships through the relationship with Best Value. We believe that the link with Best Value will be helpful in encouraging participation, but there is no way of compelling local authorities to fund legal services even where needs and priorities have been identified.

That is an important point to which I shall return because, once again, I have a local example of shocking attempts by the Lord Chancellor's Department to hold local authorities to ransom.

The Law Society points out that

> the Partnerships will be led by funders of services—local authorities and the Commission. This could lead to conflict of interest when planning and funding decisions are taken. Many providers of legal services bring actions against the authorities that will be funding and planning services, and we believe that this may impact on the funding and planning decisions made.

That stands to reason: the Law Society must be right about that. It goes on:

> We believe that the tasks that the Partnerships are expected to undertake are both complex and resource intensive particularly in assessing need and planning provision. This will have serious implications for the main funding partners involved in the Partnerships as well as for providers and other groups involved in the Partnerships.
>
> Needs assessment is difficult and expensive. The Legal Aid Board, as it then was, estimated that its 13 Regional Legal Services Committees [RLSCs] cost £900,000 in their first year of operation.

The Law Society says that it has been made very clear that there will be no new money available for the establishment of the CLS. That will have implications for the partnerships. In addition, no analysis appears to have been made of the cost, as mentioned in research carried out by Richard Moorhead into the pioneer partnerships set up by the Government. Paragraph 2.41 of the research points out that there are significant resource implications, especially for lead partners, but also for others, in terms of investing time, supporting meetings and consultations, and drawing other resources into a partnership. The research also states that it was clear that the more in-depth work on needs assessment and user involvement required significant resources. The Law Society believes that that will be a major factor in determining the ability of the partnerships to carry out the majority of their key tasks.

I said that I would refer to some of the specific points made by the Minister. He quoted Shakespeare, but listening to him and having heard the arguments from him and his fellow Ministers so often called another literary figure to my mind. In this area of the law, the Government appear to believe a dictum of one of Lewis Carroll's characters, which is

> What I tell you three times is true.

However, what they tell us is not true. I shall give a local example of how the Lord Chancellor's Department treats local authorities.

The Government, including the Treasury and the Lord Chancellor's Department, claim that local authority spending is discretionary, and they tell local authorities that what they spend money on is up to them. However, let us consider a practical example. A chief executive of one of the two borough councils in my constituency received a letter, signed in the Parliamentary Secretary's name on his behalf, which stated that there was no statutory duty on citizens advice bureaux in respect of the CLS, and no compulsion to participate in the CLS network. The chief executive responded to the letter as follows:

> on reading through the remainder of your letter it is clear that it is the Government's intention that all Citizens Advice Bureaux should be included in local networks. Furthermore, in correspondence with the Department of Trade and Industry they confirm that there will be costs falling to local CABs, at whatever level, in order that they might meet their compliance criteria for the CLS Quality Mark.
>
> Given that local Citizens Advice Bureaux offices are invariably funded almost entirely by the local authority to say that there are no new demands being required of local authority budgets is, I believe, disingenuous.

The chief executive is right: the Government have almost won awards for disingenuousness in many of their policies. He continues:

> This view is further supported in the sixth paragraph of your letter, where you refer to the two principal funders of legal services being the Legal Services Commission and local authorities. It is clear from this statement that you intend local authorities to commit more money in order to effect this new initiative, albeit that the Government, as always, is making no further money available to local authorities in support thereof.

There we have it—the poor local authorities are over a barrel. The Government tell them that a wonderful service, the CLS, has been introduced, but that they have to fund it in addition to having to fund citizens advice bureaux. Local authorities are caught between the devil and the deep blue sea: the Government will not provide any extra money to enable them to take on extra commitments. The Government are keen on announcing new initiatives while expecting someone else to pay for and deliver them. The example I have given is yet another illustration of the Government's control freak tendency. They want to centralise everything and to introduce amazing bureaucracy, but they are not the ones who have to work at the sharp end.

Mr. Lock: The problem that the hon. Gentleman seeks to illustrate is founded on the assumption that local authorities are compelled to take part in partnerships, but they are not—doing so is entirely voluntary. Has the chief executive in question contacted the Local Government Association, with which the policies were developed? The Lord Chancellor's Department received warm praise from the LGA for proposing local initiatives that are developed and delivered locally, not centrally. Surely the LGA knows what it is talking about, even if the hon. Gentleman does not.

Mr. Hawkins: In fact, the chief executive approached both the Department responsible for these policies—in other words, the Lord Chancellor's Department—and the Parliamentary Secretary personally. In his reply, the hon. Gentleman did not advance the argument that he has advanced this afternoon—but I shall let that pass. In any case, a local authority might suspect that it would not get unbiased opinions from an association led by supporters of the Government.

The chief executive's letter states that it is

> the view of this Council that the Legal Aid system is a national system and, as such, should be funded entirely by the Government: it does not therefore recognise your statement that a local authority such as Surrey Heath Borough Council is a principal funder of legal services. Clearly this Council employs legal staff to deal with its own legal matters, but it has never—and may I say has no intention of so doing—considered the implementation of a public legal advice service, and, to my knowledge, I do not believe that any previous government administration ever envisaged that it should be incumbent on local authorities to provide such a service.

The proposals have been put to a local authority without any extra money being provided to that authority—or to any other—to implement them. The letter goes on to say:

> I have yet to hear from the Regional and Planning Partnership Manager with regard to the possibility of partnerships within the region.

I understand that that is still the case. The chief executive wrote to the Minister on 14 June and has yet to receive a reply. Perhaps that is because the points he made were so unanswerable that no answer could be given.

Before I conclude, I apologise to you, Madam Deputy Speaker, and to the Parliamentary Secretary, for the fact that I might not be able to stay for the entire debate, although I hope to be here for most of it. I am sure that other Conservative Members whom I expect to join us later will have the opportunity to participate later in the debate.

I turn finally to the aspect of the Parliamentary Secretary's letter—it does not have his signature on it, but I assume that he must have authorised someone in his office to sign it in his name—that added insult to injury. The chief executive was outraged by the fact that it said that I—as Member of Parliament for that local authority area and for part of another local authority area—was the shadow Minister and suggested that the chief executive consult me for an explanation of the Government's policy. It is not incumbent on chief executives of local authorities to consult any Member of Parliament—they deal directly with Government Departments.

[Mr. Hawkins]

For the Parliamentary Secretary to attempt to score that kind of cheap political point in an official letter to the chief executive of a local authority is as unworthy of him as it would be of any Minister. It reveals the Government's bankruptcy of ideas. Their policies are in a mess—the professional organisations say so; they are not properly funded, and they will be a disaster.

3.8 pm

Mr. Keith Darvill (Upminster): Before commencing, I declare an interest as a practising solicitor in a firm of solicitors that participates in a local CLS partnership.

I welcome this debate. I supported the Second Reading of the Access to Justice Bill and was a member of the Standing Committee that considered it prior to its receiving Royal Assent last year. The legislation contained some difficult and tough measures, which were not popular. My view at the time and now is that the fact that the development of the CLS goes some way towards meeting the needs of vulnerable people in society compensates for the sacrifices made, especially in the provision of legal aid. Time will tell whether that judgment is correct.

We are at an important stage in the development of the CLS. It was launched in April this year with the aim of having the network of partnerships up and running in almost every area of England and Wales by the end of March 2002. That is a tough, but achievable, aim. In its recent report "The community legal service: access for all?" the Consumers Association said:

> The community legal service is one of the most important Government reforms of recent times. The stated aim of the reform—to help the most vulnerable in society—is a noble one, but the price of failure is great. The success or failure of these reforms will affect the ability of millions of the most vulnerable people in society to enforce and protect their rights.

The Consumers Association goes on to say that the CLS reforms will work only if major resources are committed to them. I broadly agree with that view.

The legal aid scheme and legislation introduced by the post-war reforming Labour Government in 1949 served the nation well until the 1990s, as did the legal aid and assistance, or green form, scheme. However, I doubt whether those provisions could have survived much longer. Inevitably, Treasury limitations and changes in society made legal aid unsustainable in the form it took prior to the Access to Justice Act 1999. The status quo did not provide access to justice for all, so improved access to justice was at the heart of the CLS. Hitherto there had been gaps in terms of coverage, inappropriate application of means testing and geography—my hon. Friend the Parliamentary Secretary mentioned the "deserts". The 1999 Act provided a framework of provisions that potentially plugged many of those gaps and helped to fertilise the deserts. It provided a more co-ordinated approach to advice and assistance and ensured representation where appropriate. I use the word "potentially" because we have some way to go before the vision is realised. Today's debate is well timed, as local partnerships to deliver the CLS are being formed and steering committees across England and Wales are commencing their work.

In my area, the London borough of Havering, trading standards officers, representatives of local firms of solicitors and the voluntary sector and, chiefly, the citizens advice bureau have set up a CLS partnership which will be at the heart of the area's community legal service provision. It will bring together those who fund legal advice services, including the Legal Services Commission, the local authority, local and national charities and those who supply services such as lawyer and advice centres. The partnership will produce a strategic plan for the provision of services. There is considerable enthusiasm locally, and it is important that the Government recognise and encourage such enthusiasm whenever and wherever possible. I should be pleased to hear from my hon. Friend the Parliamentary Secretary about the steps that he is taking to nurture the enthusiasm of local partnerships. The steering group has begun the important mapping exercise to identify needs, which is to be used in producing the strategic plan.

I must flag up what I regard as potentially the most problematic issue: funding. When discussing the role of local authorities, the hon. Member for Surrey Heath (Mr. Hawkins) referred to the briefing that the Law Society has produced for this debate. It is unclear how local authorities are to play their role, and my area, Havering, provides an example of how difficulties can arise. The Havering citizens advice bureau is a registered charity—as most of them are—which is wholly dependent on the London borough of Havering for its core funding to provide the salaries of its three paid workers and the running costs of its offices at Hornchurch, Romford, Harold Hill and Rainham. The management committee, all of whose members are volunteers, has been informed that its grant for the whole of the service in Havering will be £109,380 for the year beginning 1 April 2000. For the past five years, the grant made by the council has been insufficient to meet costs in full, so the management committee has subsidised the shortfall from other income and reserves. Despite detailed and repeated representations to the local authority, the award of standstill funding has taken no account of the changes in service delivery and the increasing needs of clients.

In September 1999, the bureau introduced a 24-hour, seven days a week recorded telephone message system. It dealt with 11,000 calls in five months. In the year ending 31 March 1999, Havering citizens advice bureau dealt with 17,424 people and 29,559 problems, including issues relating to housing, debt, money, employment and discrimination. In London, in 1999, the average cost of an inquiry at a citizens advice bureau was £11; in Havering, the cost was £3.26. Havering council has paid less than 50p per person per year for a service that is freely available to all who live and work in the borough. The statistics help to underline the importance of the local service. The number of calls handled and the efficient way in which the service is provided mean that it is well regarded throughout the borough, by my constituents and people in surrounding constituencies.

Despite that, the future of the service remains uncertain, because of Havering council's poor financial settlement under the standard spending assessment formula. I know that we are not debating local government finance, but if we expect local authorities to play an important role in the provision of the service, we must acknowledge that standard spending assessments are relevant. The borough council has adopted the Government's modernisation programme and ensured that all the schools in its area are properly funded, in accordance with its standard spending assessment for education. The council, regrettably, has had to increase the council tax by 8 per cent. in the past two years, while having to reduce spending in other important areas, such as the provision of elderly people's homes. The borough council, despite embracing the measures wholeheartedly, finds it difficult to maintain the core funding of the citizens advice bureau. The Government should be aware of that.

I am wholly in favour of the CLS, and I know the local partners in my area. Contrary to what the hon. Member for Surrey Heath says, many voluntary and professional organisations, including private practice solicitors, want the service to succeed. None the less, local authorities play an important role, especially in respect of funding, so we should be aware that they will find it increasingly difficult to do so if they have to work with reduced finances.

Let me change the subject slightly to insurance, which could play an innovative role in support of the CLS and to which I referred on Second Reading of the Access to Justice Bill. Legal service insurance cover could be expanded significantly to help to bridge the gaps in cover. Work is being done at a national level.

Mr. John Burnett (Torridge and West Devon): I keep hearing from people in private practice who do legal aid work that some insurance companies draft their conditions in such a way that they drive the litigation and the client and the lawyer are mere adjuncts. How does the hon. Gentleman propose to cure that particular deficiency?

Mr. Darvill: The hon. Gentleman makes a relevant point. That is why the Government and the CLS should engage at a national level with the insurance industry to ensure that the small print of insurance cover meets relevant needs. Additionally, I want to develop a service that I call a health check, which could be carried out in conjunction with the information technology industry and insurance companies. Citizens advice bureaux would have a computer facility that allowed members of the public to input information about their insurance cover, and the software would give them information about the extent of that cover. In short, there are two ways to deal with the hon. Gentleman's point: first, at a national level, the Government and the CLS can work with the industry, and, secondly, people should be able to go into a citizens advice bureau or a solicitor's office for the health check that I describe. Different people—those who travel abroad, own property or engage in business—have different insurance cover demands. There is no reason why programmes should not be developed that can provide individual health checks. Indeed, there could be advantages in that approach, which would ensure better cover nationwide.

The relevant legislation on, and the Government's policies towards, the co-ordination of cover at a local level are right. I have received the draft report from the CLS in my area, which was developed in conjunction with a long list of service providers, including Age Concern, the Alcohol Advisory Service and many others. My experience as a solicitor and, since entering the House, as a Member of Parliament, shows me that individuals can go to various providers of information, although there is often duplication. The Government have stated the honourable aim of helping to co-ordinate different approaches, which should ensure that relevant cover is available locally and enable more efficient use of resources.

I am disappointed that not more hon. Members are present in the Chamber to participate in this debate. We should monitor the extent to which local partnerships are developing across the country. There is much support for the service, but we want the service to benefit all of our constituents. In my view, hon. Members are uniquely aware, through their advice surgeries and their contacts with the community, of individuals' need for advice and assistance. Their unique experience could help to ensure that the service works. We should have frequent—perhaps annual—debates on the subject; that would ensure that it was monitored by the House. If we did that and worked with the CLS, I am sure that the service would be a success.

3.24 pm

Fiona Mactaggart (Slough): I am pleased to speak in this debate. Unlike all the hon. Members who have spoken before me, I am not a qualified lawyer, but I am the chair of Slough, Windsor and Maidenhead CLS partnership. It has been a privilege to work with all of the partners in that group, which seeks to improve the quality of legal advice and assistance that is provided in the community that I serve and in neighbouring communities.

The hon. Member for Surrey Heath (Mr. Hawkins) raised the question of what can be done to encourage local authorities that are not particularly active in improving the quality of their advice services. Our partnership provides an example of what can be done. The hon. Member for Windsor (Mr. Trend) had discussed with me the lack of free advice services in his constituency, so I persuaded our partnership to invite Windsor and Maidenhead to join us in discussing certain steps that we had taken to improve the quality of advice services in Slough. I am glad to say that Windsor and Maidenhead have become partners and are taking up that challenge. I believe that the quality of advice services in the Windsor constituency will improve in the long term.

I took on the role in the local CLS partnership because of my deep concern about access to legal advice—indeed, to all forms of advice—in the multiracial, multilingual constituency that I serve. I am struck by the contrast between the quality of legal advice and assistance that my constituents routinely experience, and that provided in the London constituency that I once represented at local council level. The single most important issue in respect of which my constituents seek my help is immigration, and many of them ask me to help them to unravel problems caused by the giving of, to be frank, very bad advice. Such advice is sometimes given by qualified lawyers and sometimes by agents who represent themselves as lawyers.

An urgent priority for our partnership was to improve the quality of legal advice on immigration available locally. I have learned over a long period that a legal

[Fiona Mactaggart]

qualification is not necessarily a guarantee of good-quality knowledge and advice on a particular issue. As I said, I have no legal qualifications, but I remember vividly an experience I had in the early 1980s, when I was general secretary of the Joint Council for the Welfare of Immigrants. I received a telephone call from a high street solicitor, who said, "I've got someone sitting in front of me who wants his wife to come and join him in Britain, but I can't find any reference to such a circumstance in the Immigration Act 1971." When I said, "You need to look at the immigration rules", his response was to ask, "Immigration rules? What are they?" I asked, "Do you think that you should be advising this person?", to which his reply was, "I'm a solicitor, why shouldn't I?"

I do not think that that solicitor should have advised that person. Because the inquiry was not particularly complicated and because he was legally qualified, he felt that he was qualified to give advice—but he was not. One aspect of the CLS partnerships that I welcome especially warmly is that they are based on quality standards and the principle that those who do not know their stuff do not get funding, even if they are lawyers. That is a radical and important change, which will ensure that people get better quality legal advice.

In the concordat that forms the basis of the partnership in Slough, Windsor and Maidenhead, the core vision is of a network of good quality legal and advice services. Many are already of good quality, but improvements can be made, for example, we can use quality standards as a way to unite and improve the quality of different types of service. Moreover, we can invest more in training of all kinds for groups who provide legal advice and assistance—citizens advice bureaux and voluntary groups, as well as lawyers.

The second point in our concordat is that the quality partnership should be supported by co-ordinated funding, and I want to make a plea in that respect. One big problem facing voluntary organisations that give advice and assistance is the number of different masters whom they have to please and the number of different auditing mechanisms, quality assurance standards and reporting methods that they have to adhere to. A real priority must be to obtain agreement on common standards between the Lord Chancellor's Department, local authorities, charities and the national lottery organisations. We can immediately and enormously increase the volume of advice that voluntary organisations give if they have only to meet one set of standards. The big challenge facing our partnership is to ensure that we move faster towards that single standard, so that everyone is asked to jump through the same set of hoops. At the moment, people are asked to jump through one set of hoops on Monday and another set on Tuesday, and then someone tells them that they should be in a different financial year anyway. We must make a priority of changing that.

The third bullet point in our concordat is to deliver services to local communities. That was what motivated me to become chair of our partnership: I could see that there were little centres of good advice in Slough about which some people did not know. Also, many people had legal problems but did not know that they were legal problems: because they had no idea that their housing difficulty, for example, could be tackled effectively by good legal advice, they did not seek such advice. Many people thought lawyers were frightening and expensive, and not for the likes of them. I want a CLS in which no one thinks in that way, and through which everyone thinks that they have a right to help.

When seeking that help in a constituency such as Slough, the first port of call is probably not the high street solicitor, but a church, mosque or residents association. People turn to those to whom they talk daily and who might have practice of dealing with lawyers, whom they believe to be frightening and expensive. Such intermediaries might speak their language better and can help people to reach the point at which they can get a qualified advocate. One of the visions of our CLS partnership is to draw in that network of people in and make them feel included. Small voluntary and community groups all have copies of our referral handbook, and some have entries in it because they are knowledgeable. The Pakistan welfare association knows the language of some of my constituents, whereas few solicitors in private practice do. We need to set up a partnership in which that association can know where its competence ends and when it should refer cases on. Part of the purpose of the handbook is to help people to know their limits.

If we achieve our aims, that will make the delivery of better quality legal advice cheaper. Fewer people will barge into a solicitor's office if they know that the unemployed workers centre or the Pakistan welfare association can deal with their problems. More people will receive advice more economically, thus enabling us to invest in creating a referral system that ensure that, for example, the people who need judicial review of their immigration case have someone who can represent their case excellently. That might lead to some improvements in our immigration law and administration. Also, we could invest in extending the availability of advice. We need to create mechanisms whereby referral works well.

As part of the launch of our CLS partnership, we carried out an interesting survey of private and voluntary agencies in Slough. The survey found that several concerns were shared equally between solicitors in private practice and voluntary advice givers. The great advantage of that survey was that people gained a greater awareness of each other's roles. Claire Fitzgerald said at our launch:

> Clients come to solicitors for advice and are taken on and sometimes there is no real expertise in the practice to deal with the particular case, so it is handed to a junior member of staff. Solicitors and the voluntary sector must work hand in hand to try to establish the best way forward for a client. They should not worry about referring a client on either way. There should be trust between the private and voluntary sectors.

Creating a partnership is the first step in creating that trust.

Access is another important issue. Solicitors in Slough tend to be concentrated in the centre of the town, as do the voluntary advice services, but the people who need advice are often those who find travel difficult and whose mobility is restricted. There are no advice centres in the estates on the outskirts of Slough. I, as the Member of Parliament, am one of the few people who goes around the town and provides an advice service to deprived communities.

One of the groups within the partnership is the unemployed workers centre. The National Lottery Charities Board has funded the centre to carry out an access project: run by Keith Spencer, it is designed to deliver basic benefits and other elements of welfare advice to people in their homes. That is the beginning of an expanding partnership and network. Through the partnership, other people are getting to know about Keith's services and are getting him to help those of their clients who cannot travel to the centre of town. We are beginning to improve the delivery services to local communities.

Mr. Burnett: Without wanting to put words into her mouth, I ask the hon. Lady whether she will be interested to hear from the Parliamentary Secretary about the progress that has been made in giving franchises to the not-for-profit sector.

Fiona Mactaggart: In my constituency, it is difficult to identify or develop good quality not-for-profit immigration advice, just as it is in the private sector. However, I think that we should treat all kinds of advice centres equally, whether they are solicitors, or advice agencies in the not-for-profit sector, or community organisations. If they meet quality standards, they should have access to funds, not only through franchises but, by meeting those standards, through local authorities. I should be interested in hearing about the progress that is being made, and it is possible that it is not happening fast enough. However, I am glad that we are taking steps down that road. Let us continue to do so.

The fourth point in our partnership's concordat is that the CLS should be in accordance with an effective assessment of local needs. That is the bit of the challenge that we have found most difficult to get right. Legal advice services in Britain have traditionally been provided according to where lawyers want to set up their business, or where voluntary organisations are established—services have been producer-led, which is a problem, because the best services are needs-led. Huge needs are hidden in a constituency such as mine, because people do not know that they need legal advice; they know that they have a problem, but not who can help them to tackle it.

One of the challenges that CLS partnerships face is reaching the sort of organisations to which I have talked, such as churches, mosques, residents associations and so on, and ensuring that they have a clearer awareness of what constitutes a legal problem and when someone needs legal advice so that they can more clearly express local needs. I hope to hear imaginative ways of doing that, because unless the CLS reaches those people, it will not have met the challenge.

On balance, it is right not to throw out the baby with the bath water by saying, "We will have a national legal service in the way that we have a national health service." Instead, we must say, "Let us improve quality by building partnerships with existing voluntary and private organisations and with bodies such as local councils which give quasi-legal advice to residents." However, to achieve that objective, we need to challenge all those providers to improve their act, to reach the parts that they are not reaching, to meet quality standards and to challenge other bodies that are not even thinking along such lines—for example, libraries—to ensure that people know whether their problem is a legal one and, if it is, where to go for help. The referrals handbook that I mentioned is available in Slough libraries, as well as in the other kinds of organisations to which I have referred.

We also need to ensure that people whose first language is not English get access to good quality legal services. I hope that that issue will be addressed. At present, there are often problems in funding interpretation services for people who need legal advice. The CLS cannot tackle all the problems in the first year of its existence, but that one must be tackled, because an inability to speak good English is a real barrier to access to good quality advice.

I am glad that quite a lot has already been done. I thank all the partners in the Slough CLS; they have begun to make it work. They have collaborated in ways that they did not at first think possible—they have met each other for a start, which in some cases is a great leap forward. They have enjoyed the experience of learning what the others do and are beginning to trust each other. We all need to find ways of reinforcing that trust because, unless it is properly developed, two-way referral will not occur and solicitors will not say to Age Concern, "This client would be better served by talking to you than by my taking up the case."

There is more work to do and there is a real challenge—the biggest challenge of all, which is to make sure that we create a legal advice service that makes it clear to people who have never had access to legal advice that they have a right to good advice; and we must deliver good advice, for until we do that, we fail those people. Focusing on how much money solicitors in private practice earn out of giving legal advice, as debates such as this always seem to do, is the wrong approach, because it implies that producers can determine the shape of the system. We need a new system in which consumers decide what kind of system we have. If we achieve that, we will truly have a national legal advice service.

3.44 pm

Mr. Lock: I am grateful for the permission of the Chamber to speak again. I shall be brief in closing what has been an interesting but reasonably short debate.

In answer to the observations of the hon. Member for Surrey Heath (Mr. Hawkins), I can only express great disappointment that, having sat through the debate for so long and having heard so much, he has so little understanding of what we are trying to do. That was brought home to me by the letter that I received from the chief executive to whom the hon. Gentleman referred, who said that the council was proud to fund the citizens advice bureau. He went on to say that the council did not

> recognise your statement that a local authority such as Surrey Heath Borough Council is a principal funder of legal services.

That is the issue. My hon. Friends the Members for Slough (Fiona Mactaggart) and for Upminster (Mr. Darvill) spoke of the superb work of CABs and a variety of other organisations in the not-for-profit sector. If those organisations are telling someone whether he is entitled to benefits, they are delivering legal services. If they are telling someone whether he has

[Mr. Lock]

a claim for unfair dismissal in an employment case or whether that person is entitled to a jobseeker's allowance, they are delivering legal services.

We must recognise that the monopoly that lawyers thought that they had in delivering legal advice and assistance does not prevail on the ground. When local authorities fund CABs, the valuable services that they are funding are legal services and they are not any less legal because they are provided by people who do not have magic letters after their names to show that they are formally qualified lawyers. As my hon. Friend the Member for Slough illustrated in an eloquent and accurate example, lawyers are often not the best people to deliver such advice anyway, but local authorities are funders of legal services.

Mr. Hawkins: The Minister does not have to take my word for it, because I wrote down carefully what the hon. Member for Upminster said in a measured and helpful contribution to the debate, which was:

> It is unclear how local authorities will play that role.

He was referring to the funding role and pointed out that the grant from his local authority was insufficient to fund the citizens advice bureau in Havering. That is the problem. The Minister's policy is not working on the ground. Problems are arising in various areas of the country, as I have made clear.

Mr. Lock: The hon. Gentleman does not understand the system. It is discretionary for local authorities to fund CABs. It always has been. The Government have no proposals to change that. We want to ensure that when local authorities fund advice services, they do so in a way that makes sense, given the other funders in the area. I am proud that as a result of the CLS 330 not-for-profit agencies have now been awarded the quality mark.

Mr. Hawkins: Where is the money?

Mr. Lock: The funding for the not-for-profit sector, including CABs, has risen from its record level last year of £11 million from the Legal Services Commission to £29 million this year—an increase of 270 per cent. Yet the hon. Gentleman asks, "Where is the money?" An increase of 270 per cent. in funding in one year for the delivery of extra quality-marked services is a significant step in the right direction. I repeat that it is disappointing that, after having heard so much and listened so long, the honourable Gentleman has so little understanding of the way in which we will deliver important legal services to those who really need them.

Most lawyers, including those in the not-for-profit sector, working under legal aid are not fat cats, and I would not dream of suggesting that they are; nor did I. They deliver quality services for a reasonable return. However, the obligation on a Government Department is to secure value for money in the services that it purchases. Throughout the country we have a full coverage of services, with the exception of one or two problems in immigration, which we are working hard to solve. The prediction that lawyers would not sign up for contracts at the rates that we were prepared to pay has proved incorrect. For example, family services are provided in all legal aid bid zones.

Hon. Members will no doubt say that family problems tend to come in at least twos, if not threes. I am, therefore, pleased to say that 98 per cent. of bid zones have at least two firms of solicitors under contract providing quality services. However, we will not contract for the provision of services with lawyers whose only expertise is the fact that at some point in the distant past they passed a law examination and their Law Society finals. The problems involved are too complex and important to be left to the dabblers. We shall contract with firms that have a quality standard, so that we know that the services being provided are quality services, and we shall pay the amount necessary to secure those services. If we paid more, we would help fewer people.

I am grateful for the contribution of my hon. Friend the Member for Upminster, whose analysis of circumstances in his area was extremely interesting. I assure him that I have taken careful note of the differences in the cost of provision of advice in Havering compared with the rest of London. It is interesting to compare the cost of provision of benefit or debt advice through the not-for-profit sector and the traditional green form scheme for lawyers, and to ask which is the best way of procuring that advice, whether we can be sure of quality standards and whether it is right to pay anything up to 10 or 15 times more merely because the advice is provided by a qualified lawyer. Although it may occasionally be right to do so, we have a general duty to secure best value.

Mr. Darvill: I am interested in the point that the Parliamentary Secretary makes. Will his Department ensure that such an analysis is made, especially in identifying good practice? If necessary, will representations be made throughout the Government to ensure that, for example, the Department of the Environment, Transport and the Regions is aware when local authorities and citizens advice bureaux are not providing that best value?

Mr. Lock: Yes, that research is being done and the results will be published. I shall ensure that my colleagues in the Government are aware of the benchmark figures that we extract from the research to show the appropriate levels of payment and the return in different areas. In both the not-for-profit and the for profit sectors, some firms and providers are much more efficient at providing quality services than others. As public money is involved, it is important that those who say that they cannot deliver the service for a particular price should look in the first instance at other providers, firms of solicitors and not-for-profit operators that can work within those budget lines and produce a quality service, and learn from best practice elsewhere.

I shall make a few observations on my hon. Friend's comments on insurance. He is right to say that both before-the-event and after-the-event insurance play a significant role. A significant problem is that, although many people have legal expenses insurance with their household insurance, when they have a problem they are not aware that the £10 or £12 a year tacked on at the end of their insurance form, which they signed a long time ago, can be the gateway to the help that they need, rather than it being provided by the public purse through a lawyer of their choice. People have that right under a European directive. I am grateful to the hon. Gentleman for raising that point because it is important to make people aware that they may already have insurance. Millions of people do. We must publicise that fact and ensure that lawyers ask their clients the right questions to ascertain whether those clients already have cover. Ultimately, the points made by the hon. Member for Upminster about a vibrant insurance market are right. As in other areas, the quality of service and number of restrictions in legal expenses insurance will be sorted out by the market and pressure from the Government. We should make sure that the insurance industry delivers services in a way that is suitable for the consumer.

I congratulate my hon. Friend the Member for Slough on her work in CLS partnership in her area. She has worked through the process and has understood, from long experience, why what we are delivering is so important. It focuses on unmet need—people who would never dream of consulting a firm of solicitors but are greatly in need of legal advice. She recognises the consequences of not delivering that advice, not providing such pathways out of social exclusion and not allowing people to get the most out of their lives because of what holds them back. That is key to the Government's attempt to tackle social exclusion and create opportunity.

My hon. Friend the Member for Slough referred to the importance of having only one quality standard. I entirely agree with her. The quality mark produced by the CLS should be the benchmark, whether it is a local authority seeking to satisfy itself that it is funding a citizens advice bureau under a best value regime, whether it is the National Lottery Charities Board or whether it is the CAB. Whatever organisation is seeking to deliver services through the CLS, that should be the core quality standard to which they should be required to work by any funder within the CLS. A single quality standard will ensure that one year will not end on a Monday for one funder while a second year ends on a Tuesday for a different funder. Similarly, there will not be one type of working and set of goals, objectives and key performance indicators for one funder and a totally different set for another. I hope that all funders will recognise that more of their money will go to providing services and less to carrying out administration if they are prepared to trust the quality mark as the single indicator of quality services. That will allow organisations to work in accordance with a single set of coherent policies. I assure my hon. Friend that that is beginning to happen.

My hon. Friend is right about translation services. As part of the invest-to-save budget, the CLS website "Just Ask!" is in the process of translating the CAB advice guide. Therefore, valuable practical advice on benefits, housing and employment, including detailed legal advice, will be available in the six most used United Kingdom community languages. I am sure that that will be useful in her constituency for those advisers who are able to access the net.

My hon. Friend the Member for Slough challenged me to find imaginative ways of reaching communities to identify priority areas of unmet legal need. I shall give two examples of what is happening. In Newcastle, the Legal Services Commission is funding an immigration co-ordinator to work with advice agencies to help asylum seekers to obtain the right advice from the right person, where there is capacity and firms are able to deal with cases, and to ensure that the referral system works properly. In that way, help can be co-ordinated so that asylum seekers receive the advice they need from someone who can provide them with the quality of advice which they are entitled to expect.

In Liverpool, debt advisers are working in GP surgeries through the CLS partnership. GPs identified the need for their elderly patients to maximise their income so that they can turn up the heating and have a better quality of life. Many elderly people who would not have gone to the citizens advice bureau with cap in hand to ask for benefits advice to improve their income can now obtain that advice in their GPs' surgeries which they visit anyway. That is good for GPs, the advice comes from the citizens advice bureau and is of high quality, and the service is of real benefit to Liverpool's elderly citizens who can take advantage of services in a way that they would not have done previously.

This has been a short, but an interesting debate. It has shown how the Government's policies on development of community legal services are working. Developing networks and delivering the services that are needed in each community will take a generation, not 12 months. This is a long-term process and a change of culture, but the Legal Services Commission has made an impressive start. The development of partnerships throughout the country is changing the way in which services are being commissioned and delivered. I am grateful to my hon. Friends the Members for Upminster and for Slough who have given such strong support for the initiative and have brought experiences from their communities to help us in our debate this afternoon.

Question put and agreed to.

Adjourned accordingly at two minutes past Four o'clock.

Westminster Hall

Tuesday 11 July 2000

[SIR ALAN HASELHURST *in the Chair*]

Land Settlement Association

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Kevin Hughes.*]

10 am

Sir Nicholas Lyell (North-East Bedfordshire): Thank you, Mr. Deputy Speaker, for calling me to open this debate on the problems of the former tenants of the Land Settlement Association. The Financial Secretary to the Treasury is aware of the long-standing taxation problems faced by those former tenants. Their circumstances are unusual and perhaps even unique in tax terms, and, unfortunately, the discussions that myself and parliamentary colleagues, several of whom are present, have had with the authorities on their behalf have run into the sand. I am, therefore, glad to have the opportunity to raise the matter in some detail in Parliament.

As a matter of background, I inform hon. Members that the land settlement schemes were originally set up in the 1930s in different parts of the country, including my constituency of North-East Bedfordshire, to provide a home and four or five acres of land on which unemployed people could earn their living. There are settlements in about 20 parliamentary constituencies throughout the country. Unfortunately, the scheme ran into serious trouble in the 1970s. It was badly managed and the tenants were obliged to buy their seeds, fertilisers and other essentials through the scheme and to sell their produce to it. The scheme was run by the Ministry of Agriculture, Fisheries and Foods, and was supposed to arrange cropping and market the produce. In practice, however, it was inefficiently managed, and the tenants and their families worked long, back-breaking hours for minimal rewards. They were often heavily in debt to the scheme, which was failing them at every turn.

In 1981, the decision was taken, rightly, to close it down. However, that left many tenants without jobs and potentially without homes. Eventually, most of them banded together to sue the Ministry. The claim was made under two headings. First, they claimed the loss of the earnings or profits that they should have made but did not. Secondly, they submitted a general damages claim for distress and anxiety, to compensate them for the acute hardships that they had suffered over so many years. Fortunately, most of them were entitled to legal aid and eventually, in the early 1990s, a settlement was reached. Overall, they settled for £7 million, to be divided between some 300 to 400 families. That represented about 25 per cent. of their formal monetary claim, leaving aside their important general damages claim for distress and anxiety——I use the words in which the claim was legally drafted. The average payment received by a tenant seems to have been about £20,000 to £25,000. That is no more, and perhaps less, than they could have expected to receive on their hardship claim alone. Such general damages claims are exempt from taxation.

At the time of the settlement, the then Minister of Agriculture, Fisheries and Food, my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer), who hopes to join us this morning, was given to understand that the settlement would not be taxable in the tenants' hands, as he has been good enough to explain publicly. The tenants were also so advised by their Queen's counsel at the time, albeit that his particular reasons for advising them that their settlement would not be taxable were incorrect in tax law.

Nearly all the tenants used their modest damages to help purchase the homes in which they lived. Most of them are now in their 70s, with few or no assets other than those homes and little or no income other than their state retirement pensions. The problem in their lives is the spectre of a tax bill that most of them do not know how they could pay. They are tired and frightened. Some of them have already sold up and moved away, hoping to avoid being chased for tax that they could have paid only by selling their sole home or by incurring a heavy charge against its value.

The problem on which we ask Ministers to focus, in consultation with their senior officials in the Inland Revenue, is that the tax burden as administered bears unduly harshly on the tenants. The established tax rule, which was laid down in a commercial tax case a considerable time ago—40 or 50 years—says that a claim for loss of profits over many years must none the less be treated as taxable in the year in which compensation is received. That is usually fair for a normal trading corporation, which can generally mitigate the effects by writing down plant and machinery, finding other offsets to mitigate the tax charge or by spreading the cost over future years. However, most of the tenants had no business to continue and, if they did, it was so poor that they were usually paying little or no tax. Many of them had had their businesses closed by the Ministry of Agriculture, Fisheries and Food when the scheme came to an end. Whereas in the ordinary course of events little or no tax would probably have been payable on the modest profits that they lost in each of the eight or so previous years, they now face something like a 25 per cent. tax burden on their damages.

A solution is available, if only the Inland Revenue could be persuaded to permit it, without forcing those impecunious tenants through the courts. It is well established, and common ground with the Revenue, that compensation relating to hardship claims—as theirs did—is not taxable. The Revenue has long made it clear that, provided that the tenants pay up the other half of their claim, it is prepared to treat 50 per cent. of the compensation as non-taxable. I welcome that, although I do not welcome the fact that the offer is held as a sword of Damocles over the tenants, which may be used if they seek to press their claim further. This country should not be administered in that way. I hope that the Revenue will take that point to heart.

Mr. John Burnett (Torridge and West Devon): I pay tribute to the way in which the right hon. and learned Gentleman has led the campaign with great perseverance and skill. He has many hon. Members

[Mr. John Burnett]

behind him. Does he agree that the fair and tax-efficient apportionment of damages is invariably agreed between parties at arm's length?

Sir Nicholas Lyell: I am grateful to the hon. Gentleman for making that point because, as I will seek to explain, the matter could have been organised at the outset so that we and the tenants were not troubled.

Mr. John Gummer (Suffolk, Coastal): I wonder whether my right hon. and learned Friend will take this point from me, as the Minister responsible at the time. There was no doubt in my mind or in the minds of the officials who advised me that the money was in no sense to be taxable. There was no question of that because it was seen as an ex-gratia payment, not for specific profits and the like, but because the LSA had been run appallingly and people's lives had been destroyed, simply because the Government—Governments of both parties—had failed to look after them as promised. We therefore always treated it as a non-taxable payment. This argument took place afterwards; had we known then, we would have made perfectly sure that the payment was not taxable. The Inland Revenue is reading back into circumstances matters that did not then exist. The sad thing is that successive Governments have failed to live up to their responsibility and to say that, if it is taxable—if the Inland Revenue will not listen—they should make a further payment to ensure that the tax is covered entirely.

Sir Nicholas Lyell: I am extremely grateful to my right hon. Friend. He makes a crucial point, which the Revenue and Ministers ought to take into account. It was an ex-gratia settlement; to divide it artificially into taxable and non-taxable parts to the disbenefit of the former tenants is not necessary.

My right hon. Friend also makes the excellent point that it is not a party political matter. There is all-party support for the case that I make today. The hon. Member for Forest of Dean (Mrs. Organ) represents about 40 tenants, and I hope, Mr. Deputy Speaker, that she will catch your eye. The right hon. and learned Member for North-East Fife (Mr. Campbell) and the hon. Members for Torridge and West Devon (Mr. Burnett) and for Torbay (Mr. Sanders) will speak for the Liberal Democrats. My hon. Friends the Members for South-East Cambridgeshire (Mr. Paice) and for South Cambridgeshire (Mr. Lansley) and my right hon. Friend the Member for Suffolk, Coastal are all concerned about the matter, as is my hon. Friend the Member for Salisbury (Mr. Key), who has to be in Scotland on public defence business.

Mr. Deputy Speaker: After that distinguished roll-call, it seems almost churlish not to have mentioned the Minister's parliamentary private secretary.

Sir Nicholas Lyell: I am most grateful, Mr. Deputy Speaker. I hope that all hon. Members will row in behind us, which is the object of the debate.

Before I was so helpfully interrupted, I was saying that a solution was available if only the Inland Revenue could be persuaded to permit it without forcing those impecunious tenants through the courts. In so far as their compensation relates to their hardship claim, it is not taxable.

My question to the authorities is why the compensation should not all be treated as a hardship claim—at least to £25,000, which would cover the position of most tenants. I feel confident in saying that the general damages that a court might award for the sort of hardship suffered by those people for so many years would be at least £25,000; it might be substantially more. If this matter had been thought about correctly in the early 1990s when the settlement was reached, it could easily have been structured to do that.

Furthermore, there is no law to say that the Revenue cannot so treat it now; previous cases put no impediment in its way. No case that raises that precise issue has come before the courts. Case law is simply that such decisions must not be a sham. Payments cannot be treated as non-taxable if, in reality, they are made only as compensation for loss of profit. However, those payments were clearly claimed on the twin bases of general damages, which are untaxable, and damages for loss of profit, which are potentially taxable. As the total amount paid out would not exceed what could reasonably be attributed to the non-taxable proportion, I submit that that would be the fair way to do it.

To be fair to the Inland Revenue, this is, to some extent, a grey area. I have had a number of detailed conversations with its officials over the years and we reached the point at which they argued not that it could not be done but that it had never been done by the Revenue in such a way. The officials and I agreed that the matter should be taken to Ministers who, unfortunately, have persistently ducked, or been persuaded to duck, the issue. First, they have said that they are not allowed to get involved in individual cases because that is for the Revenue alone. Secondly, they have said that if the tenants wish to press their case, they must take it to the special Commissioners of the Inland Revenue.

I ask Ministers and their senior officials to think again. They know perfectly well that the tenants have no money to bring court cases and that legal aid is not available for cases that go before the special commissioners. There is no great issue of precedent because the situation of the LSA tenants must be virtually unique. The amount of tax involved in public terms is not large. The total, apart from interest, is probably no more than £1.5 million divided between the few hundred tenants. The problem is, however, that that represents many thousands of pounds for each tenant, which they have not got. There is also the difficulty of interest. That, too, is artificial. The former tenants have sunk their compensation into their homes and have no pot of money that is earning interest. Indeed, had they not invested in their homes, they would almost certainly have been drawing housing benefit for many years.

There is a way ahead. It is said that when the long-running litigation with the Ministry of Agriculture, Fisheries and Food was drawn to Mrs. Thatcher's attention, she simply ordered it to be sorted out and at least a settlement was reached. However, it is a pity that the settlement did not wrap up the overall tax position as it so easily could have done. The Revenue has argued that all the points must be

> fair to the general body of taxpayers.

That is not really so. If the question of tax had been properly considered at the time of the settlement, the Ministry of Agriculture, Fisheries and Food could have agreed to attribute most, if not all, the settlement to the distress and anxiety factors.

Let me put in a word for the Revenue. It has tried to help with the debts forgone aspect, which affects a few of the tenants. We are grateful for that, but there is no rule to say that the two portions of the claim—the distress and anxiety factors and the loss of property factors—have to be split 50:50. The Revenue always has a wide discretion over interest.

In summary, this is a long and unhappy saga in which 300 to 400 families of modest means have been badly treated by Governments over the years. They are continuing to suffer great anxieties eight years after they reached what they thought was a final settlement. Ministers and the Inland Revenue have ample discretion to treat them fairly. Their tax burden should be kept to a minimum and they should be allowed to live out their lives in their own homes free from anxiety. I very much hope that the Minister will be able to say enough to show that there is a will to achieve this and that a way will be found to bring it about.

10.18 am

Mrs. Diana Organ (Forest of Dean): I am grateful to the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell) for securing the debate on the Land Settlement Association. I pay tribute to his tireless campaign on behalf of ex-LSA tenants. It is interesting that I am probably the only Labour Member who intends to contribute to the debate. This is not a party political issue. We are all concerned about the history of the case and the way in which the ex-tenants have been treated by various Governments over many years.

The issues raised this morning are a source of considerable anxiety, hardship and distress to several of my constituents and their families in the Forest of Dean—hard-working growers who pay their taxes appropriately, but find the pressure from the Inland Revenue very disturbing. In the Scarr area of Newent, there were 40 ex-Land Settlement Association tenants. Unfortunately, since the compensation was agreed and the dispute began in 1991, five of those tenants have died. The Inland Revenue has agreed to put a temporary hold on collecting the tax as a result of the dispute about tax liability on the compensation. That has real implications for the widows and next of kin of the growers, because they cannot fully wind up the estates of those ex-tenants.

Now is the time for the question to be fairly settled. In my constituency, the case for the ex-tenants has been staunchly put by Mr. Duncan Reed of Newent on behalf of the other growers. I was first made aware of the problem within three weeks of my election in May 1997. Following correspondence and meetings with Mr. Reed and other ex-tenants, Treasury Ministers suggested in correspondence that the group should present individual cases to the Newent division of the General Commissioner of the Inland Revenue, an independent tribunal. That option was offered to the Newent growers five years ago, but was rejected.

Mr. Gummer: I wonder whether the hon. Lady would accept that it was not intended that those circumstances should arise. By saying that those people should go to the independent commissioner, the Government are avoiding their responsibility, because, in terms of the tax advice that they gave, the Government got it wrong in the first place. Therefore, they should not ask people to appeal; they should put it right. Would not the newspapers be appalled if a private company or organisation had got it wrong, but refused to do the decent thing by way of compensation?

Mrs. Organ: The right hon. Gentleman is right. The episode was bungled by politicians and must be put right by politicians, not by the General Commissioners. I have sympathy with the Newent group's decision to reject that option because, as we all agree, the episode was bungled through the incompetence of previous Governments. It should be put right by politicians.

According to my constituents in Newent, the scheme was poorly run, poorly managed, inefficiently marketed and wasteful. Growers worked for long hours with very little return. The closure came in the early 1980s. Again, questions were asked about the management and legality of the procedures taken with regard to closure. Closure meant that the growers had to band together with very few resources and sue the Ministry of Agriculture, Fisheries and Food. No consideration was given to the legal consequences or the suffering of tenants that would flow from the decision. The ex-tenants and I feel that, as the previous Government caused that unfortunate situation through their incompetence, the issue should be resolved by politicians, rather than by the Inland Revenue and the independent appeals commissioner, who adjudicates in normal tax disputes. This is not a normal tax dispute; it is a unique situation.

The argument of the Newent ex-tenants is clear and, I believe, wholly justified. When the scheme was wound up, they were given compensation of about £20,000 to £25,000 on average. That hardly covered their general damages claim, which was non-taxable. It is absolutely clear that the then Minister of Agriculture, Fisheries and Food, the right hon. Member for Suffolk, Coastal (Mr. Gummer), intended and believed that the settlement would not be taxable. He has made that quite clear publicly, especially in his letter of 25 January 1997 to Sir Anthony Battishill, chairman of the Board of Inland Revenue, in which he said:

> it was quite clearly Ministers' intention at the time of the settlement that the out-of-court payments were intended to compensate the ex-tenants of the LSA for personal hardship caused by their association with the LSA. It was not, therefore, intended as taxable compensation for loss of earnings.

The letter also states that

> it was Ministers' intention that the overall settlement was intended to compensate the ex-tenants for personal hardship and not for pecuniary loss.

It seems that the whole scheme—including the running of it, the closure of it, the settlement of it and the tax liability dispute—has been a fiasco. The Tory Administration from 1979 to 1997 never properly

[Mrs. Organ]

managed it or sorted out its problems, and they managed the whole affair incompetently. MAFF and the Treasury never sorted the matter out between them. Ministers did not make their intentions clear and give direction.

I realise that the intentions of MAFF Ministers do not normally count in determining tax treatment for out-of-court settlements, but the matter should have been sorted out by the Department and the then Government. However, the growers believed that it had been sorted out. They believed that the intention expressed to them by the then Minister meant that they were entitled to non-taxable compensation. Meanwhile, the growers of Newent, represented, as I said, by Mr. Duncan Reed, suffered hardship and anxiety. They struggled with the poor and inefficient running of the scheme and had to fight their case over the inept closure with poor resources. They are not young, and suffered terrible anxiety and personal hardship. That has been an extra burden. Many of those people are now in their 60s and 70s. They have had to use their modest damages to help purchase their homes—otherwise they would have been virtually homeless—and they have been frightened by the pressure on them from the Inland Revenue. That is no way to treat the ex-growers. They have little else by way of assets or income with which to fight the case and the whole bungled affair is a recurring nightmare for them. We must put an end to the nightmare for my constituents.

The previous Government created the mess and the present Government need to sort it out fairly, justly, humanely and sympathetically. I ask the Minister not to suggest that taking the case to the General Commissioners of the independent tribunal would be the best way forward. We went round that loop five years ago and it did not resolve the issue for the people concerned. We should be giving them what is rightfully theirs. The compensation for hardship should be tax-free. The spirit, intention, understanding and reality in which the compensation was given was that it was not for the restriction of trading opportunities but for the personal hardship that they suffered and for the capital lo[illegible]n that case the ex-tenants of the LSA in the Scarr area of Newent are not liable to tax on their compensation. We need to resolve the issue for them now.

10.27 am

Mr. James Paice (South-East Cambridgeshire): This issue has been on my desk, Mr. Deputy Speaker, ever since I have represented my constituency.

Mr. Edward O'Hara (in the Chair): Order. I am not the Deputy Speaker, and I should be addressed by name.

Mr. Paice: I apologise, Mr. O'Hara.

I have been aware of this issue since becoming the Member for South-East Cambridgeshire in 1987. I then had two of the former LSA estates in my constituency—Great Abington and Fen Drayton, which, since the boundary changes at the last election has become the responsibility of my hon. Friend the Member for South Cambridgeshire (Mr. Lansley). My right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) will recall that I was his parliamentary private secretary when the case was settled. The hon. Member for Forest of Dean (Mrs Organ) waxed lyrical about how the previous Government messed everything up. It is worth pointing out, if we are going to make partisan points, that it was the Labour Government in the 1970s who caused the problem by messing up the way the whole thing was run. However, as my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) said, the issue is not really partisan. It is a matter that goes across all parties.

Mr. Gummer: Before my hon. Friend moves on, will he dwell on that point? The LSA was appallingly run and the fault of that lies with all parties. The Labour party did not even bother to put it right. It was badly run and the way in which people were treated was almost slavery because they were tied in. They owed so much money that they could not get out. We understood that, which was why we tried to put matters right by winding up the scheme and paying compensation, not for loss of earnings or anything else, but for the way in which our fellow citizens had been treated.

Mr. Edward O'Hara (in the Chair): Order. The right hon. Gentleman's intervention is becoming a speech.

Mr. Gummer: May I just ask whether my hon. Friend accepts that, at all points, we believed that the money would be without tax. If we had not believed that, we would have operated matters differently. Such people should not suffer.

Mr. Paice: My right hon. Friend is right. That is my recollection of the discussions at which he allowed me to be present. He was also right to refer to the shambolic way in which the LSA was run prior to the decision by Lord Walker of Worcester to abolish it soon after the Conservatives took office in 1979 because of the condition of the estate. It is worth emphasising that the tenants had no say in how the estate was run. I checked that fact this morning with the leader of the group of tenants on Abington estate in my constituency. The entire scheme was operated by Ministry of Agriculture, Fisheries and Food employees. I shall not get into the usual arguments about civil servants running businesses, but that was what was supposed to be happening. The tenants had no input. As my right hon. and learned Friend the Member for North-East Bedfordshire and my right hon. Friend the Member for Suffolk, Coastal said, the tenants were completely tied into the system, but it was one over which they had no operational influence or control.

I join all the tributes paid to my right hon. and learned Friend the Member for North-East Bedfordshire for his leadership of the group. As he said, the original claim was for about four times the final settlement. It was for £23.5 million and the tenants settled for about £7 million. I am the first to accept that individuals must decide whether to take advice from tax advisers and that the Revenue cannot be held responsible for that tax advice, but the tax advice given to the tenants was that the sum would not be taxable.

I want to refer now to the papers given to the tenants that set out the agenda for a meeting at Sandy in Bedfordshire in what was then in my right hon. and learned Friend's constituency.

Sir Nicholas Lyell: It still is.

Mr. Paice: I thank my right hon. and learned Friend for confirming that. The meeting was to take place on 29 June 1991, when Simon Goldblatt QC and others were to consult the tenants about the offer that my right hon. Friend the Member for Suffolk, Coastal had put to them when he was the Minister of Agriculture, Fisheries and Food. The document contained sections entitled, "What is the offer?" and "Has the method of distribution been decided?" It stated that the fund would be divided into a

> first slice from which a flat-rate payment will be made to each Plaintiff in the sum of £5,000,

but the main pool for distribution was on a time-related basis whereby points were allocated up to the previous six years. Incidentally, there was nothing to be gained for tenants who may have been in the scheme for 20 years or more.

The key point is that it had nothing to do with compensation for loss of profits because the settlement bore no relevance to the type of business, the level of trading, or the costs, efficiency or profitability of the businesses. In other words, no attempt was made to assess what profits may have been forgone. The fund was distributed purely on a time-serving basis without direct relevance to the businesses that were being undertaken. That is an important point and emphasises the fact that the compensation was not distributed in accordance with the loss of profit.

My right hon. Friend the Member for Suffolk, Coastal, my right hon. and learned Friend the Member for North-East Bedfordshire and the hon. Member for Forest of Dean all referred to the fact that the people were tenants and were, in effect, facing homelessness once the estate was abolished, as a result of which many of them borrowed significant sums to buy their homes. They would otherwise probably have been on housing benefit and in local authority housing. They used the money that they received, albeit a relatively small sum, to pay off some of their debts. Most of them were in their 70s and are now living on a state pension. As the hon. Member for Forest of Dean said, some of the tenants are deceased, including some of my former constituents, yet their widows still carry the heavy burden of concern, which we know is doubly worse for old people than others.

The 50 per cent. limit set by the Inland Revenue for distress and anxiety is arbitrary. It is therefore clearly open to dispute, and the Revenue can increase it if it feels so inclined. I should have said that by law the tenants would have had a right to local authority housing. It is not that they might have done; they would have had a right to it on the abandonment of the scheme.

The businesses were small. Most of them were one-man bands, or perhaps had a husband and wife working together. They operated on a low-profit basis, partly because of the shambolic way in which matters were organised. In an ordinary year, they would not have paid much tax, if any. To tax the debts forgone or the loss of earnings so that that will create a significant tax burden is far more onerous than if it is trickled out in the normal course of events. More important, many of the businesses ceased trading when Lord Walker of Worcester abolished the scheme in the early 1980s. The settlement was 10 years later. They had no method to generate the tax and mitigate the effects, because many of their businesses had ceased.

None of the former tenants has the resources to take the matter to the commissioners, which the Minister should take into account. The Revenue has helped at meetings; I have attended at least one meeting at which its officials were present. It has been intransigent in its actions, insisting on the arbitrary 50 per cent. rule. As I understand it—I am subject to correction—it is rolling up interest on the tax debts as it has assessed them. Although it gave the period of grace to which the hon. Member for Forest of Dean referred, that ended nearly a year ago, so interest is now rolling on those tax assessments.

Not all tenants were in the same position, as only some had debts. Therefore, only some had debts forgone. In the House of Lords, the tenants won a case for breach of contract. I am advised that some of the money that they received resulted from that case, so that should not be taxable either. The Minister's predecessors in this Government and, I am afraid, the previous one have consistently said that the matter is one for the Revenue to resolve and in which Ministers cannot interfere. I do not believe that that is the case.

By way of example, I shall make an analogy with another issue. A few years ago, a large charity for the homeless in my constituency was faced with a wholly unexpected and large VAT bill. I know that that concerns Customs and Excise, not the Revenue, but there was local outcry and Customs was adamant that it had to interpret the law that way and charge the VAT. Some people and I took a delegation to see the Conservative Minister responsible, who, needless to say, gave us the line that it was not for Ministers to intervene. Lo and behold, in a matter of days, Customs and Excise turned round and decided that there might be a way forward, and we were all able to emerge from the matter with some credit. Frankly, I do not accept that there is no way in which Ministers can influence such matters.

Mr. Menzies Campbell (North-East Fife): Like the hon. Gentleman, I have puzzled over the intransigence of the Revenue. I suppose that it is based on the floodgates argument—namely, if a concession is made, it will somehow be relied on in future. However, the hon. Gentleman's remarks and those of the right hon. and learned Member for North-East Bedfordshire, the right hon. Member for Suffolk, Coastal and the hon. Member for Forest of Dean have made it clear that the circumstances are unique. Although precedent will never be eliminated in all circumstances, the notion that a favourable decision in this case will be relied on in future is so remote as to be discounted.

Mr. Paice: The right hon. and learned Gentleman is right. As Governments have generally ceased their involvement in running businesses during the past couple of decades, one cannot even imagine a similar case arising in future. Therefore, as the right hon. and learned Gentleman says, the precedent argument is an excuse rather than a realistic concern about the future.

[Mr. Paice]

My right hon. Friend the Member for Suffolk, Coastal referred to a suggestion that I was going to make. Those of us in this Chamber who have been in government are conscious that Ministers always want a way out. Would not some kind of ex-gratia payment be possible? If the Revenue insists on tax assessments for various reasons—with which we do not agree—cannot the issue be reopened and an ex-gratia payment made that would nullify the tax burden? The income is peanuts in terms of public expenditure. It is of no consequence to the nation but of huge consequence to former tenants up and down the country, most of whom are elderly, have no businesses and are eking out their later years. Those people are very worried.

I have regular meetings with former tenants of the Abington estate, some of whom are still there, some of whom have moved away. Every time I have those meetings, their concern and anguish is clear. The matter must be settled. It is of no comfort to me that it has taken such a long time. It is now 18 years since the estate was abolished, and eight years since the settlement was agreed with the Ministry of Agriculture, Fisheries and Food.

I hope that the Minister will recognise that there is a wide body of concern in the House about the way in which this matter has been handled. We do not want to apportion blame or responsibility, but we want the threat that has hung over the heads of hundreds of people during the past eight years to be removed, so that they can look forward to a slightly more comfortable life in their later years. I hope that the Minister will understand the intensity of concern among tenants and those of us who represent them.

10.42 am

Mr. Adrian Sanders (Torbay): I pay tribute to the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell) not only for running a long-standing campaign on this issue but for keeping other hon. Members informed. That has been extremely helpful.

I speak on behalf of a constituent who is affected. First, in the light of the comments this morning, there is a great deal of unity across parties. We are considering not a party political issue but an issue of justice that unites Members from all parties. The apportionment of blame is not the way forward. Secondly, we are united in believing that tenants have been consistently let down, under the LSA and since its winding-up. Thirdly, an urgent resolution to the problem is needed, given the age of the people affected.

Two solutions are available. One is for the Inland Revenue to write off the debt and not pursue the tenants for the tax and the other is an ex-gratia payment to enable tenants to meet the tax liability. Justice will therefore have been seen to be done. I apologise to the right hon. and learned Member for North-East Bedfordshire that I cannot be here after 11 am because I have another engagement. I would have liked to hear the Minister's response. I hope that he will take on board the views expressed across the party divide, and that he will be able to give some hope to those tenants who have waited all too long for justice to be done.

10.45 am

Mr. Howard Flight (Arundel and South Downs): I congratulate my right hon. and learned Friend the Member for North-East Bedfordshire (Sir N. Lyell) on running the campaign for a small group in society who have had a particularly hard lot for a long time. I hope and believe that the Minister is a fair and decent person and that this debate will help towards a solution to the problem. It is a disgrace that the matter has dragged on for nine years, and that the tax situation has not been resolved, although the original intention seems to have been clear.

It is difficult to add to the excellent contributions made by my right hon. and learned Friend, the hon. Member for Forest of Dean (Mrs. Organ) and others. There is no legal requirement for the Revenue to treat the payments in the way that it is; it is not a matter of law from which it has no escape. The Revenue might take the view, within the narrow confines of its perspective, that payments of up to £25,000, for example, were made for general suffering and did not relate to loss of profit. The Revenue itself chose to use a commercial case as a case study, from which it took its 50:50 offer. As other hon. Members have said, the cases are not analogous, nor has there been any case before the courts that is precisely analogous. That is a good reason for the Revenue not to take the view that a common-sense approach to the matter would create a dangerous precedent.

It is unreasonable, and a sign of weak government, for Governments of both parties to have ducked the issue. The matter is a practical one: the individuals concerned are elderly and had to put up with virtual serfdom when they were members of that badly administered, crackpot land settlement scheme. By saying that the Revenue has to act in such a way because it is legally required to do so, Governments are passing the buck in the worst traditions of this country. Governments can advise and tell the Revenue what to do, as there is nothing in law to stop them, and the Revenue is free to take a sensible and enlightened view.

If the Revenue persists with the position that it has taken, the Treasury is likely to incur just as much expense as if it surrendered the tax. The cost of fighting the cases through the commissioners who made the unwise recommendations and of making housing benefit and other social security payments is likely to be just as great. The tax involved is only £1.5 million, which might be quickly consumed in such expenses.

It was fortunate that my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) could attend and put on record the Government's position at the time of the settlement. He made it absolutely clear that the settlement was intended as an ex-gratia payment for the various nasties that the Government had inflicted on the people involved, in particular the suffering resulting from poor administration and the unwise method by which the MAFF scheme was managed. In all practical senses, he committed the Government at the time. For the Inland Revenue to turn around afterwards in contradiction of the position expounded by the Minister responsible at the time is a form of retrospective taxation, which I trust the Government continue to set their face against as a matter of principle.

The position of my right hon. Friend the Member for Suffolk, Coastal and the Government was made clear publicly at the time. The matter was not handled behind closed doors. The 400 families involved were clearly led to believe that the payments would not be subject to tax. For the Government collectively to go back on that is morally improper, and to find clever legal ways of proposing to do it is unnecessary.

As others said, two perfectly easy solutions are available.

The Financial Secretary to the Treasury (Mr. Stephen Timms): I should like the hon. Gentleman to clarify his comments, as he may have inadvertently misled the House. I am not aware that the Government ever said that the payments were not liable to tax, but the hon. Gentleman implies that they did. Will he correct that point?

Mr. Flight: I believe that that is so. The contribution of my right hon. Friend the Member for Suffolk, Coastal this morning made it clear that, when he was the Minister responsible he made it clear publicly that the Government intended the payments to be ex-gratia, and not subject to tax.

Mr. Timms: I do not believe that the hon. Gentleman is right or that a statement on record makes that point. The right hon. Member for Suffolk, Coastal made clear this morning his recollection of his understanding at the time, but I do not believe that the hon. Member for Arundel and South Downs (Mr. Flight) can point to a statement to that effect.

Mr. Flight: I thank the Financial Secretary for raising the issue. It might be appropriate for him to interview my right hon. Friend the Member for Suffolk, Coastal and put on record what my right hon. Friend believed that he said publicly. However, the Financial Secretary will find that the record shows that the right hon. Member for Suffolk, Coastal publicly communicated his understanding of the position.

Sir Nicholas Lyell: After the event, my right hon. Friend the Member for Suffolk, Coastal wrote a letter that clearly sets out the advice that he received from his civil servants and his clear understanding at the time, which, rightly, permeated MAFF. The tenants were advised from another angle, and they had a similar point of view. Of course there was some to-ing and fro-ing, and there has been some discussion about that. However, the general understanding in MAFF was perfectly clear.

Mr. Flight: I do not know the precise time involved, but I also have proper reason to believe that the view of my right hon. Friend the Member for Suffolk, Coastal, the Minister at the time, was not confidential but available and was therefore known, as I said earlier, by the 400 families involved.

Mrs. Organ: That is the crux of the issue. That may have been in the mind of the right hon. Member for Suffolk, Coastal, and the intention throughout MAFF, and the right hon. Member for Suffolk, Coastal may have subsequently written to the chairman of the Board of Inland Revenue, made a public statement or written a public letter. However, the problem is that when the settlement was made he did not give clear directions or lay down absolutely clearly that he intended it to be non-taxable. The problem is that no communication took place between the two Departments. That may have been the intention, but does the hon. Member for Arundel and South Downs agree that it was not clear?

Mr. Flight: Like me, the hon. Lady listened to what my right hon. Friend the Member for Suffolk, Coastal said this morning. In my view, he made it clear that there was no question at the time that the settlement would be taxable—on the advice of his civil servants and lawyers. It would therefore have been inappropriate to have even raised the issue of tax.

Mr. Menzies Campbell: If the hon. Gentleman can, will he put himself back into the minds of those to whom the settlement was offered? Does he think that they would have accepted it if they had been told that it was liable to tax?

Mr. Flight: The right hon. and learned Gentleman makes an excellent point. My right hon. Friend the Member for Suffolk, Coastal also said that if there had been any question of the settlement not being an ex-gratia payment, as his officials advised him, the Government would not have viewed it as an appropriate settlement.

Mr. Laurence Robertson (Tewkesbury): I support my hon. Friend's stance. Constituents who have come to see me said that they were clearly told that no tax would be payable on the settlement. It was clear in their minds.

Mr. Flight: As my hon. Friend says, that was the legal advice given to the 400 families at the time. My right hon. Friend the Member for Suffolk, Coastal has put clearly on the record his position both in regard to the intent of the Government at the time and the advice received by officials. With great respect to the hon. Member for Forest of Dean, the issue was not unclear. What happened was that subsequently, when everyone believed that the settlement was an ex-gratia payment that would not be taxable, some bright individual in the Revenue looked up that old commercial case and thought, "Ah, hah! We'd better levy some tax here." The thing has been sitting around disgracefully for eight years since then, because no Government can morally justify taxing the sum, thereby delaying, until a year ago, the date until which interest would run. For some extraordinary reason, no Government have chosen to grasp the nettle and resolve the matter.

Mr. Paice: Before my hon. Friend leaves the issue of what Governments said, it is important to realise that the statement by my right hon. Friend that no tax would be involved was not made only this morning. It was made five years ago when, although he was no longer the Minister of Agriculture, Fisheries and Food, he was still a senior member of the Government. The Minister is chasing for a Government statement; a senior Minister clearly said in 1995 that the events leading up to the settlement in 1992 were made on the basis that no tax was payable.

Mr. Flight: I thank my hon. Friend for that helpful addition. I cannot help but comment that it was

[Mr. Flight]

therefore a great pity that the Government in 1995 did not follow what the then Minister had said. I am sure that the present Financial Secretary will wish to rectify that.

Mr. Timms: I want to put one further point to the hon. Gentleman. I agree with my hon. Friend the Member for Forest of Dean that at no time during the process did MAFF ask the Inland Revenue what the tax position would be. At the heart of the matter is the fact that the position was never resolved, which is why the Inland Revenue has subsequently had to take the decision that it has.

Mr. Flight: I thank the Minister for that comment, but I do not believe that that is a fair stance. There are all manner of situations whereby tax may or may not arise. If organisations go to the Inland Revenue for clarification, it frequently will not give a view. Clear advice was given in the Ministry on behalf of Government and much learned legal advice was given to the 400 families at the time. Although I am not questioning the good faith of the Revenue in subsequently erasing the tax claim that it raised, to suggest in retrospect that the Revenue should have been approached to give a ruling at the time of the settlement would be to put matters the wrong way round. The belief of all involved was that the payment was ex gratia and non-taxable. As I and my right hon. and learned Friend the Member for North-East Bedfordshire noted earlier, it was not legally necessary for the Revenue to apply that particular commercial case to the situation, which is different.

It is ridiculous for a Government—whether this Government or the previous one—to take such a Scrooge-like attitude to some of the most downtrodden members of our society. The matter is easily resolved, either by the Government persuading the Inland Revenue to take the approach that my right hon. and learned Friend has suggested or by their squaring the circle by making an exgratia payment of about £1.5 million to cover the burden if they feel—incorrectly—that there is an important point of tax law. They would probably save money by taking that approach as an alternative to allowing the matter to proceed, thereby incurring the various legal, social security and other expenditure involved.

The Minister knows that telling the people to go to the commissioners is no answer—they cannot afford the legal costs involved and they would not be entitled to legal aid. That five-year-old ducking tactic does not wash now. I hope that the Minister will justify his reputation and our proceedings by getting the silly issue resolved, as the Government have the power to do.

11.2 am

The Financial Secretary to the Treasury (Mr. Stephen Timms): I pay tribute to the right hon. and learned Member for North-East Bedfordshire (Sir N. Lyell) for his vigour in pursuing the matter and to all those who have so eloquently presented their constituents' cases in the debate. What we have heard has left me in no doubt about the anxiety experienced by constituents of several hon. Members.

As we have heard, the Ministry of Agriculture, Fisheries and Food wound up the Land Settlement Association in 1983. There were 500 tenants at the time, 293 of whom joined in an action against the Ministry, which was on two counts—first, mismanagement and, secondly, distress and anxiety. The mismanagement issue regarded loss of profit and that is taxable. The distress and anxiety count concerns personal injury and so is not taxable. I make that important point because those two issues of profit and personal injury have been of concern from the beginning of the discussion of the case. The action led to out-of-court compensation from MAFF in 1991.

The nature of a compensation payment in an out-of-court settlement depends on the terms of the settlement read in the light of the pleadings. Establishing the precise details of the claims proved difficult in this case. The grounds for the 293 individual claims boiled down to just two grounds. The nature of the claims is now common ground. The loss of profits was quantified at £28.8 million. The personal injury claim was not quantified, but £6.5 million was offered and accepted in full settlement of all claims. In addition, debts of £677,000 owed to MAFF were forgiven.

To avoid for all parties the difficult task of analysing each of the 293 claims and apportioning the award for each individual between the taxable quantified elements and non-taxable unquantified elements, the Revenue offered a general compromise. In broad terms, it sought to tax 50 per cent. of the cash award and 40 per cent. of the debt forgone. It was for each individual to decide whether to accept that offer or pursue their claim in the normal way. About half the cases were settled on that basis. Negotiations continue on the remaining cases, principally because of a reluctance on the part of many individuals to accept that any tax is payable. When information was most recently collated a couple of years ago, 141 tenants had open appeals.

Sir Nicholas Lyell: The Minister is stating the Revenue's position that the apportionment depends on the settlement in light of the pleadings. Will he think carefully about the two cases of Wiseburgh *v.* Domville and Roberts *v.* W. S. Electronics, which I have mentioned repeatedly in correspondence? Both cases show that what is agreed must not be a sham but a genuine representation of what has happened. The cases do not mean that if someone makes an apportionment, it must be an arbitrary 50:50, and they certainly do not mean that we cannot take the general damages aspect first up to, say, £25,000.

Mr. Timms: It is true that the relevant tax case does not specify a 50:50 split of the cash award. The Revenue's offer was an attempt to produce a fair figure in the absence of specific information. Given that only limited information is available, the Revenue's general compromise to tax only half in recognition of distress in each case does not seem to be unreasonable. However, I understand the anxiety about that aspect of the offer.

The tax charge has been the subject of representations by taxpayers and several hon. Members over a number of years to the Revenue and Treasury Ministers to the effect that the situation of the Land Settlement Association is unique. The most recent approach to Ministers was an oral question last December in response to which my hon. Friend the Paymaster General explained that no change was made to tax legislation when the compensation was paid and that, therefore, the current tax law applied. My hon. Friend also pointed out that Ministers do not intervene in individual cases. If agreement cannot be reached between the Revenue and taxpayers about the meaning of tax law, the matter can be resolved by the appeal commissioners and the courts.

The most recent approach to the Revenue resulted in a meeting between the right hon. and learned Member for North-East Bedfordshire, the chairman of the Inland Revenue and officials on 4 April. It covered the Revenue's view of the relevant law. As well as the tax charge, the matter of interest chargeable on the unpaid tax was raised. The Revenue agreed to discuss that with the tenants to see whether a compromise on interest could be reached as part of a settlement of the open cases. It suggested that settlement of the open cases, including interest on unpaid tax, should be considered by the inspector who was dealing with them. The inspector wrote to the right hon. and learned Gentleman with an offer for the tenants to settle the outstanding appeals. It included charging interest only up to 5 April this year.

Sir Nicholas Lyell: The Minister is correct. The Revenue wanted to charge interest up to 5 April this year, notwithstanding the understanding that interest would be suspended while the difficult matters were discussed. I was shocked that it asked for interest to be paid up to 5 April when we had been going to and fro over such a grey area. Will the Minister reconsider that decision?

Mr. Timms: The point that I want to emphasise is that those are not matters for Ministers. I know that the right hon. and learned Gentleman finds that unhelpful, but that is the position. The chairman of the Inland Revenue wrote to him and said that the Revenue would see whether some compromise on interest could form part of the settlement of the open cases. He also suggested that the issue of the interest charged could be explored at a meeting between the inspector and the tenants to discuss the settlement of those cases.

The offer to explore all those issues with the inspectorate of taxes has not so far been taken up, although my advice would be that it certainly should be. Mr. Richard King is the inspector who is co-ordinating all the open cases, and he should be the next port of call for those who are dealing with the issue.

Mr. Flight: The Minister and the Government might choose to take the constitutional stance that he has described, but having heard what was the Government's intention at the time, is it not in the Minister's power to solve the problem by making an ex-gratia payment to cover the tax that must be paid?

Mr. Timms: I simply make the point that that is a matter of law. The responsibility of the Revenue is to interpret the law, and the law in that area is clear.

Sir Nicholas Lyell: The Minister says that the law is clear, but he knows that he cannot put his finger on any case that says that there must be a 50:50 split. What is more, the Minister has mentioned officials by name, which I have been extremely careful not to do. To push the tenants back to Mr. Richard King, who has been handling the matter for years, is simply to push them back to square one.

Mr. Timms: No, I suggest that that is the right place to take the discussion forward. A range of issues could be discussed with the inspector.

Mr. Paice: I am concerned about the proposition that we should go back to Mr. Richard King. My right hon. and learned Friend the Member for North-East Bedfordshire and I were present at a meeting with Mr. Richard King in one of the rooms off Westminster Hall three or four years ago, so we have been down that road. As a result of that, my right hon. and learned Friend had meetings with more senior Revenue officials, who suggested that the matter should be taken up with Ministers. Therefore, it is unreasonable for Ministers to say that we should now go back to square one and talk to Mr. Richard King.

Mr. Timms: It really is not for Ministers to take views on the tax arrangements of individual taxpayers. The hon. Member for Arundel and South Downs (Mr. Flight) raised the same issue. If it were for Ministers to do that, we would spend all our time in Westminster Hall debating the tax affairs of individuals. There is a procedure for pursuing such matters, which should be used to resolve this matter. The Inland Revenue must apply its interpretation of the law to the tenants of the Land Settlement Association, as it has been applied to other taxpayers who have received compensation for loss of profit. Indeed, many of the Land Settlement Association tenants have already settled their tax liability on the compensation received on that basis. The right hon. Member for Suffolk, Coastal (Mr. Gummer) made it clear that, when the payments were made in 1991, it was the intention of Ministers at the Ministry of Agriculture, Fisheries and Food that the payments should not be taxable. As my hon. Friend the Paymaster General made clear in a debate last December, no change was made to the law, so the current law must apply to this case.

Sir Nicholas Lyell: I had a succession of meetings with Mr. King and a very intelligent young lawyer called Mr. Deeps Jaggi, with whom I worked when I was a Minister. We agreed that, because the Revenue had never had to face such circumstances before, it would have to go to Ministers. The point was subsequently taken, however, that it should not go to Ministers, which is why I went to see the head of the Inland Revenue personally. These matters are not covered by settled tax law and I have received many letters suggesting that the issue should be pushed away to the special commissioners. The Revenue can clearly exercise discretion, rather than transfer the issue to the special commissioners and perhaps to the Court of Appeal, with which the tenants have no money to deal. None of that process is settled law, so does it not require proper intellectual consideration by Ministers with senior tax officials and the head of the Inland Revenue?

Mr. Timms: The right hon. and learned Gentleman said that this was a matter that needed to be settled by

[Mr. Timms]

the Revenue and not by Ministers. I agree with that view. It is well established that compensation that is received for personal hardship is not liable to income tax, but that compensation for the loss of trading profit is taxable as trading income. The nature of compensation payments in out-of-court settlements depends on the terms of the settlement and on the pleadings.

I understand that the tenants received conflicting advice from professional advisers. Their counsel advised that no tax would be payable, but I understand that their accountants advised them correctly and said that tax would be payable—a point that has not so far been made. It was unfortunate that that mistaken advice was given, but that does not mean that the tax charge should be waived. Equally, problems with payment are not grounds for waiving a tax charge, as other taxpayers face difficulties in paying tax. As there are difficulties in analysing each of the many claims for compensation and apportioning the award for each individual between taxable and non-taxable elements, the Revenue has offered a general compromise to settling the tax charge. Some tenants have settled on that basis, but others have not done so.

Tenants and their Members of Parliament have made representations saying that the circumstances of the Land Settlement Association compensation are unique and that no tax should be payable. There has been disagreement about the Revenue's view that a relevant tax case means that all the elements of the claim—loss of profit and distress—must be taken into account when deciding on the nature of the out-court-settlement. It has also been suggested that the tenants should be able to choose the approach that is most advantageous to them. In this instance, that approach would be to claim that the payment was wholly for distress. I understand that the Revenue's view is that the judge in the tax case accepted that a head of claim could be dropped before settlement but not afterwards. That means that both heads of charge must be taken into account in the LSA case. Of course, tenants who want to pursue their argument through the appeal process are entitled to do so.

Sir Nicholas Lyell: To what case is the Minister referring? I have not been told that a case has established that one part of the claim has to be dropped. Surely he is speaking merely about the Revenue's interpretation.

Mr. Timms: I do not have the details of the case with me, but I can ensure that the right hon. and learned Gentleman receives them. I must emphasise that Treasury Ministers do not intervene personally in the Inland Revenue's application of tax law or in its handling of particular cases, although it has been suggested that we should do so. If hon. Members reflect on what such intervention would mean, they will be much less enthusiastic. Ministers do not influence the way in which local inspectors settle specific cases. The Inland Revenue is independent from Treasury Ministers in applying tax law. That independence in administering the tax system must be scrupulously observed.

Mr. Paice *rose*—

Mr. Flight *rose*—

Mr. Timms: I shall give way first to the hon. Member for South-East Cambridgeshire (Mr. Paice).

Mr. Paice: This is a fairly crucial point. I speak for myself, but I suspect also for others. I understand that Ministers should not interfere in the tax affairs of individual constituents, but we are not talking about individual cases. To describe these cases as individual is to pick on a weak point—almost, it seems, in order to divide and conquer.

I am not a lawyer, but I believe that it could be called a class judgment. The court has to look not at Mr. Smith's and Mr. Brown's tax affairs, but at the entirety of cases, especially as they arose as the result of government action. It should not be a matter of individual inspectors dealing with individual taxpayers, but of an overall ruling to resolve the affair for that class of former tenant.

Mr. Timms: It is a matter for the Revenue to resolve on the basis of the law as it stands. It is for the Revenue to decide how the matter should be concluded.

Mr. Flight: Is it not the case that if there is some doubt about the law—my right hon. and learned Friend the Member for North-East Bedfordshire has made it clear that that is the case in this instance—the Inland Revenue will often concur with the Government on the interpretation to be followed? Indeed, my right hon. and learned Friend said that when he spoke to the head of the Inland Revenue, he was advised that it was for the Government to make a decision.

Mr. Timms: No, the hon. Gentleman is not right. Such matters are determined by the Revenue on the basis of its understanding of the law. The Revenue does not ask Ministers for their views.

Mr. Menzies Campbell: I am grateful to the Financial Secretary; he has been generous in giving way. When are Members of the House of Commons entitled to seek redress on behalf of their constituents if not on occasions such as this? The hon. Gentleman should have no difficulty in persuading us that Ministers should not crawl over the tax affairs of individuals, but an issue of principle that goes beyond the affairs of individuals is surely the sort of issue upon which Ministers should take a view.

Mr. Timms: The Revenue has to work in line with established law and case law, as set out in statute or as determined by the courts. It is not for Ministers to seek to push the Inland Revenue in a particular direction. Individuals who have a problem with the tax system have recourse to the commissioners and the appeal system. That has always been the arrangement. That is how such matters should be resolved.

The rules that the Revenue seeks to apply to the compensation received by the Land Settlement Association tenants are those that apply to other taxpayers who receive compensation. The tax system should be neutral. It should apply equally to all taxpayers. Disagreement about the meaning of tax law and its application to individual cases is a matter for the Revenue, not Ministers. The Revenue does not have policy discretion to ignore the application of tax law in certain circumstances.

As for concerns about the difficulties of paying a tax bill, tax collectors have some leeway to allow payment over a period if a taxpayer's personal circumstances justify it. I also understand the concerns about interest accruing on unpaid tax. As I said, the Revenue has agreed to consider that with the tenants to see whether some compromise can be reached as part of a settlement for the open cases. Again, I suggest that the tenants explore that with the Revenue.

I hope that agreement can be reached. I accept the strength of feeling expressed this morning, and I know that that reflects the concerns of the constituents of right hon. and hon. Members. However, if the Revenue's compromise offer or its view of the law continues to be disputed, the matter should go to the independent appeal commissioners and to the courts, to determine how the law should be applied.

Medicine Purchasing

11.24 am

Dr. Ian Gibson (Norwich, North): The internet has given millions of people worldwide access to medical information and products in unprecedented volumes. It is becoming increasingly evident that many internet sites do not conform to United Kingdom standards. There are more than 20,000 health-related websites, with an increasing number selling powerful drugs that would normally be available only on prescription in the United Kingdom. Other products on offer include over-the-counter medicines, and vitamins, minerals, functional foods and herbal remedies, for which medicinal claims are made. New developments based on genome research will not only increase the number of medicines available. In the future, techniques such as gene testing and genome sequencing will be offered directly to the public via the internet and the situation could thus become increasingly complex.

At present, 7 million or so people in this country have home internet access and 45 per cent. of the United Kingdom population has used the internet at least once. Those figures will almost definitely increase in the near future, especially with the wider availability of new devices such as digital television, WAP phones and the later computer games consoles, all of which offer internet access. In the United States it has been predicted that the domestic market for online health services will increase from $200 million in 1999 to $10 billion in 2004—a 50-fold increase. In recent months, Pharmacy 2U, the first United Kingdom online pharmacy, has been launched. Both the British Medical Association and the National Pharmaceutical Association have expressed reservations about such developments.

The Government have taken e-commerce on board as one of the key elements for the United Kingdom's future in trading development, with a target of bringing the entire nation on line by 2005. However, specific areas of e-commerce, particularly those related to public health, will need more stringent validation processes to prevent malpractice. The number of relevant sites is likely to increase in coming years, which gives rise to several concerns. Consumers who bought prescription drugs from unregulated online websites could bypass medical advice before and after purchase and thus be at risk from the adverse affects of inappropriately prescribed medications, dangerous drug interactions or contaminated drugs, not to mention the issue of confidentiality of medical information.

Customers in the United Kingdom can purchase goods from overseas sites, some of which provide no contact details. That is a matter of concern in the light of potential negligence. Internet users should also be aware that products with the same name may contain different ingredients in different countries and that countries may apply different laws on what medical products can be sold and shipped across national borders. That means that it is possible that products that are not approved for marketing in the United Kingdom, or which have been identified as a hazard to public health, may not be allowed into the country, if they are identified at entry. That would leave the customer without the option of reimbursement.

[Dr. Ian Gibson]

Obtaining a prescription drug by filling out a questionnaire and without seeing a doctor poses serious health risks. A questionnaire does not provide sufficient information to enable a health care professional to determine whether a drug is suitable, or whether another treatment would be more appropriate. It might not pick up an underlying medical condition that might make a drug harmful. An associated danger is that, once the questionnaire has been provided to the supplier, the customer has no control over the confidentiality of the records. A recent study by *Health Which?*, a Consumers Association publication, showed that some prescription drugs—Viagra and Xenical—were sold when, for medical reasons, they should not have been. That happened despite the fact that the information supplied in the questionnaires should have been sufficient to justify refusing the drugs. The research also highlighted the fact that in some cases the consumer could not gain access to information on the professionals who were in charge of issuing the prescription. One site was simply signed off in the name of "Your family doctor". In a society in which health professionals register with official bodies and accept an ethical and moral code of practice, that behaviour is surely unacceptable. Similar results were reported in a study carried out in the United States in 1999.

What can be done? The American Medical Association has issued guidelines for the development and posting of website contents to govern the acquisition and posting of online advertising and sponsorship, which will ensure site visitors' and patients' rights to privacy and confidentiality and provide effective and secure means of e-commerce.

In March, a 52-year-old man with a history of heart disease died in the United States of America after buying Viagra online. Following that, the Clinton Administration proposed an additional $10 million investment to target and punish those who engage in illegal drug sales over the internet. That strategy will establish new federal requirements for all internet pharmacies to ensure that they comply with state and federal laws. It will create new civil penalties for the illegal sale of pharmaceuticals and give federal agencies, including the Food and Drug Administration, new authority swiftly to gather information needed to prosecute offenders. It will also expand federal enforcement efforts and launch a new public education campaign about the dangers of buying prescription drugs online. The National Association of Boards of Pharmacy has unveiled its verified internet pharmacy practice sites programme, which provides consumers with valuable information about the credentials of online pharmacies.

In the US, the FDA has issued warnings about purchasing from sites outside US jurisdiction. In the United Kingdom, the Royal Pharmaceutical Society and the Medicines Control Agency have provided assistance to community pharmacists on commonly encountered aspects of the internet and e-commerce, such as confidentiality, encrypted data transmission, provision of professional advice, comprehensive information on products and home delivery of medicines.

The intrinsic nature of the web is the provision of worldwide services, which opens up fantastic possibilities for the consumer. However, that translates into obvious difficulties in the regulation of services provided. The fact that the content of web pages cannot be regulated shows that alternative measures for quality control must be put in place. Immediate ones could be the creation of a validation scheme for online health-related purchases through kite marking, guaranteed widespread access to a listing of sites and confidentiality of data.

Internet providers of health-related services should comply to quality standards, which should be the product of discussions between all the professional bodies involved, including the Department of Health, pharmaceutical societies, on-line businesses, consumer associations and so on.

While keeping consumer choice prevalent on the agenda, we must guarantee quality. The internet could be a powerful tool for delivering health care services. However, we should keep in mind the fact that guidance from the internet should not be used as a replacement for consultation with the consumer's health care provider. Guidance has been issued not only at a national level, but as a result of international attempts to provide the possibility of an informative choice to the internet user. That is true of the guide issued by the World Health Organisation in 1999. That was developed not only for consumer information but to serve as a model for member states to adapt into locally meaningful advice for internet users, to help them to obtain reliable, independent and comparable information on medicinal products.

Do consumers have easy access to those guidelines? The provision of internet links between health information sites, such as NHS Direct, as well as institutions governing aspects related to the provision of medicines, would facilitate access to safe online traders. At present, most attempts to regulate and validate such sites are at the initiative of the industry itself. For example, in the UK the Association of the British Pharmaceutical Industry is considering a paper on internet trading. Some work has already been done on advertisement of medicines on internet sites. Parallel to that, the first meeting between stakeholders will take place on Monday 17 July, which is next week, in the presence of the chief pharmacist and members of the RPS, the Proprietary Association of Great Britain, the Doctor Patient Partnership, the Royal College of General Practitioners and the UK on-line pharmacy Pharmacy 2U. It will be some meeting. The British Standards Institute has facilitated the meeting. However, Departments should take a proactive approach to promoting dialogue and regulatory initiatives.

In the light of those developments, will my hon. Friend the Minister outline the steps that her Department and agencies such as the MCA are taking to tackle those problems? Do they have any plans to take an active role in co-ordinating the various schemes being considered by the ABPI and other organisations?

11.34 am

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): I congratulate my hon. Friend the Member for Norwich, North (Dr. Gibson) on securing the debate. The electronic purchase of medicines is a matter of increasing concern, and I welcome the opportunity to respond on the issue. As my hon. Friend has said, use of the internet is increasing at a pace that few would have anticipated. There are now at least 12 million internet users, and that figure is growing daily.

Electronic commerce, or e-commerce, lies at the heart of the Government's vision of a modern, knowledge-driven economy in the UK. That is why we are planning to make Britain one of the world leaders in e-commerce by 2002. E-commerce can bring major benefits to the public by providing wider choice and easier access to a vast array of products and information. However, more information does not always bring benefits; we must make sure that the information is reliable. It also sometimes takes time for the law to catch up with new developments. I remember from my days as a law undergraduate how long it took contract law to catch up with the availability of telephones and then fax machines, for example. Development of the law and of technology should happen in parallel.

The increased use of e-commerce should be balanced with the provision of essential safeguards for consumers, and that is particularly important for medicines. The availability of medicines on the internet is underpinned by controls on their advertising, promotion and sale. Before my hon. Friend entered Parliament he had a distinguished academic record and he knows only too well the importance of relying on scientific advice and ensuring that what is offered to the public for sale is safe.

In recent months, there has been a rapid development of internet sites offering medicines for sale. It is easy to see how such developments can offer advantages to people who find that shopping medium more convenient and attractive, but safeguards must be in place. We recognise that medicines are not like ordinary items that can be purchased on the net, such as clothing, electrical goods and jewellery. Everyone who buys a medicine, through whatever medium, must have medication that is appropriate to his or her condition.

A well-established framework of domestic and European law, providing safeguards to the public, is already in place. In particular, medicines are categorised on grounds of safety into those that can be used with or without medical supervision. In the case of prescription-only medicine, a doctor's or dentist's prescription is required, which provides an important safeguard. In addition, prescription-only and pharmacy medicines must be sold under the supervision of a qualified pharmacist, on premises that are registered and inspected by the Royal Pharmaceutical Society. General sale list medicines provide convenient access for some products that safely provide symptomatic relief for minor conditions and they can be sold by any general retailer if the premises are lockable and the medicine is in an unopened manufacturer's pack.

In addition to those legal controls, there are professional safeguards. In the past year, the UK's first true internet pharmacy sites have opened. The Royal Pharmaceutical Society has published interim standards specifically for internet pharmacy which make clear that pharmacists selling medicines online must exercise precisely the same care in supplying medicines as their colleagues working in other locations. It is part and parcel of a pharmacist's role, in any setting, that they have sometimes to refuse to sell people medicine if, in their professional opinion, it would not be safe or right to do so. That is an important safeguard. The safeguards already in place make it an offence to sell, rather than buy, medicines inappropriately. We put the responsibility clearly on the supplier.

There has been debate within the retail pharmacy world about the rights and wrongs—for commercial and ethical reasons—of internet-based pharmacy. What is clearly emerging from that debate is that some pharmacists believe that they can offer a fully professional service, which consumers and patients will trust and want to use, on the internet. Further safeguards are provided by the controls, through British and European Community law, on advertising. Those completely prohibit the advertising of unlicensed and prescription-only medicines to the general public. Although non-prescription medicines can be advertised, there are restrictions on the advertising of medicines for certain serious conditions. Those regulations apply as much to the internet as to any other medium.

The rapid development of e-commerce has encouraged, in parallel, an equally rapid development in electronic advertising and promotion through a variety of websites. That challenges the existing European legal framework, which was negotiated and implemented in the late 1980s when e-commerce and the use of the internet by European Union citizens was in its infancy.

The growth of e-commerce has prompted the European Commission to review the existing legislative framework. The United Kingdom is playing a leading role in the review, as a leading player in e-commerce and the internet. Our input will take account of the discussions that the MCA is having with other regulators involved in advertising control, industry and consumer groups. We will not ignore the agency's public health responsibilities while the European review of advertising and e-commerce is under way.

Our plan is not to limit the availability of useful information about medicines. We want to encourage the provision of good quality information and health care to consumers. Existing law already permits the provision of health information and the internet can play a leading role in that. For example, the right remedy campaign this winter empowered the patient by making more information available. The Government have told people clearly that there are many sources of advice, including pharmacists and NHS Direct.

As part of the Government's "Information for Health" strategy, a programme of work is in place to give public, patients, and health care professionals access to NHS accredited sources of information. That information comes not only from the NHS but from patient groups, from which people can learn about long-term conditions. However, we recognise our responsibility, and a source that has an NHS label is reliable and has been tested. Such information can make a significant contribution to ensuring that medicines are taken safely and effectively.

The hon. Gentleman must be aware of the telephone help line, NHS Direct. Last December, the Prime Minister launched NHS Direct online, which represented an important step towards making accredited information available on the internet.

[Ms Gisela Stuart]

Experience gained from the help line is transferred to the online service, which is one of the most popular and best regarded health websites in the United Kingdom and provides a gateway to accredited information on the internet. Sex, religion and health are the three most searched-for areas on the internet. There is a lot of information about health, but some of it is extremely unreliable. The online service provides links to several hundred accredited sources of information on the internet and other formats. Users can feel confident that the information that they access will be reliable and of good quality.

I come now to the question of enforcement—the criminal investigation of alleged breaches of medicine regulations that can lead to prosecutions in the criminal courts. If a defendant is found guilty, the maximum penalties are two years' imprisonment and/or an unlimited fine. Powers also exist, and are used, to confiscate assets and seize and destroy products.

That work is also carried out on behalf of Ministers by the MCA's enforcement group, which is a team of highly trained and experienced investigators. The MCA works closely with other enforcement agencies here and overseas. In particular, the MCA has close ties and workings with the Food and Drug Administration's Office of Criminal Investigation, which investigates internet crime related to pharmaceuticals. My hon. Friend referred to the Clinton Government's initiative aimed at effectively controlling and policing the internet. We were pleased that that initiative was backed up by a substantial financial commitment. That is important, as about 75 per cent. of overseas websites potentially advertising prescription-only or pharmacy medicines in the UK are based in the USA. As such a close link exists, it is important for us to work together. The MCA's enforcement arm is also accredited to the National Criminal Intelligence Service. The MCA has an impressive track record and is recognised as a world leader in the successful investigation of pharmaceutical crime.

In response to the growing significance of the internet, the MCA has set up a special unit within its enforcement group whose work is to investigate possible breaches of regulations on the internet. Officers have received special training in web search techniques and investments have also been made in search engines and other specialist equipment that may be required. As a result of their investigation, action has already been taken against a number of websites that have been in breach of the law. Those breaches have involved both licensed and unlicensed medicines. Some websites have been closed down, while others have had to amend their web pages to comply with the law.

In the case of subversive, covert or apparently deliberate criminal acts, the MCA may attempt enforcement immediately through the criminal courts.

I assure my hon. Friend that mechanisms and the legal framework already exist to ensure that the interests of public health are met.

When the business is located in the UK, direct action by the MCA is relatively easily achieved.

Dr. Gibson: Is my hon. Friend aware of how many such prosecutions there have been? Has there been one or more?

Ms Stuart: There have been a couple of prosecutions, and several are in the pipeline. I would be happy to provide my hon. Friend with precise figures. It is important to recognise that those who attempt to subvert often do so opportunistically, so the threat of action, or simply the process, often displaces them.

What happens when, as is not unlikely on the internet, the perpetrator is abroad? The market is increasingly becoming global. Although our experience is that there is often a UK base or business presence in the UK of some description, the perpetrator is more frequently an opportunist trader—a criminal seeking to make easy and quick money and evade the law.

In such situations we can and do seek the assistance of colleagues in other countries. In 1999, senior pharmaceutical law enforcement officers from 12 countries met in Ottawa and set up a permanent body known as the International Forum on Pharmaceutical Crime to foster the coming together of enforcement groups from different countries to enforce pharmaceutical law. The MCA was asked to provide support and act as a co-ordinating point for the forum's work, and was glad to do so. High on the list of the forum's policy objectives is a strategy for developing practical enforcement measures against criminal activities on the internet involving pharmaceuticals. As crime and illegal activities become increasingly international and use the most modern technology it is necessary to work in a co-ordinated fashion.

I assure my hon. Friend that we are committed to maintaining and developing existing enforcement capabilities so that, where the protection of public health requires it, the full weight of the law can be brought to bear swiftly and effectively.

What is the driving force behind e-commerce, making the internet available and providing information? We have no problem with the use of e-commerce; indeed, we encourage it. We want people to trade on the internet, and take the opportunities that it provides. However, as I said at the outset, medicines are a different matter. Consequently, we have placed specific responsibilities on suppliers. As a Government, we must ensure that the framework that we end up with is one that protects our citizens, provides them with reliable information, and, furthermore, provides them with the means to establish whether information is reliable. NHS Direct and NHS Direct online have been significant developments in that regard. In the light of rapid technological developments in the marketplace, the legislative framework must be examined to ensure that it meets the needs of the public and, in particular, strikes the correct balance between patient empowerment, ease of availability of medicines and adequate protection of public health. However, as I explained earlier using the analogy of contract law, it can take a long time before the legal framework is right.

It is also important to recognise that the process is evolutionary, in which, especially in light of the international dimension, we work with the other agencies involved to create a system that will not allow evasion or create loopholes or conflict and will co-ordinate action. I hope that my hon. Friend will be reassured that we are including in the strategy not only stakeholders and the pharmaceutical industry but, more important, patient groups, because ultimately the failure or success of the strategy will be judged by whether patients have been adequately protected. It is on that basis that negotiations proceed.

I assure my hon. Friend the Member for Norwich, North that we are committed to striking the right balance. Effective regulation, enforcement and the provision of good-quality information are crucial to realising that aim. I am deeply grateful to him for having raised the issue. Something makes me feel that this may not be the last time that we discuss the issue in the House.

Fire Services (Shropshire)

11.50 am

Mr. Christopher Gill (Ludlow): There is great unhappiness and no little dissatisfaction in Shropshire following the decision to replace two appliances with a single appliance at five retained fire stations. The dissatisfaction in my county springs from the fact that the nature of the decision is not readily accepted. People are dissatisfied about the unsatisfactory way in which the consultation was carried out and about the underlying reason for the decision, which is the inadequate funding in our county. I shall deal with each of those points in turn.

The decision is almost universally opposed by Shropshire residents living in parts of the county that rely on retained fire service men. Six of the largest parish councils in the eastern part of my constituency—Alveley, Claverley, Chelmarsh, Cleobury Mortimer, Highley and Stottesdon—not to mention Bridgnorth town and district councils, have all voiced their strong objections, for sound and practical reasons.

The area covered by Bridgnorth district council is divided by the River Severn—which I am sure that the Minister will recognise as one of Britain's largest and most important rivers—with crossing points only at Bridgnorth itself or downstream at Bewdley in the adjoining county of Worcestershire. It follows, therefore, that simultaneous fires in Alveley, on one side of the river, and Highley, on the other, would, although those places are fewer than 2 miles apart as the crow flies, necessitate a road journey of about 15 miles by the northern route, or 19 miles by the southern route. In neither case would the bypasses at either Bridgnorth or Bewdley be accessed, because the road to and from Highley does not connect with the bypasses, but runs directly into each of the town centres.

As a result of reducing the number of fire appliances at Bridgnorth from two to one, calls on the single engine at Cleobury Mortimer are almost bound to increase. However, difficulties in recruiting suitable fire fighters in that town are already causing major headaches. A further practical anxiety is that, in the event of an incident in the area that requires the attendance of two appliances, one of the adjacent areas will inevitably be left without cover for the duration.

My constituents have many other, equally valid, practical objections to the proposals. For example, the eastern part of my constituency faces the additional hazard of fires started in dry weather spells by the steam engines that power the Severn Valley railway, which is an important tourist attraction in my constituency. Time prevents me from detailing all their other practical objections.

I come now to the vexed problem of the consultation process. Four consultation meetings have been held, the last one being in Bridgnorth on 8 June. However, on 24 March the chairman of Shropshire and Wrekin fire authority wrote to me and said:

> Thank you for your letter...regarding the Fire Authority's proposal to replace two appliances with one at a number of retained stations...The new appliances were ordered some considerable time ago, and are scheduled for completion in April/May this year.

[Mr. Christopher Gill]

Not only are my constituents angry that the consultation meeting was held after the decision had already been made, but they are incensed that the only people admitted to the meetings were the so-called stakeholders. The general public were specifically excluded from them.

The nub of the matter is the inadequacy of the standard spending assessment. My hon. Friend the Member for North Shropshire (Mr. Paterson) put it in a nutshell when he wrote to the Minister. He said that the Shropshire budget for fire services was £12.5 million, but that the SSA for this year was £8.5 million. He added that Shropshire was therefore underfunded by 47 per cent. and that the £4 million shortfall must be taken out of other services provided by the Shropshire county council.

To put it another way round, the standard spending assessment for fire services in Shropshire at £20.58 per head of population is the third lowest of all counties in England—a mere 63p above the lowest figure, but nearly £8 per head less than that of the highest. If Shropshire had achieved even the average of all English fire authorities at £28.17 per head, the SSA would almost exactly match the actual budget. We are asking for the same average deal as everyone else, as a result of which there would be sufficient funds for us to provide an adequate service throughout the county.

Mr. Owen Paterson (North Shropshire): Is my hon. Friend aware of the real anger that the funding problem is causing in Whitchurch and Market Drayton, which will also be cut back to one pump? People contrast the £22.2 million that Cheshire receives and the £21.9 received by Staffordshire with the £8.1 million received by Shropshire. The formula is wrong.

Mr. Gill: My hon. Friend is absolutely right. The formula is wrong and it has been for a long time. What depresses me and my constituents, however, is that the Government have recently made it known that there is unlikely to be any change to the formula for determining such matters for at least another three years. That, taken together with the fact that, for the past three years we have been at a standstill in terms of any alteration to the formula, means that, in effect, something that was wrong six years ago—sorry, three years ago—will still be wrong in three years' time.

The Government are fond of blaming the previous Administration on such occasions.

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): Will the hon. Gentleman give way?

Mr. Gill: Before I give way to the Minister, I want to say that the Government's excuse is wearing thin. The Labour Administration have been in power for three years and it is no use their looking backwards. The electorate in Shropshire want the Minister to look forward and to give us some hope for the future.

Mr. O'Brien: The hon. Gentleman referred to six years; he then paused and referred to three years, which is the time that the Government have been in office. But he supported a Government who, according to his argument, caused Shropshire to be severely underfunded. How did he justify that, and why, now that we have a different Government, does he want to change the standard spending formula that he previously supported?

Mr. Gill: I have never supported the formula. I am on the record in the House as having voted, together with the former Member for North Shropshire, against the revenue support grant settlement in the previous Parliament. I am a long-term opponent of the formula. My point about the three years and the three years is that the Govt have not altered the formula. They recently announced that they are unlikely to do so for the next three years. That is a period of six years during which time the residents of Shropshire will continue to be disadvantaged.

I agree with my hon. Friend that the formula is wrong. It gives Shropshire a bad deal on just about every count. Shropshire is almost bottom of the league for the funding of police, health, social services and almost everything else. It is self-evident that that is a result of the funding formula. The Minister does not have a point when he says that I have supported the formula. I am on record as being absolutely opposed to it and pleading with this and the previous Government to effect changes that would produce a more equitable solution for my constituents.

In the final analysis, what emerges is that the intention to downgrade the number of appliances at five fire stations from two to one is driven by economics. Our county's inadequate budget means that the fire authority is forced to make cuts wherever it can. Many of my constituents question the rationale of cutting back on the retained sector, which is extremely cost-effective. The current proposals will realise a saving of less than 1 per cent. of the budget, but will result in a massive 15 per cent. reduction in capacity. If we reduce the number of fire engines from 33 to 28, it follows—this is fact not opinion—that the availability of fire engines to fight fires in emergencies in Shropshire will be reduced by 15 per cent.

Furthermore, the fire authority was obliged by law to stage a consultation exercise which, in the circumstances, was nothing more than a charade. The general public are fed up and disillusioned with being invited to participate in a plethora of consultation exercises when it is increasingly plain that the decisions have often been made. Either the outcome of public consultations should be respected or Ministers should have the courage to do what they have to do and take the electoral consequences. It is not satisfactory to govern on the basis that the Government consult on an idea that they have already formed knowing full well that, come hell or high water, they will not be distracted from their original intention. The public have to spend a lot of time and, in the case of local authorities, a lot of money responding to such consultations, when the answer is invariably a lemon.

No change in fire cover in any county can occur without the Home Secretary's formal approval. What will the Minister do? Will he take a chance with people's lives and property by endorsing the fire authority's proposals, or will he demand a re-examination of the funding formula so that fire service standards, set by his Department, can be adhered to? Before the Minister responds to the debate, I respectfully remind him that the buck stops with him. Rural Shropshire will not be fobbed off with lame excuses or any attempt to shuffle off ultimate responsibility on to others.

I remind the Minister—not as an afterthought because this is central to our consideration—of the importance of firefighters and the damaging effect that failure to come up with satisfactory responses will have on morale. There is a fear among retained firefighters in my constituency that, if the two fire appliances in Bridgnorth are replaced with one, there will be a lesser requirement for retained firemen, which will affect recruitment and morale in the fire service generally. Retained firefighters are an essential and highly valued part of our rural community. Without them, the Government would be faced with massively increased expenditure, not to mention recruitment problems.

I trust that, in his reply, the Minister will acknowledge the importance of the human dimension, but, as things stand, the proposals are opposed by the tax-paying public, the county, district, town and parish councils, the trade unions and, not least, the firefighters themselves. All that comes on top of a catalogue of complaints from the countryside, which were succinctly summarised by Mrs. Morris, the clerk to the Stottesdon and Sidbury parish council, who lists them as follows:

Reduction in policing
Removal of Accident and Emergency to greater distances
Downgrading of Kidderminster Hospital
Loss of village shops and post offices
Local pubs closing
Lack of rural transport
Fuel/taxation/vehicle running costs are rising
Schools struggling due to budgets
Roads deteriorating very badly
Unreliable SHROPDOC service
Planned reduction in fire service.

I hope that when the Minister responds to the debate he will give people in the countryside some hope that the one service for which he is responsible will not follow those other services in being run down to an unacceptable level.

12.7 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): As someone who also represents a rural area, and who is concerned about rural issues, I am pleased to note that, despite the many difficulties to which the hon. Member for Ludlow (Mr. Gill) referred, employment is increasing in rural areas. I am pleased that the hon. Gentleman has had the opportunity to raise his concerns about fire services in Shropshire.

Before I proceed, I am sure that hon. Members will want to join me in expressing our shock and sadness at the news of the very serious fire at Southgate near Telford on Sunday, when a mother and two young children died in a house fire. That was a serious incident, and I am sure that all hon. Members would want us to express our condolences to the surviving members of the family, their relatives and friends.

Mr. Bruce Grocott (Telford): I thank the Minister for that expression of regret and concern. As he rightly says, all hon. Members would wish to be associated with those remarks. That is an appalling tragedy and our hearts go out to the family.

Mr. O'Brien: That tragic incident reinforces the need for those of us in Government, Members of Parliament, the fire service and individuals to redouble our efforts to reduce fires and casualties in the home, and to treat that matter seriously, rather than as a political football. That is why, with the support of fire service interests, the Government are seeking to make a commitment to prevention as the first line of defence against fire, to develop a clearer vision for the fire service and to set out a clear strategy for the next 10 years with clear targets for improvements. We want to make progress in a way that can be measured against that commitment. To that end, we have publicly set a target of reducing the average number of accidental house fire deaths by 20 per cent. in the next five years.

I fully understand the importance that the hon. Member for Ludlow and his constituents attach to the quality of the fire service provided by the Shropshire and Wrekin fire authority. We have good reason to be proud of our fire service. In many ways, we have the best fire service in the world. It puts out fires. We can be grateful because, in some countries, there are substantial delays and other problems in fire services doing that job.

The fire service achieved consistently high standards of performance, often in difficult and hazardous circumstances. The high performance in responding to fire calls has been confirmed year after year by the Audit Commission. That body's latest figures show that, in 1998-99, the fire service nationally met attendance standards in responding to fire calls in 96 per cent. of occasions. In the Shropshire and Wrekin area, even that excellent performance was bettered—attendance standards were met in 97.6 per cent. of occasions. The fire service in that area has an extremely high standard and I am sure that it will do all that it can to retain it.

The ability to attend fires is influenced, among other factors, by the proximity of fire stations. A proposal from Shropshire and Wrekin fire authority is worrying the hon. Gentleman. The authority seeks to replace two pumping appliances at Ludlow fire station, which is in his constituency, and at Newport, Whitchurch, Bridgnorth and Market Drayton, with an extra large appliance that can carry nine staff. As the hon. Gentleman noted, the authority is consulting on the proposal, but has not yet made an application under section 19 of the Fire Services Act 1947. That application will not doubt be made to my right hon. Friend the Home Secretary in due course. It would be appropriate for Ministers to express a view at that point. I am sure that the hon. Gentleman will understand that it is inappropriate and wrong for Ministers to express views on matters on which they will have to exercise a semi-judicial role before they are submitted to them.

I will be clear on the matter. The statutory responsibility for the provision of an efficient fire services rests with a fire authority. That is all about local democracy and local control of fire services. It is for Shropshire and Wrekin fire authority to keep its fire cover provision under review and to set a budget that allows it to meet its statutory and other obligations and, in particular, to provide a service that meets the national standards for fire cover.

[Mr. O'Brien]

I will come to finances, but I want to say more about the section 19 procedure. Under section 19(4) of the 1947 Act, a fire authority cannot reduce the number of fire stations, fire appliances or fire fighting posts without the express consent of the Home Secretary. The Home Secretary is given a specific statutory role, which he does not exercise until an application is made to him. Any wish that we express a view on the matter now would be inappropriate for that reason. The Home Secretary will grant an application only if satisfied that the proposals have been publicised sufficiently widely, in sufficient detail and with adequate time to enable an interested party to make representations. Recently, I referred back an application under section 19 because I was not satisfied about the extent of the consultation period.

I listened with great care to what the hon. Member for Ludlow said about the way in which consultation was conducted in this case. In considering such matters, I must also advise the Home Secretary on whether the fire authority has properly considered representations. That does not mean that the authority must do what the representations suggest: fire authorities are there to exercise judgment about the way in which they can best manage their budgets and provide effective fire cover standards. Her Majesty's fire services inspectorate will also advise on whether the national standards of fire cover are being maintained. In listening to the representations made by the fire authority, we will also consider the opinions of Her Majesty's fire services inspectorate, to ensure that we have a view on whether there is a risk.

Whenever change in the fire service is proposed, someone shouts "Danger to lives." However, past changes have not caused perceptible danger to lives. The debate appears to revolve around every single section 19 application. That is why the Home Secretary always relies heavily on the advice given by Her Majesty's inspectorate of fire services, which has great experience in assessing whether national fire standards are being maintained and protected.

Mr. Gill: I have been paying attention to the Minister's remarks, but does he accept that what the fire authority wants to do in Shropshire is driven principally by economics? We cannot consider the matter in isolation and say what we would like or what we need accordingly. Instead, the fire authority has to cut its cloth according to its pocket, and it will probably have to cut a lot of corners on public safety to do so. Ultimately, the buck stops with the Minister.

Mr. O'Brien: There is no question but that the Home Secretary will have to make a decision—I will consider the papers and advise him on it—on whether to grant the fire authority's application. However, it is for the authority and not for the Minister to make the initial application, set out the procedures and comply with the requirements for appropriate consultation. This country has a tradition of local control of fire services.

The hon. Gentleman also mentioned funding. Every single public service that I know of requests greater funding, and taxpayers often balk at the idea that they will have to pay more tax in order to provide it. There is always a balance to be struck. The hon. Gentleman's constituents will want to know that the fire authority is spending their hard-earned money in order to deliver value for money in fire cover. It is right and proper for taxpayers to want to know that the fire authority is exercising care in deciding how to spend its budget. It is spending taxpayers' money—funds that are provided by those who work in the hon. Gentleman's constituency and in the surrounding area. They want value for money and it is right that the fire authority should consider that in taking any decisions. It is also right for those constituents to want to ensure that their homes are safe and that proper and effective cover is in place. That is why the Government take great heed of the experienced voice of Her Majesty's inspectorate of fire services.

Mr. Gill: Does the Minister recognise that every taxpayer in Shropshire is obliged by law to pay the same rate of taxes as people in other parts of the country? Our complaint is that, out of every pound that we pay to the Treasury, we are getting back less pro rata than many other counties, including that of the Minister. In his own county of Warwickshire, for example, the SSA per head for fire services is nearly £3 more than in Shropshire. Surely, in equity, the figures should be balanced up and poor old Shropshire should not be bottom of the pile on every heading.

Mr. O'Brien: Warwickshire had serious problems in fire service funding under the previous Government. At one stage, the inspectorate was about to declare it unable to continue to operate. It is now in much better financial shape and we are providing a better settlement for the fire service than has ever before been achieved. The distribution of funding is based on the standard spending assessment formula that we inherited from the previous Administration. We consulted on that after we came to office in 1997. When a funding formula is changed, there are winners and losers; the hon. Gentleman obviously hopes that Shropshire will be a winner.

Mr. Gill: For a change.

Mr. O'Brien: I would hope that my constituency of Warwickshire, too, might benefit from such a change, but other hon. Members will be worried that their constituencies might lose.

We consulted on changes to the local government SSA formula, but we found that some local authorities did not want change. Later this summer, we shall publish a Green Paper to try to obtain local authority agreement on how to proceed. It is not simply a matter of the Government's issuing an edict. We need to discuss our proposals properly and democratically with those who represent local people. The Green Paper will set out proposals and options for change in the SSA.

We are prepared to tackle that issue in a way that the previous Government were not, but it requires some sort of consensus among local authorities. For entirely proper and legitimate reasons, the hon. Gentleman wants Shropshire to benefit, but other hon. Members will want to represent their constituents.

Mr. Peter Bradley (The Wrekin): I can think of at least one way in which Shropshire and Warwickshire could benefit from a reform of the SSA system. The Home Office recently announced a £15 million increase in police funding in recognition of the sparsity factor in rural areas. Can the Minister say how seriously he and his colleagues are reviewing the inclusion of an enhanced sparsity factor in the funding of fire services?

Mr. O'Brien: Yes, I can. I have met people from Shropshire and Wrekin fire authority who suggest that the fire service SSA formula should include a sparsity indicator. If, in the light of consultation on the Green Paper, we decide to continue with a formulaic method of distributing grants rather than a system that gives greater recognition to the individual council tax payer, we shall have to consider the priorities further with the Local Government Association.

One of the problems will be how to gauge a sparsity indicator. Earlier work suggests that taking such an approach for the fire service could cause technical difficulties that do not apply to the police. It might produce perverse results. We already have enough problems with SSAs producing perverse results by giving more to those fire services with a higher number of call-outs. That is almost an incentive for more call-outs to be received.

We shall need to consider that proposal in the Green Paper. We want to take perversity out of the system. We do not want to put perversity back in by including a sparsity formula in the SSA that does not work. It is a technical and complex issue. None the less, sparsity raises proper and legitimate questions. There is no simple solution. We need to reconsider the means by which we distribute grants. I hope that we shall be able to do that during the wider consultation that we hope to undertake later this year.

I am aware of the financial pressures faced by the Shropshire and Wrekin fire authority, and other authorities. Indeed, in May I met a delegation from the authority, led by my hon. Friend the Member for Shrewsbury and Atcham (Mr. Marsden), to discuss its concerns about funding. More generally, we listened carefully to fire authorities' concerns during the comprehensive spending review. That provided that fire authorities in England would receive, overall, an increase in the fire service element of total standard spending of £143.6 million over three years, including £47.4 million, 3.5 per cent., for 2000-01. That is well above the settlements that were given under the previous Government. We are listening carefully to the representations of the fire service. It will take time for us to undo some of the problems that we have inherited, but we are determined to try to deal with them.

Mr. Paterson: The Minister kindly wrote to me on 14 June suggesting that my proposed delegation of all Shropshire's MPs to visit him should be postponed until after publication of the Green Paper. I want to stress the intense hostility, in Whitchurch and Market Drayton, to the proposed changes, which are forced on the fire authority, as my hon. Friend the Member for Ludlow has said, by the failures of the spending formula. Will the Minister commit himself to accepting a delegation before a final decision is made?

Mr. O'Brien: I shall certainly see a group of MPs—it might be appropriate to see the chief fire officer and chairman of the fire authority as well—before a final decision is made. I have no problem in giving that undertaking.

I have mentioned already that the increase in funding for 2000-01 was 3.5 per cent. as a national average. Shropshire and Wrekin's share of total standard spending for the fire service for 2000-01 has increased by the above average 4.4 per cent. That increase should be seen in the context of the firefighters' pay award of 2 November, but the Government have recognised the problems of Shropshire. We have acknowledged them in the funding for Shropshire, and provided extra help. I do not deny that there are inherited problems, which remain serious. I hope that we can tackle those in the long term, by considering the standard spending assessment overall so that we can deal with the wider problems of counties such as Shropshire, and in the shorter term, in dealing with the section 19 application when it is made. We should look at the question in the round.

I assure the hon. Member for Ludlow that no decision will be made that will put at risk the lives of people in Shropshire. Her Majesty's inspectorate of fire services will advise the Home Office on whether there is a risk to lives. Our clear position is that we do not put lives at risk. Sometimes difficult judgments must be made, but if Her Majesty's inspectorate advises us of a serious risk to lives, the relevant application will not be approved. However, if the advice is that the matter concerns redistribution and doing things differently, we shall, while others may take a different view, weigh heavily the views of those who have great experience and knowledge about the risks of fire.

I hope that I have provided some reassurance. I thank the hon. Member for Ludlow for initiating the debate, which concerns matters of great importance. I shall consider them very carefully when the section 19 application and the future funding of the fire service in Shropshire are considered.

Social Summit, Geneva

12.28 pm

Mr. Tony Colman (Putney): I declare an interest. I chaired the Low Pay Unit from 1988 to 1998, I am trustee of the Daycare Trust, and I am parliamentary representative on the executive committee of UNED-UK, for which I was nominated by Globe UK, of which I am the vice-chair.

I thank Madam Speaker for allowing this Adjournment debate on the conclusions of the UN social summit, the 24th special session of the General Assembly, entitled "World Summit for Social Development and Beyond: achieving social development for all in a globalising world", which was held in Geneva in June. It is a plus five UN conference, following the pattern of the UN subject-specific conferences that followed the Rio conference of 1992 on development and the environment.

The first social summit was held in Copenhagen in 1995 and I was present as a delegate representing local government. In 2000, I was a non-governmental organisation delegate on the UNED-UK delegation. I was pleased to discover that the Minister for Employment, Welfare to Work and Equal Opportunities, the right hon. Member for Dulwich and West Norwood (Ms Jowell), was leading the Government delegation. The summit looked back on what had been achieved in social development over the past five years, as well as looking forward to the UN development targets for 2015. The Minister laid a well-received emphasis on UK domestic policies in her address to the plenary session. It was an example of a developed country reporting on what it had done to deal with poverty rather than lecturing developing countries on what they must do. I am proud of our policies on the new deal, child care, the working families tax credit, the minimum wage, and so on. In contrast, Baroness Chalker, the leader of the delegation in 1995, completely ignored the subject of poverty in the UK.

The UK national report, dated December 1999 and presented to a UNED-UK conference in March 2000, has been widely welcomed, especially as a statement of intent. I particularly commend to hon. Members the social indicators in annexe 1. Will the Minister tell me when the first statistical series will be published to measure progress and the House given a chance to debate them? The only criticism of the report is that civil society in the UK was not involved in the analysis or conclusions before its publication. If the Government are almost to prescribe that civil society be involved in developing countries' Governments' reports on progress on social development, it is important that the Government should operate in the same way in the UK. I am always told that third-party endorsement is much the best.

The conference was attended by more than 7,000 people and some 160 Governments were represented. The UK report stood up well in comparison with progress elsewhere. The summit called for, among other things, the number of persons living in extreme poverty to be halved by 2015; the achievement of free, universal primary education by 2015; the avoidance of unilateral measures affecting the health and well-being of women and children, and greater steps to ease the debt burdens of developing countries. In opening the special session, Secretary-General Kofi Annan called for an end to extreme squalor, which he said was

> an affront to common humanity.

He also said that no country could be called truly prosperous so long as many of its citizens were left to fend for themselves in the face of ignorance, hardship and disease.

Plainly, improvement since 1995 has been slight. The Oxfam report "Missing the target: the price of empty promises", available on its website, clearly sets out the failure of the international community. Controversially, at the beginning of the conference, a review document, "2000: A Better World for All", was jointly published by the UN, the World Bank, the IMF and the OECD. It was controversial because many non-governmental organisations felt that the UN should not be so directly associated with the other institutions. I disagree; the UN needs to ensure that those institutions works with it and are tied into the UN agenda. Furthermore, the factual analysis, which was not challenged by the NGOs, showed that while significant improvements are taking place elsewhere, many countries in Africa need special help—a message that was reiterated in the conference outcomes.

The document, "Voices of the Poor: Crying Out for Change", which was launched at the conference, was badged as being by the World Bank, but is in fact a co-production with the Department for International Development. It is a part of a series that started with "Can Anyone Hear Us?", published at the beginning of the year, and will end with "From Many Lands", which will be published at the end of the year. In the series, a poor man from Adaboya in Ghana is quoted as saying

> Poverty is like heat; you cannot see it; you can only feel it; so to know poverty you have to go through it.

We all need to be reminded that sustainable social development can be achieved only by building from the bottom up, not the top down.

In a lengthy final document, the summit reflected concerns that had come to light or assumed greater prominence since the 1995 social summit in Copenhagen. In reaction to the Asian financial crisis, measures were recommended to assist in warning about, preventing and mitigating the effects of sudden international financial flows. Steps were called for to help countries in transition to market economies preserve and enhance basic social services and link up with global markets.

The final document, completed after the session was prolonged into a Saturday meeting, urged the reallocation of resources from excessive military expenditures to social programmes in response to the debt problems of middle-income developing countries. It also urged efforts to refrain from using food and medicine as tools for political pressure.

The conclusions in the outcomes document run to nearly 100 pages. I cannot discuss all the points, but they are on the website, which is www.un.org/socialsummit. The document consists of three parts. Part one contains a ringing political declaration on the centrality of more equitable, socially just and people-centred societies. Part two is an update on the five years since Copenhagen, and part three contains 160 paragraphs on new initiatives in the 10 Copenhagen commitments.

The 10 commitments were to create an enabling environment for social development; to eradicate poverty; to promote full employment; to promote social integration; to promote full respect for human dignity and ensure that equity and equality are fulfilled; to provide education and access to primary health care for all; to accelerate development within Africa and the least developed countries; to ensure structural adjustment programmes to include social development goals; to increase resources; and to promote co-operation to deliver social development. I have paraphrased what is said more eloquently in the outcomes document.

What does the Minister think about the new initiatives? Commitment one is to enhance partnerships with business, trade unions and civil society at a national level in support of the goals of the summit. How do the Government plan to enhance such partnerships? Commitment three is to promote the goal of full employment. I am pleased that the Minister, who was present at the conference, announced that the Government will support the convening of a world employment forum by the International Labour Organisation in 2001, and that they have now ratified all the core ILO conventions, including ILO convention 182 on banning the worst forms of child labour. Well done. Can that be publicised, especially in terms of the ethical trading initiative? I have read nothing of it in the press. While I deplore overspinning, the matter has been underspun.

Commitment four is to promote social integration. Will the Government

> facilitate the contribution of civil society organisations to relevant international forums?

That is a quotation from the document. It was disappointing that the United Kingdom delegation did not include civil society. The Trades Union Congress and NGOs asked to participate in the delegation, but apparently were too late.

Can it be a basic rule for all United Nations conferences that standard invitations go to business, trade unions and non-governmental organisations, which then nominate at least one representative to the delegation? This time, the UK delegation had none. Having said that, I thank the officials and the Minister for the courtesy that they extended to the representatives of NGOs who separately attended the conference.

Commitment five concerns equality and equity between women and men, and it reiterates a call for the gender mainstreaming of all social development policies. That has recently been dealt with in detail at the five-year review of the World Conference on Women, Beijing plus five, which was held in June. The document also calls on Governments to

> consider signing and ratifying the optional protocol to the convention on the elimination of all forms of discrimination against women.

The UK Government have fought hard for the optional protocol at international level, so when will Ministers sign and ratify it? In promoting social integration, will the Government support the Second World Assembly on Ageing, which will be held in Spain in 2002?

Commitment six concerns education for all. Following the World Education Forum in Dakar, do the Government commit to their part in the $8 billion additional support for increased development assistance and debt relief for education and health care for all? A successful side meeting of the World Trade Organisation on intellectual property rights took place at the same time as the social summit. What actions do the Government intend on public-private partnerships to invest in research aimed at finding affordable remedies for diseases that especially afflict people in developing countries? That is a new commitment over and above that relating to HIV/AIDS.

In relation to commitment seven to accelerate development in Africa and the least developed countries, will the Government comment on the commitment to raise Overseas Development Administration funding from 0.15 per cent. to 0.2 per cent. of GNP for those countries? It was good that Ireland promised to be the sixth country to reach the overall UN aid target of 0.7 per cent. of GNP, and announced an immediate increase in order to reach that goal. I hope that the Government's comprehensive spending review will show similar commitment. It is equally important to ensure that ODA funding goes to the least developed countries. How are we measuring up to the 0.2 per cent. target for least developed countries? Are the Government working on the 20:20 initiative, in co-operation with civil society, to ensure access to basic social services for all in the countries of the world? I do not expect the Minister to have answers to all of those questions available now, but I look forward to his written replies.

Commitment nine would significantly increase the resources allocated to social development. I would like the Minister to respond in relation to that today. He may have a copy of my letter to the *Financial Times* of 6 July and my early-day motion 920 on 3 July, in which I celebrated moves at the summit to investigate the Tobin tax. The alternative social summit, which was held by NGOs the week before, concentrated on debt relief and the Tobin tax. Adjournment debates on the matter have been held in this Chamber this year, and parliamentarians all over the world are supporting the investigation of a Tobin tax.

The Canadian delegation took the lead at the summit by tabling a call for such an investigation, while the EU delegation, including the UK, supported it. Paragraph 111 emerged at the end of the negotiations. It states that the Governments agree to conduct

> a rigorous analysis of advantages, disadvantages and other implications of proposals for developing new and imaginative sources of funding, both public and private, for dedication to social development and poverty eradication programmes.

Therefore, a study will be authorised, without dissent by the member countries of the UN, into a currency transfer tax—the Tobin tax—and other potential sources of revenue for social development. The form of words in paragraph 111 was agreed as a compromise that will enable a broader study. The Canadian delegate spoke at the final plenary, partly to say explicitly that the intention behind the paragraph is that a study of the currency transfer tax should be made.

Clearly, that could be the start of more effective global public management of the international financial system. Given that the UK, through the EU, supported an investigation of the currency transfer tax, what does the Minister believe is the first step in such an investigation? What do the Government intend to do?

[Mr. Tony Colman]

Will they work with the EU on proposals for the high-level intergovernmental event on financing for development, which will be held in 2001? Could a paper be tabled before Parliament before that event to enable a full parliamentary debate to take place? Do the Government intend to consult with financial institutions and academics—and NGOs, especially the Association pour la Taxation des Transactions Financières pour l'Aide aux Citoyens and War on Want—on the advantages, disadvantages and other implications of a Tobin tax?

The Government may want to comment on other proposals under commitment nine—international co-operation in tax matters; methods for dividing the liability of multinational corporations to pay taxes on profits among the various jurisdictions in which they operate; ways to combat the use of tax shelters and tax havens; mechanisms to stabilise commodity export earnings; ways to prevent tax avoidance and promoting treaties for avoiding double taxation; exploring ways and means to increase and widen flows of public and private financial resources to developing countries; and, promoting the micro and small enterprise sector. Another crucial mechanism is, of course, the heavily indebted poor countries initiative, as well as achieving the important goal of allocating 0.7 per cent. of GDP to the ODA.

I have dealt with new sources of finance at length because developing countries feel betrayed in that regard. Few countries have equalled the UK Government's real terms increase of 29 per cent. in ODA funding since 1997. Neither debt relief, aid nor trade is enough. A global taxation arrangement is necessary to provide the resources that will ensure that poverty is eradicated around the globe.

Commitment 10, which deals with promoting a partnership framework for delivering social development, lacks clarity on the way forward. Can the Minister tell us about any proposals tabled at the Economic and Social Committee of the European Union for following up this summit and the other plus five summits? The summits need to be drawn together, at least to ensure co-ordination of resources for agreed targets. The social summit covered the full range of world interests, with the exception of the environment. Does the Minister consider that there is a case ahead of Rio plus 10 and the 2002 summit for bringing together the Commissions on Social Development and Sustainable Development, so that their yearly focus is together rather than separate?

The outcome under paragraph 126 of the document is to

> invite parliamentarians to continue to adopt legislative measures and to expand awareness raising, necessary for implementing the commitments of the World Summit for Social Developments and the further initiatives contained in the present document, and encourage the contribution of the IPU in this effect.

At the summit, the Inter-Parliamentary Union held a well-attended event at the ILO to review social security provisions throughout the world. Parliamentarians for Global Action held a separate one-day conference at the World Economic Forum on Social Development, with the noble Lord Paul of Marylebone as a key speaker. I understand that there is an intention to hold a joint World Trade Organisation and Inter-Parliamentary Union conference in February 2001 to examine the basis of a new development round. Clearly, parliamentarians throughout the world wish to support Governments who want to ensure that social development succeeds for all the people. We are the full representatives of civil society through the ballot box and we know that our voters want action. What action do the Government intend to take in response to the conclusions of the World Summit for Social Development?

12.45 pm

The Minister of State, Foreign and Commonwealth Affairs (Mr. Peter Hain): My hon. Friend the Member for Putney (Mr. Colman) is an excellent parliamentarian. I know that, because he is my Member of Parliament. I thank him for providing me with the opportunity to discuss the follow-up to the World Summit for Social Development. I welcome the special expertise that he has brought to the debate and the energetic way in which he is following matters through, which is extremely helpful to both the House and the Government. He has identified the importance of such issues.

As the Foreign and Commonwealth Office is the lead Department in the process, I have pleasure in replying to the debate. My right hon. Friend the Minister for Employment, Welfare to Work and Equal Opportunities addressed last month's special session of the UN General Assembly entitled "The World Summit for Social Development and Beyond: achieving social development for all in a globalising world". She emphasised the Government's determination to ensure that the wealth and opportunities created by globalisation are used to reduce global poverty.

Before turning to some of my hon. Friend's specific informed questions, I shall comment on the Copenhagen process more generally. The declaration and programme of action agreed at the World Summit for Social Development in Copenhagen in 1995 provided a clear framework for all countries to develop policies to promote social justice and to combat poverty. For the first time, agreement was reached on the importance of economic and social policies being mutually reinforcing. Economic growth, opportunity and fairness go hand in hand. An economy in which a significant proportion of the population is unable to fulfil its potential will be poorer and less productive. Stable and sustainable pro-poor economic growth and sound social policy are crucial in combating poverty.

We have worked hard to promote economic growth and social justice, both at home and overseas, in line with the commitments made in Copenhagen. Our ambition is for everyone in all countries to have the opportunity to make a contribution, to work, to learn, to enjoy the benefits of economic prosperity and to participate in community life. Although British society is rich in its diversity, not all of our citizens have always had the opportunity to maximise their potential and contribute to society. Economic growth, together with effective policies to help people into work, make work pay and raise skills through lifelong learning, have formed the basis of the Government's strategy to further social development at home.

Last September, in a document "Opportunity for All", we committed ourselves to increasing opportunity, tackling the root causes of poverty and investing in individuals and communities. We also identified a range of indicators against which progress could be monitored on income, employment, education, health, housing, pension provision and fear of crime. Our strategy is producing encouraging results. The number of those in employment has increased by more than 900,000 since the general election and long-term unemployment has been cut by half since May 1997. The proportion of children in workless households has fallen from 20 per cent. in spring 1994 to 17.6 per cent. in spring 1999. Furthermore, budget measures will lift 1.2 million children out of poverty by next year.

The Government have also demonstrated their commitment to promoting the goal of full employment agreed in Copenhagen five years ago. Our approach can be summarised as, "Work for those who can, security for those who cannot." Our policies and initiatives were designed to move people from dependence to independence. The new deal programme is the United Kingdom's largest ever investment in work. At its heart lies the simple proposition that the vast majority of workless people have the potential to earn their own living but, in the early days of going back to work or becoming self-employed, both employee and employer need positive help. The acquisition of new skills is essential for preventing poverty and social exclusion. For those out of work, the new deal provides access to a wider range of job opportunities and a route back to employment; for those in work, it provides a way of meeting changing job demands, finding greater job security and improving incomes.

The achievements of the new deal have been impressive. It provides intensive and substantial support for young people, the long-term unemployed, lone parents, people with disabilities, older workers and partners of unemployed people. Unemployment is much lower as a result of the new deal and employment is at record levels, with 27.78 million people now in work in the United Kingdom. That figure represents 74.3 per cent. of the working age population.

The Government have a legislative framework to promote social inclusion and increased opportunity for all. The Human Rights Act 1998 incorporates fundamental rights and freedoms in the European convention on human rights into United Kingdom law. That safeguards our basic liberties in law as enforceable rights and will help build a culture of respect for rights and responsibilities throughout the country. The Crime and Disorder Act 1998 introduced new statutory offences for racist crime and placed a new statutory responsibility on local authorities and the police to reduce crime and disorder. Those Acts, and part IV of the Family Law Act 1996, are also important in strengthening measures to prevent violence against women.

In our international development work, to which my hon. Friend referred, the eradication of poverty forms our central goal. There is no doubt that enormous advances in poverty reduction are possible over the next few decades. There are still massive obstacles to overcome but, with increased political will across Governments and civil society worldwide, the target of reducing by half the number of people living in extreme poverty by 2015 can be met.

The Government recognise that progress depends, first and foremost, on the efforts of developing countries themselves, but they can only succeed if the international community provides effective support. We have worked hard to mobilise the international community into purposeful, meaningful action, not least by continuing to push for debt relief focused on poverty reduction in heavily indebted poor countries. We are also working for a more collaborative and harmonised approach among donors, coupled with genuine ownership of the process by recipient countries.

Britain is committed to working for the worldwide observance of labour standards to uplift the poorest members of society. In June 1998, member states of the ILO unanimously adopted a declaration on fundamental principles and rights at work, which covers freedom of association, collective bargaining, the elimination of discrimination and the abolition of forced and child labour. By adopting the ILO declaration, countries reaffirm their obligations to respect, promote and realise those principles.

As I have outlined, Britain has made substantial progress in furthering social development at national and international level since the world summit five years ago. The aim of those gathered in Geneva last month was not merely to assess the progress made in meeting the Copenhagen commitments; Governments agreed that it was important to identify new initiatives that take account of developments over the past five years and enable a more effective implementation of the Copenhagen declaration and programme of action, as my hon. Friend has called for.

In her statement to the UN General Assembly, my right hon. Friend the Minister for Employment, Welfare to Work and Equal Opportunities emphasised that a key objective for Britain at the special session was the need to define principles to underpin social policy. National ownership is crucial for the development of any effective social policy, and it is imperative to take full account of regional and national differences. For that reason, the United Nations is uniquely placed to lead an exploration of the key aspects of social policy that are essential for economic development.

I am pleased to inform the House that agreement was reached in Geneva that the UN's commission for social development should set in hand an exchange of experience and best practices involving the UN itself, its specialised agencies and the international financial institutions. We look forward to seeing the results of that exercise, initiated by the United Kingdom, in the months to come. The special session to follow up the world summit for social development also reached consensus on several other new initiatives to enhance implementation of the Copenhagen commitment. UN member states reiterated their commitment to the target of reducing by half the proportion of people living in extreme poverty, and committed themselves to a target date of 2015.

In Geneva last month, UN member states also reached agreement on a strong reference to ratification of the core ILO conventions, which are essential instruments for protecting workers' rights, increasing social dialogue and ensuring respect for individuals. The General Assembly recognised the important part that

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businesses play in social development, and the need to encourage the private sector, as well as the public sector, to exercise its social responsibilities.

My hon. Friend asked several interesting questions, to which the Government will provide written responses in due course, and I shall arrange for those responses to be placed in the Library of the House of Commons. However, I shall deal with four of his points now. He mentioned a currency transaction, or Tobin, tax. I have seen his early-day motion, 920, and his letter to the *Financial Times*. The special session agreed to analyse proposals for developing new and innovative sources of funding for social development, and one of those proposals is likely to be a tax on international currency transactions.

The Government believe that a so-called Tobin tax could have several serious drawbacks. In particular, it might introduce economic distortions into the international financial system, and it is unlikely to be effective in a crisis. It would also be practically impossible to achieve global coverage, and there would be huge scope for avoidance. Unless those drawbacks can be overcome, a tax on currency transactions will not be a viable source of funds for social development. Nevertheless, it is an important proposal, and the Government will be interested to see the results of an analysis of such proposals in the months ahead.

Mr. Colman: As London is the world financial centre, rather than waiting for conclusions, might the Government be willing to take the initiative for such an investigation, examining both disadvantages and advantages, much as we have led on the HIPC initiative?

Mr. Hain: I shall obviously consult ministerial colleagues who have direct responsibility for the matter, and I shall ensure that my hon. Friend's request is brought to their attention. We recognise that the issue must be examined carefully to ascertain the progress that can be made. I welcome the energy that he has contributed to the debate.

I agree with my hon. Friend about the crucial importance of international action on HIV/AIDS. The special session defined more clearly the contribution of health to social development, and identified the fight against HIV/AIDS and other major pandemics as central priorities for action in Africa and the least developed world. An appeal has been made to the private sector to develop medicines at affordable prices for the worst affected developing countries. A notable advance in that respect is the special session's recognition of the importance of supporting exemptions to intellectual property rights, giving due regard to international laws and agreements, in order to promote access to essential medicines that can save lives.

I strongly agree with my hon. Friend about the need to ensure better co-ordination of follow-up processes to global conferences in the 1990s. The UK, with our EU partners, is working towards that end during the current session of the UN's Economic and Social Council.

I acknowledge the valuable role played by my hon. Friend and members of the private sector and civil society in Britain through participation in the international symposium organised by the Swiss Government and exchanges with the British delegation before and during the Geneva meeting. We were offered valuable support, direction and encouragement in the negotiating process. We must now continue to work together to ensure that the commitments made in Copenhagen and renewed and developed in Geneva are pursued with vigour in the years ahead. Only then can we genuinely claim to have achieved the goal of social development for all in a globalising world.

I note the points that my hon. Friend firmly and legitimately made about participation of NGOs in Government delegations. We shall examine carefully the composition of future delegations, because we as a Government are more open to NGOs and civil society in general than any of our predecessors. We have, for example, NGO secondees working in the Foreign Office, and our own staff have been seconded to work in several NGOs that have Foreign Office interests. We want an open-door policy towards NGOs, and we shall consult on exactly how that can be accommodated in the context of international conferences and the composition of delegations. Regardless of the final outcome, I give a commitment to consultation with NGOs.

It being One o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Wednesday 12 July 2000

[MR. MICHAEL LORD *in the Chair*]

Health Action Zones

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. McNulty.*]

9.30 am

Mr. Jeremy Corbyn (Islington, North): It is nice to start the day in the knowledge that we are adjourning. That always strikes me as odd.

I want to raise the subject of the funding of health action zones and I hope that the Minister will have comfort, if not good news, for them when he replies. I welcome the principle behind health action zones. The Labour Government of 1974 to 1979 recognised that there were serious problems of inequality relating to health and that, in some areas of the country, people lived longer. Similar variations included infant mortality, notifiable diseases and accident rates. The discovery was not new. The relevant work had been going on for a long time. I was fascinated at school by the works of Dudley Stamp on the geography of life and death, in which he demonstrated that people living near steelworks lived for a shorter time than others and that poor housing led to low life expectancy.

The 1974-79 Government saw from the record of the national health service since 1947 that there were serious inequalities in health provision between different parts of the country and commissioned Sir Douglas Black to produce his excellent report on inequalities in health care and the resulting problems affecting life expectancy. The incoming Conservative Government in 1979 promptly banned the publication of the report, because of its implication that much redirection of resources was needed.

I was pleased when the previous Secretary of State for Health, my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), not only recognised many of those issues but also agreed, through the publication of the Green Paper, "Our Healthier Nation", and the establishment of health action zones, to examine health inequality in particular areas. That was very welcome. At the heart of what has been said on public policy direction and reducing health inequalities is that

> all policies likely to have a direct or indirect effect on health should be evaluated in terms of their impact on health inequalities...all those policies should be formulated to favour the less well-off and so, wherever possible, will reduce health inequalities...priority should be given to the health of women of child-bearing age, expectant mothers and young children...further steps should be taken to reduce income inequalities and improve the living standards of poor households.

I welcome that approach.

Today is a good time for this debate, because the Government are announcing the reintroduction, after the tragedy of their 20-year lapse, of nutritional standards for school meals. Simple things like the food that is provided for young people in the morning and reasonable school lunches have an enormous impact not just on health, but on the ability to study. The Government's strategy of promoting greater health expenditure to deal with health inequalities is important. There are terrifying differences in the levels of serious illness, life expectancy and infant mortality in different parts of the country—for example, in the inner-London ring, by which I mean Lambeth, Lewisham, Tower Hamlets, Newham, Islington, Hackney, Camden, Hammersmith and Southwark. One sees huge inequalities in health in the inner-London ring between those areas and wealthy areas of central London, such as Kensington and Westminster. If one makes a comparison with suburbs further out, such as Golders Green or, even further out, Merton and Kingston, one sees massive inequality. A journey down the Old Kent road from central London to the Surrey suburbs would lead from a place of considerable wealth and high life expectancy through some of the worst cases of public health in Europe. The position changes quickly when one gets a bit further out.

There are many complex reasons why life expectancy is so different, one of which is the conditions under which people work. Building workers, miners, street cleaners, refuse collectors and others in dirty and dangerous occupations are more likely to end up with bronchial-related conditions and more likely to die in accidents at work than people in higher-paid, office-based employment. The Government cannot necessarily solve that problem, but matters can be much improved through rigorous enforcement of health and safety at work legislation.

Inequality in child health often leads to inequality in later life. Children growing up in overcrowded, small flats, where illness is transmitted easily from one child to another, might be unable to do homework properly because there is nowhere quiet to do it. With parents on a low income, they are less likely to eat good-quality, healthy food. They might end up being off school more because they are ill and they might under-achieve at school because they are off so much. They are unlikely to go to college or university or to get jobs for which they might be perfectly capable but for which they could not become qualified.

Those problems cannot all be solved by the Department of Health, but it is important to recognise that much inequality arises from such issues. We must study carefully how the problem is tackled. Merely throwing money at problems does not necessarily solve them. It is a question of approach and how money is spent. I strongly welcome the thrust of what the Government are doing in recognising the causes of health inequalities and in putting together a series of programmes that improve education, access to health care and basic living standards through a minimum wage, although I wish that the wage were much higher.

It is also a question of linking local initiatives, which is where the health action zones come in. Unfortunately, the then Secretary of State did not include the boroughs that I and my hon. Friend the Member for Hampstead and Highgate (Ms Jackson) represent—Camden and Islington—in the initial wave of health action zones, although they were included in the second phase. I can understand the reasons for that—the choices before the Minister were unenviable. He had inherited a terrible situation in the former coalfield communities, where life

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expectancy was low and where there was a high level of industrial illnesses and serious depression because of the loss of the coal industry and the community spirit that went with it. Coalfield communities were rightly in the first round, as was most of the east end of London.

I was pleased when my borough and Camden were included in the second phase of the health action zones because I still find the annual report from the medical officer for the health authority that I represent to be fascinating reading. When reading through it, one sees a pattern of inequality, illness and depression, which is linked to the problems of living in an urban area, of a migrant community and of public services that often fail to meet people's needs, expectations or aspirations. The declaration of a health action zone was an important recognition of the multiplicity of problems.

Our community has, unfortunately, among the highest infant mortality rates in the United Kingdom, one of the highest levels of AIDS, some of the worst housing in the country and a hugely migratory population. In some wards, population turnover approaches 20 per cent. a year, which makes it difficult to build communities or a community spirit. There is a large transient population and the number of homeless people and rough sleepers is high. Public services struggle to make ends meet, to provide services and to survive. Whitehall has to assess the needs of health care services and of local authorities. Although we welcome any support that is given to our public services, it is difficult for Whitehall accurately to calculate the number of people who are sleeping rough or the number of asylum seekers who are passing through, especially if they are in bed-and-breakfast hotels or hostels. Such people, for perfectly understandable reasons, place an enormous demand on local health facilities and services.

The Government did us a service by establishing a health action zone for the area. The broad themes of the health action zone are, first,

> Tackling social, economic and environmental factors that are the root of ill health. This will prioritise areas that have particular relevance to children and young adults,

such as early lives, social inclusion and addiction; secondly,

> Improving and integrating services, to increase their effectiveness, efficiency and responsiveness;

and, thirdly,

> Developing the infrastructure to underpin the HAZ: for example the capacity for community involvement; better information management and technology; staff education and training; improvements to hospital and primary care premises.

Those are welcome aims. In addition, the implementation of the mental health strategy is an important priority for our own health action zone. In that context, a document on the achievements of the health action zone states:

> The added value that the HAZ brings to the work is providing the joint architecture which enables partnerships to flourish.

The mental health services of inner London are under enormous strain. Although we must deal with people who suffer mental illness in the best way possible, long-stay institutions are not necessarily the right approach. Community care is, in general, a much better option, provided there is sufficient funding, support and monitoring. Sadly, some patients were taken out of long-stay institutions and moved into community care institutions where the level of support and back-up became negligible. Many deeply disturbed people who needed significant help ended up wandering around the community and becoming social pariahs in their districts. Although I strongly support the principles of community care, I shall be interested to hear what my hon. Friend the Minister has to say about monitoring it.

On overall funding of our health authority, the Government inherited a situation in which Camden and Islington health authority was in the unenviable position of being the only health authority to receive no increase in the last two years of the previous Government's life. The recent per capita cash increase of nearly £60 a head—a 6.79 per cent. increase—is extremely welcome and recognises the situation that we inherited. However, when the Government announced the creation of health action zones, there was substantial press coverage of associated funding. I am not criticising health action zones, but I hope that my hon. Friend will bear in mind a number of factors. How will the staff and facilities of health action zones integrate with community health authorities and hospital trusts and the health authority as a whole in the long term? Although I welcome specialist initiatives to deal with the particular problem, there is a danger that we will end up with a plethora of experienced, well-paid and well-meaning professionals who spend so much time meeting one another that they have no chance to do anything for the public that they are meant to support.

I am not looking through rose-tinted spectacles at the halcyon days of the late 1970s, but I remind hon. Members that a system in which one health authority had overall responsibility at least ensured clarity, as one knew whom one was meeting and at whom responsibility had to be directed.

When I consider similar issues now, I find myself in conversations with the health authority, the hospital trust, the community health trust, the health action zone and the primary care group—and so it goes on. They tell me that they are all working well together. Indeed, I am sure that they are doing so and that they get on extremely well, but I must say that they spend an awful lot of time getting on well and meeting one another. I hope that the Minister will use his examination of the role of health action zones as a spur to improve co-operation and integration—a suggestion that is made in a constructive, rather than a negative, spirit.

I am always depressed when I hear about the time that hospitals spend in trying to persuade elderly and often psycho-geriatric patients to leave hospital care and to go back into their homes, the community, social services care or wherever else. When co-operation works well, it is fine and there is a seamless transfer, but the result is different when it does not. That can happen when everybody is up against budgetary constraints, when the hospital is desperate to get rid of patients because they are blocking beds and it is expensive to keep them, and when social services can afford no more agency staff and can find nowhere to put people, and are therefore understandably reluctant to take on new patients. As a result, people who should no longer be in hospital are often bored out of their brains for weeks on end, blocking a bed that somebody else could use, whereas they should be in a cheaper facility elsewhere. Such issues must be resolved. I know that the Minister is aware of them, but will he reflect on them and suggest ways of dealing with the problems?

I turn now to funding the health and social services needs of a community. The Government have at their disposal a vast array of statistics on issues of poverty, inequality and ill health. Figures on free school meal take-up in primary schools can be used as a broad parameter of poverty. One finds enormous inequalities even within individual areas. My constituency is next to that of my hon. Friend the Member for Hampstead and Highgate. In our area, one can go from schools in which 80 or 90 per cent. of pupils have free school meals to schools with a take-up of 25 or 30 per cent. Such schools are situated within a couple of miles of one another, which is, I suppose, a feature of London life. When the Minister reflects on such statistics and evaluates how circumstances change and improve, will he also consider the efficiency with which the various agencies co-operate?

The Camden and Islington health action zone was expecting an income of £4,075,000. It planned developments accordingly for years two and three. This year, however, the amount was reduced to £3,734,000, which meant that some of the schemes that it proposed could not go ahead. Consequently, it has had to reconfigure its plans. The Government made the cut because they were concerned about underspending. I understand their concern, as it is rightly expected that public money that has been made available for a project should be spent. As I understand it, however, the reason for the underspend was that the health action zone was anxious to ensure that its projects were efficient, well funded and well planned. It was felt that throwing money at its goals in the first year would not necessarily be the best way of achieving them. The zone has shown a degree of caution in its plans, but has been penalised for doing so, which seems slightly unfair. There is concern that the message sent by the Government's attitude to funding is that they no longer give the same priority to health action zones as they gave when the first phase was signalled a couple of years ago—or, in the case of the zone to which I am referring, a year ago—in a welcome announcement.

The health action zone is addressing issues of local health inequality and seeking to integrate with other groups. The improvements in relation to mental health are very important, as are those in relation to coronary heart disease, cancer, accident prevention among older people and drugs action team structures. In the case of the latter, it is easy for us to throw money at drugs action zones or groups and tell them to go away and deal with the problems because we are horrified to find that young people are taking hard drugs and becoming involved in drug dealing. However, it is important for any drugs team to be credible within the local community and to be seen to be effective, but that can take a long time to achieve.

The overall aims of the health action zone are to speed up improvements and integration of local services, tackling the underlying causes of ill health and building local capacity to sustain and improve health; aims that I am sure will be welcomed. I want to give some examples of the "early wins" that have already been delivered by local partnerships:

> Jointly managed and fully integrated Mental Health teams covering all localities—

we have had enormous problems with mental health, as I said earlier—

> Assertive Outreach and 24 hour access to Crisis Response and Resolution; this has led to a significant reduction in hospital admissions.
>
> Changes in service policy at the Whittington Hospital Trust as a result of the HAZ-sponsored Female Genital Mutilation (FGM) awareness programme;
>
> The introduction of welfare benefits advice in local GP practices;

That is extremely welcome, because cuts in advice services have resulted in many people not gaining access to the benefits to which they are entitled. At least if some advice is available from GP practices, that will be of assistance. The "early wins" also include:

> Multi-disciplinary sex education teams; 25 health professionals have been trained and their joint protocol ensures young people are linked into local services.

Various figures are quoted for the number of people who have given up smoking: 160 people in four weeks, although I have no idea how many of those took up smoking again. I get the feeling that some people are eternal quitters; they receive some sort of prize for quitting and then start smoking again, so that they can quit again, so one must be sceptical about figures for a reduction in smoking. However, health education to prevent young people from taking up smoking is very important.

The "early wins" also include:

> Increased levels of participation in physical activity particularly among older people.

That is achieved through health fitness and training in day centres, which is very welcome. Indeed, on Sunday, I was involved in the opening of a day's health fair organised by Arachne, a Cypriot women's organisation. The day included a discussion about health and fitness, and various exercises and complementary therapies were featured by a project known as Healthy Islington 2000, which works closely with the health action zone and others.

More "early wins" are:

> A number of deprived communities are already more engaged in health promoting activities.
>
> Health Promoting School Scheme in place in nine pilot schools.
>
> Sure Start Initiatives in deprived areas outwith the nationally designated pilot areas.
>
> A training programme for refugee doctors and nurses with qualifications from overseas has been established.

I am sure that my hon. Friend the Member for Bethnal Green and Bow (Ms King) would strongly endorse that. Many asylum-seeking nurses and doctors are extremely well qualified in their own countries, but because of the delays, difficulties and, dare I say, obstructions caused by professional organisations, we are losing the skills of people who want to contribute to our society and who do not want to spend time waiting for their cases to be resolved, as I am sure the Minister appreciates. If we can speed up that process and help with language training, where necessary, those highly skilled people will be able to help the community. Anyone who has seen the effective work of health advocates, who are able to offer translation facilities, will know that they have an enormous impact on the health of individuals and improve the self-esteem of their families.

[Mr. Jeremy Corbyn]

I welcome the establishment of health action zones and the recognition of the link between inequality and ill health. However, I am disappointed that, within a year of our health action zone starting, the planned expenditure had to be reduced by such a considerable sum. I hope that my hon. Friend the Minister recognises that the underspending was the result of caution; people want to be responsible with public money and not throw it at projects in order to gain more money in future years.

The question is how public expenditure should be planned. I look forward to my hon. Friend's response. If he would like to visit our health action zone again, those groups would be pleased to meet him and discuss with him the positive work that has been done to try to give everyone a reasonable chance in life and, as far as possible, equality of access to health care. We must overcome inequalities between the suburbs and inner cities if we are to achieve any sort of harmony within our society.

9.55 am

Ms Glenda Jackson (Hampstead and Highgate): First, Mr. Lord, I congratulate my hon. Friend the Member for Islington, North (Mr. Corbyn) not only on obtaining this debate but on choosing to speak on a subject of such importance. As he said, Mr. Lord—

Mr. Deputy Speaker (Mr. Michael Lord): Order. I remind the hon. Lady that, in this Chamber, the occupant of the Chair is referred to as the Deputy Speaker.

Ms Jackson: Please accept my most humble apologies, Mr. Deputy Speaker, and thank you for enlarging my information pool.

As my hon. Friend the Member for Islington, North was at pains to point out, the Camden and Islington health trust covers several constituencies and boroughs. My constituency of Hampstead and Highgate, which is invariably misrepresented by the popular press as being inhabited exclusively by millionaires who do nothing but sip champagne and chatter, contains areas of grave deprivation. My hon. Friend welcomed the Government's move to create health action zones to try to tackle inequalities in the delivery of health care. Although we were disappointed that we did not achieve a health action zone in the first tranche, we were delighted to be part of the second wave. As my hon. Friend said, the complexities inherent in attempting to tackle inequalities of health provision are themselves a major burden; it takes time, effort and partnership to tackle them.

My hon. Friend the Member for Islington, North mentioned the disappointment felt by the chairman of the Camden and Islington health trust and the director of the health action zone on hearing of the reduction in funding to the HAZ. Richard Sumray, chairman of the Camden and Islington health authority, said that the HAZ leaders conference on 6-7 October 1999 was told that it could assume for planning purposes that it would receive £1,874,000 for the year 2000-01. As we know, that amount has now been reduced. Richard Sumray told me in a fax that the allocation for HAZ includes variable funds that are ring-fenced. He went on to say:

> Had all of the funds been allocated at the same time, there would not be a problem but it is the timing of such an announcement and consequently the effect of it on our partner organisations which will be extremely deleterious.

I want to speak about the impact of the Government's most recent announcement on those partners that are essential in enabling the HAZ board to achieve genuine equality of health provision in our area. As I said, we were elated by the announcement that Camden and Islington would have a health action zone as part of the second tranche. I believe that that sense of elation was felt by everyone in the boroughs who was involved in delivering health care across a wide range of areas, by the recipients of health care and by those who believed that much better and more integrated work could be done across the boroughs in delivering, improving and targeting health care.

No one was under any illusion that a single agency or organisation could deliver and improve on equality in health care provision. Everyone involved accepted from the very beginning that success would depend on genuine partnerships being put in place. My hon. Friend the Member for Islington, North talked of meetings for meetings' sake. I do not believe that such meetings deliver anything other than, perhaps, the enjoyment of participants of such meetings at seeing each other. Undoubtedly, a great deal of detailed work must be done before partnerships for delivering can be in place. Everyone must be clear about what they are trying to achieve and how to achieve it, and must actively monitor whether they are delivering.

In a fax to me, Gail Findlay, the director of HAZ in Camden and Islington, expressed anxiety that what seems to be a reduction in funding for HAZ programmes might send the wrong message to the partners involved, who are, as I said, central and essential to delivering the desired outcomes. It might be perceived as the Government losing confidence in health action zones, which I and deliverers of health provision in my constituency believe to be innovative and to incorporate in exactly the right way the experience of health professionals, of people who receive the services of health professionals and of people who are active in campaigning organisations. One of those organisations, Age Concern, is holding discussions with a health action zone on a programme to build on the accessibility of exercise for elderly people, to ensure that their health improves.

The partners may regard the development as a lack of conviction on the part of the Government that health action zones will deliver what we all believe that they can. There may be a perceived lack of confidence in the Government in this innovative and exciting venture and a lack of commitment on their part to see the programme through the full seven-year period.

I hope that my hon. Friend the Minister will be able to restore confidence, especially in those in my constituency who are most actively engaged in delivering in the health action zone. Quite apart from tackling, rightly, the scandal of inequality in health provision, as my hon. Friend the Member for Islington, North said, it is not the Government's fault that such inequalities exist. It is a question of time. The root causes are many and varied, and there may be a tradition of expectation and aspiration not being encouraged by individuals, families or communities about the level and quality of the health provision that they receive.

We are beginning to tackle those central and essential issues via health action zones and many other innovative programmes that the Government are introducing in health care. On one level, in dealing with health action zones, prevention is better than cure. I have already mentioned encouraging elderly people and making it easier for them to exercise to ensure that they maintain mobility and that their health improves.

At the other end of the age scale, we have the Sure Start initiative's marvellously imaginative approach to children, which will make an amazing difference for far too many children who have been allowed to live in poverty for far too long. That programme will give them a start in life to enable them to discover what is best in them and what can be developed. None of that is possible without constant monitoring to ensure that health provision is in place.

More than 30 schools are taking part in Camden and Islington's programme to tackle health in schools. One of those schools, Beckford school, is operating a befriending scheme whereby 25 nine and 10-year-olds are helping to look after the emotional health of younger pupils by becoming "playground buddies". Although I do not necessarily like the Americanisation—the name "buddies"—the scheme has immense value, not only for the young children who will be assisted to find their feet in the wider environment of a secondary school, but for those who participate because they wish to help younger children. That is not only part and parcel of delivering on a health requirement and outcome, but intrinsic to ensuring that we have healthy communities. It encourages a sense of community in young people from the earliest possible age.

My hon. Friend touched on the issue of targeting by the health action zone in Camden and Islington to encourage smokers to quit. As a smoker who has never had the desire to quit, I should not linger too long on this incentive. Although I would not go so far as to use the phrase "professional quitters", I agree with my hon. Friend that some people seem to quit as part-time entertainment—

Mr. Corbyn: Serial quitters.

Ms Jackson: That is precisely the phrase that I was stumbling to find. Those of us who are still trapped by nicotine know who those people are. They invariably say that they have quit, but then say that they are having difficulties, and ask, "Could I bum a cigarette off you?" I am making light of a serious issue, especially as far as young people are concerned. It is one of the areas in which health action zones can make an enormous difference.

My hon. Friend touched on the special difficulties in our part of inner London. Those difficulties are not exclusive to Camden and Islington, but are shared by all inner London boroughs. They are related to the peripatetic life style of people suffering mental health problems, and perhaps drug and alcohol-related problems. In relation to homelessness and rough sleeping, our constituencies include large refugee populations, who have difficulties because English is their second language. That is exacerbated, in many instances, by cultural and traditional approaches not only to the treatment of illness but to access to health professionals. Health action zones can make a major difference because they involve a wider range of partnership in which health delivery professionals had not previously engaged. A wealth of expertise exists, on which health action zones, by virtue of their partnership basis, can deliver. That would be extremely difficult to define on a simple accountancy cost-benefit basis. None the less, the benefits can be enormous and incalculable.

I hope that my hon. Friend the Minister will be able to calm the fears of those who are enthusiastic and committed to the idea of health action zones, and that the work will continue, involving not only the health trust but all those partners who are actively engaged in tackling the kind of issues that we have touched on. I hope that he will give an assurance that the Government are as confident of supporting the schemes for the first seven years as they were when they were introduced. I regret the reduction in funding, for the reasons that I have given, and the timing of the announcement. My hon. Friend the Minister apologised for the delay in his letter to the chairs of the health action zones, which was courteously copied for the relevant Members of Parliament. He said that he was concerned about what he perceived as an underspend in the first year of funding for the zones.

It is time consuming and difficult to set up the partnerships in the first instance. The zone director in my area was adamant that no purpose would have been served by throwing money at the problem and regarded it as a grievous waste of public money to do so. Structures are now set up within their partnership structure that can successfully deliver. I hope that my hon. Friend the Member for Bethnal Green and Bow (Ms King) will make the point to our hon. Friend the Minister that the underspend in the first year was not due to a lack of willingness on the part of the HAZ directors or partners, or a dearth of problems on which to spend the money. The underspend came out of a desire to ensure that public money was well spent and delivered services in not only the short but the long term.

10.11 am

Ms Oona King (Bethnal Green and Bow): I thank my hon. Friend the Member for Islington, North (Mr. Corbyn) for securing the debate.

I commend the Government for focusing on, and rooting out, health inequalities. An impediment to equality has been a compartmental approach to health problems; one of the key aims of the health action zones is to break down that type of compartmentalisation. The best thing about the zones is that, for the first time, British Government thinking embraces a wider definition of ill health and its causes, such as poverty. That can only be a good thing for hon. Members such as myself who represent deprived inner-city areas that are stricken by poverty and inequality of opportunity, manifested perniciously in life-long health inequalities.

The Government's Sure Start programme is another example of that cross-departmental approach. On the Ocean estate in my constituency, 480 children under the

[Ms Oona King]

age of four have been identified as needing help. Throughout Tower Hamlets, £1 million will be spent on trying to improve the early years of some of our most vulnerable children.

That brings me on to one of the main problems with the HAZ programme. The Sure Start programme, which I welcome, exposes the many cracks that HAZ attempts to paper over. One local general practitioner asked me whether I thought it made sense for money to be spent on Sure Start when, in Tower Hamlets, the most basic health services—the ability to get an appointment with one's doctor, or even to be on a doctor's register or to have health visitors—cannot be consistently delivered. My hon. Friend the Member for Hampstead and Highgate (Ms Jackson) said that prevention was better than cure, and one of the fundamental elements of health action zones is that they encapsulate that approach. However, the same GP—the situation is replicated in surgeries around Tower Hamlets—has one health visitor, who is supposed to cover 250 under-fives, but covers 570 young children because resources are so stretched. A young child in Tower Hamlets has half the attention from a health visitor that he or she would receive if registered in a more affluent area, yet has two, three or four times the need.

Another example of a basic service that Tower Hamlets cannot adequately provide is midwifery. In the *Evening Standard* last week, a distressed pregnant woman in east London wrote:

> we are told that east London is a Health Action Zone with millions of pounds in extra funding. But the health authority is clearly on its knees. Its staff are obviously overworked, you can't get an appointment for weeks, the opening hours are few and far between, there's never a light or toilet paper in the loos and the system is bursting at the seams with frustrated patients.

The article appeared under the headline, "Pregnant? Well you can't see your doctor this year". She tried to get an appointment with a doctor in November and was told to come back in January.

Most people not living in deprived areas do not have such experiences, and I recognise that the Government set up the health action zones to deal with such problems. However, we need to be careful about mainstream funding, which HAZs are not intended to replicate or substitute for. The methodology behind the HAZ in Tower Hamlets is such that it will focus on young people. It will also target heart disease and mental illness, which are the biggest causes of early death.

I welcome the notification of funding for health programmes from April 2000 to March 2001. As my hon. Friend the Member for Hampstead and Highgate said, we recognise that my hon. Friend the Minister explained some of the delay in a letter, which was courteously copied to relevant Members of Parliament. None the less, there has been great uncertainty among HAZ services. I sincerely regret the reduction in funding that has befallen the East London and City HAZ programme. We have taken into account the allocations made to it, and although we are thrilled to have received an increase of—depending on how it is calculated, and there are many ways to skin a cat—14 per cent., we note that the overall increase for HAZ budgets has been around 36 per cent.

We are shocked to have received not even half of that in Tower Hamlets, given that we have the highest concentration of poverty in the country. No other area in Britain has more poor people. Health problems are manifest, and I cannot help but be distressed every time I visit my constituents, go round the estates and find families of 12 living in two bedrooms with water dripping from the walls, condensation, all the kids having asthma and none having places to study. As my hon. Friend the Member for Islington, North explained, that inevitably cripples those children's chances for life.

My hon. Friend the Member for Hampstead and Highgate made the point, but I shall make it again. I appreciate that in my hon. Friend the Minister's letter, he said that he was surprised and disappointed at the size of many of the 1999-2000 HAZ underspends. My hon. Friend the Member for Hampstead and Highgate explained some of the reasons for that, but it might be because Tower Hamlets is so full of amazing ready-to-go ideas and has the most incredible need that it has an underspend of 2.04 per cent.—the smallest in the country, I am proud to say. Although many other health action zones may face reduced funding, they will be able to cushion themselves with large carry-forwards. Tower Hamlets is looking at a cut compared with 1999-2000 and will receive £2.37 million as opposed to the previous funding of £3.139 million. That is a great disappointment, especially given the serious health problems in the area. Substantial savings will need to be made in the HAZ budget, leaving a significant shortfall to make up.

East London HAZ is committed to delivering on the Government's national health service priorities, but feels that it is being punished for its success. Will the Minister consider that and the more significant point that, without adequate funding in the NHS, the lessons learnt from HAZ cannot be heeded or acted on? The central fact is that, despite increased resources, the demand for health care in east London outstrips supply. The HAZ cannot bridge that gap, nor should it be responsible for doing so because, although the programme is for seven years, that is a relatively short time.

We are grateful to have been included in the HAZ programme because it has resulted in many initiatives. The emphasis on partnership and the recognition that the local health economy comprises more than the NHS are critical in Tower Hamlets. The multi-agency work to identify and carry through health improvement programmes is also important. GP surgeries have benefited from the funding streams in IT equipment and training. The link between the programme and schools is an important step in the right direction. Nine projects based on the work with the communities fund are up and running, including a Bengali and Somali men's health scheme with 90 participants. All those initiatives contribute to the community. The best HAZ initiatives should be incorporated into mainstream practice and should not just be a bolt-on.

Better communication is needed between the Department of Health and regional health action zones. I hope that HAZs will address people's experiences of the health service and begin to tackle its inequalities. They have expanded provision in health services, but the deprivation uplift of £1.6 million has already been committed for service developments in cancer, coronary heart disease and mental health. Tower Hamlets merited the average increase in HAZ funding, as opposed to the 14 per cent. that we received.

We are anxious that expanded provision, which was overseen by the health action zone, will have to be cut back and taken out of mainstream budgets. The best way to prevent that from happening would be to improve the central funding allocation and ensure that the overall formula is fairer. Thus, the work expected of health care professionals in Tower Hamlets, based on the number of people served by Tower Hamlets and the East London and The City health authority, would be founded on fact, not fiction.

I welcome the Government's historical initiative, which, for the first time, recognises that poor health is linked with poverty and enables the more effective delivery of health care services to young children and adults, some of whom have the worst health in the United Kingdom.

10.26 am

Mr. Nick Harvey (North Devon): I congratulate the hon. Member for Islington, North (Mr. Corbyn) on securing this interesting debate. He justified health action zones most convincingly and rightly spoke about the problems that they try to solve.

I represent a rural constituency and I am familiar with pockets of deprivation; rural areas have many problems, such as the cost of running basic services, which are not properly recognised in formulae, but that is a discussion for another day.

Areas such as north Devon do not have to struggle with the extraordinary deprivation that many inner cities have faced for decades. There are no overnight solutions to their problems, but switching additional resources to those areas is justified. The health action zones, which I welcome, will have fewer resources at their disposal in the coming year than they expected. Overall funding to the health action zones, and the total funding at the disposal of individual HAZs has increased. However, not for nothing did the draft letter from the Minister to the health action zones state:

> I appreciate that programme funding is less than we had previously indicated.

Only by taking the special earmarked deprivation allocations into account can it be said that, in some cases, HAZs will have more resources at their disposal. It is not surprising that civil servants warned:

> We can anticipate that, following receipt of a notification which will, in effect be announcing cuts to anticipated HAZ budgets this year, there is likely to be some negative financial, management and political feedback from HAZ partners.

They stated:

> This will not be received as good news and we would not recommend a press notice.

That is prudent advice, but unfortunately it got out anyway, despite the advice of another civil servant that the health action zones

> should not be made aware or played into these discussions.

The Department recognised that there was bad news. Even if the health action zones have more cash, they have not received what they had anticipated. They made plans on the basis of what they anticipated would be at their disposal.

The hon. Member for Islington, North made a good point about the number of bodies that need to be involved to make HAZs work—it is dangerous to have too many bodies with too many budgets and too many programmes. I enjoyed his point about the need to ensure that everyone gets on, because they must spend an awful lot of their time working together. I am not sure whether I recognise his description of the halcyon days of the late 1970s, but we shall pass over that for the moment.

Mr. Corbyn: I was being perverse.

Mr. Harvey: Yes, I thought so.

The hon. Gentleman made some good points about the dangers inherent in stopping and starting—or boom and bust, as the Prime Minister likes to say—in such services. It was right that HAZs were set up for seven years and told at the outset that they had the right to carry over funds. That encourages sensible phasing and sensible planning.

It should surprise no one that HAZs did not necessarily spend all their funds in the first year of getting up and running from a cold start and that they had reckoned on the basis of being able to carry over those funds. I wish that they could have done so, because they were probably just being responsible and prudent. The Government have changed their view and said that that is not allowed, which is a mistake. If HAZs are no longer allowed to carry forward funds, I hope that the Minister will reassure us that mechanisms will be put in place to spot early the HAZs that will not use all their funds for the year and to redistribute those funds to any other HAZs that could use the funds for programmes on their books during that year.

Many hon. Members will be aware, from experience of the public sector or involvement in it, that problems arise when a budget must be spent in one year. I have sat on the governing bodies of higher education institutions, and the director appears in mid-February and says, "Does anyone have any good ideas how we can blow a couple of million pounds by the end of March? If we don't, the money won't be there next year." It would be regrettable if HAZs were driven in a direction where that perverse logic applied. I urge the Minister seriously to reconsider the matter and recognise that it is not surprising that HAZs have not used up in the first year all the moneys allocated.

The hon. Member for Hampstead and Highgate (Ms Jackson) said that local HAZ leaders were disappointed that they would not receive the funds that they had anticipated. I am not surprised about that. Other organisations were encouraged by the formation of HAZs. The hon. Lady mentioned Age Concern, which was impressed and signed up to the programme, anticipating making a seven-year commitment with the Government. Those organisations believed that the Government were right behind HAZs, but their faith will have been somewhat shaken and they will be wondering how things will work out in the time left for the programme.

I was also struck by the remarks of the hon. Member for Bethnal Green and Bow (Ms King). She is absolutely right to say that programmes such as Sure Start expose in her constituency the problems that HAZs might have

[Mr. Harvey]

conspired to paper over. There are real problems on the ground in Tower Hamlets and many other areas. I welcome the new money coming onstream. However, it would be a pity if it were handed down with too many strings attached. When a Government Department makes new funding available it understandably does not want that money to be swallowed up in bureaucracy or used to cover historic debt. Nevertheless, we need to have faith in local people, who understand the priorities for their areas and can therefore sensibly judge how the sums should be used. Too much diktat about how funds should be used is not welcome.

Despite the injection of the funds, serious problems remain to be solved. As the hon. Member for Bethnal Green and Bow said, demand for health services far outstrips supply, and is likely to continue to do so for a long time. It would be a pity if some of the extra funds earmarked for deprivation allocations had to be used quietly to cover up shortcomings.

We must be honest and say that the resources anticipated by health action zones have been reduced. That is regrettable. The programme is a good idea, but the Minister needs to make a fresh commitment to pursuing it fully. He needs to answer some of the questions about the ability of those responsible for implementing the programme to plan ahead and make sensible commitments over seven years. He also needs to set out the future arrangements for carrying over resources. As I said, people should not have to rush around in the last few weeks of the year finding ways to spend money to ensure that they do not lose it in the future.

10.36 am

Mrs. Caroline Spelman (Meriden): I shall endeavour to be brief, because we are running out of time. I should like to hear a full response from the Minister, and there is no need to repeat some points that have already been made well. I congratulate the hon. Member for Islington, North (Mr. Corbyn) on securing the debate. I understand why the three Government Back-Bench Members who spoke have a particular interest in commending the restoration of funding to their areas, which have high levels of deprivation. Those hon. Members made their cases well. I am surprised not to see some other Members of Parliament, whose health action zones are even more adversely affected. The subject is particularly suitable for an Adjournment debate, because it concerns a large number of people.

My constituency contains many contrasts. There is a seven-year difference in life expectancy between people on one large council estate, which has its origins in the Birmingham slum clearance, and people in a more affluent area. Although my constituency does not qualify for health action zone money, I am well aware of the pockets of deprivation that exist in several other constituencies.

The programme budgets of 11 health action zones have been reduced dramatically with effect from this month. My research shows that the biggest casualties are the South Yorkshire coalfields health action zone in Barnsley, whose budget has been slashed by £789,000; Tyne and Wear HAZ, whose budget has been cut by £1.2 million to £3.5 million; Manchester, Salford and Trafford HAZ, whose budget has been cut by £1 million; and Lambeth, Southwark and Lewisham HAZ—the "inner-London ring" constituencies to which the hon. Member for Islington, North referred—whose budget has been cut from £3.65 million to £2.713 million. The hon. Member for Bethnal Green and Bow (Ms King) described well the position of the east London health action zone.

Before I came here, I spoke to my hon. Friend the Member for South-West Devon (Mr. Streeter) and the hon. Member for South-East Cornwall (Mr. Breed). They told me that the Plymouth health action zone's budget will be cut from £1.037 million to £771,000. I know that the budgets of many health action zones have been cut by less than that, but Luton, Sandwell, Bradford, Northumbria and North Cumbria HAZs are nevertheless affected. It is important to mention all the affected areas, because one of the purposes of Adjournment debates is to raise wide-ranging issues.

The nub of the debate is whether the money to those areas, which we all agree need additional support, is being cut. The argument has run along the lines—I expect that the Minister will make this point—that the money is not really being cut because the health authorities in those areas will receive other moneys. That does not persuade the local Member of Parliament or those running health action zone projects. We know exactly how public money works. It is parcelled up for particular projects and it is difficult for a project to recover its position if its core funding is cut.

The Liberal Democrat leader made that point rather well at Prime Minister's Question Time. He showed the sequence of internal documentation, which the hon. Member for North Devon (Mr. Harvey) has read out. The Prime Minister replied:

> I think that he will find that, when taken with the money given to health authorities in those areas, the funding has gone up, not down.—[*Official Report*, 28 June 2000; Vol. 352, c. 901.]

We all know that it does not work like that in practice. Handing out extra money for anti-smoking campaigns, for example, does not mean that core funding for the health action zone project is restored. Other initiatives will go to the wall because it is not easy to cross-subsidise from another pocket of funding to the project that has lost its core funding.

That is the nub of today's debate. We agree that health actions zones are a good idea. They are needed in the areas where, for many complex and diverse reasons, as the hon. Member for Hampstead and Highgate (Ms Jackson) fairly pointed out, there are life expectancy and health inequalities. Those inequalities are complex to tackle and, regrettably, are getting larger. There is hence an understandable political need to target money into the areas concerned. When a seven-year programme has been agreed, it is most disheartening for those who have to deliver the project to have their core funding cut at such an early stage. It sends all the wrong signals to the people on the ground.

I have some straightforward questions for the Minister. Will there be further cuts next year, or will the core funding be restored? I am not persuaded that providing parcels of money to fund other health-related projects in those areas, which is a loose way of describing where the money is going, will restore confidence in the health action zones project. Can the Minister assure us that the capacity to carry over from year to year will be restored? A number of hon. Members said that the underspend by their health action zones had resulted in some of that money being taken away. In modern government we are trying to move away from the idea that, unless money is spent on something at the end of the year, it will be taken away or, in this case, cut back. At the outset of the project, there was a commitment to allow health action zones to carry forward their underspend, but it appears to have gone. Can the Minister reassure us that the capacity to carry over from year to year will be restored?

The integrity in the core funding must be maintained if the health action zones are to work and if their seven-year programme is to be completed. I look to the Minister for a clear assurance on that point. It is essential for the confidence of all of those who work in difficult situations. For them, the money never seems enough because the degree of inequality is so large and, regrettably, getting larger.

10.43 am

The Minister of State, Department of Health (Mr. John Denham): This has been a useful debate and I congratulate my hon. Friend the Member for Islington, North (Mr. Corbyn) on securing it. I welcome the contributions made by my hon. Friends and others. My hon. Friend the Member for Islington, North has a keen interest in health action zones. He has raised a number of points today and he spoke about them recently in an Opposition day debate in the House. This timely debate sets out the position.

In his opening remarks, my hon. Friend welcomed the priority that the Government attach to areas of highest deprivation and to the need to tackle health inequalities and rebuild and modernise the national health service. He also welcomed our practice of launching health action zones. I wish to reassure hon. Members of our continuing support for this programme. I noted what the hon. Member for Meriden (Mrs. Spelman) said. I have to say in passing that there was no such programme during 18 years of Conservative Governments. In the light of the shadow Chancellor's announcement that he is abandoning commitment to any of the spending programmes, I shall probably write to the hon. Lady asking her whether what we heard from her was a spending commitment to the future of health action zones. However, I doubt whether she will be able to reply as I shall reply today. We are committed to health action zones.

Many of the issues raised by my hon. Friends reflected those that Ministers must consider when deciding on the overall allocation of funding for areas covered by HAZ programmes. There is common ground on the importance of areas where some 13 million people suffer particularly harsh deprivation receiving extra money, over and above what they would have received through the usual allocation formula for such areas.

A persistent theme of the debate was that we should ensure that we strike the right balance between the innovative and ground-breaking work of new partnerships that are formed by HAZs and the allocation of mainstream resources for those areas. We have sought to achieve that balance in a series of decisions that the Government have taken on funding HAZ programmes and allocating resources. When the total figures are seen, it will be clear that they represent a substantial and increasing commitment to tackling the poverty, inequality and health deprivation that have been described.

We are strongly committed to improving the health of the most deprived communities. The work of HAZs is key, in that much is being done to reduce health inequalities, to modernise services and to tackle social exclusion. The partnerships that have been formed—they have been well described today—between local authorities, local health services and other agencies, including the voluntary sector and local community organisations, play an important part in driving through those changes. That is very different from the fragmentation and lack of partnership in the internal market in the health service under the previous Government.

My hon. Friend the Member for Islington, North essentially asked how we should act to make the co-operation achieved through HAZs a more mainstream feature of operating what I shall call the local health economy. In the past two years, we have instituted health improvement programmes that bring together health authorities, with their strategic leadership role, trusts, primary care groups and trusts and local authorities. We have consulted widely with the voluntary sector and have set out areas' health priorities. As well as the range of services provided by the national health service, those priorities include many of the issues that have been raised this morning. The funding that we give to local health authorities and primary care organisations is intended for locally agreed priorities in the health improvement programme, which of course also reflects national priorities set by Government, such as work on coronary heart disease, mental health and so on.

HAZs can be seen as giving a kick-start to the health improvement programme process, which works across all local health authority resources rather than as a separate, detached element. HIPs have been part of the local planning system for only two years. Hon. Members will have received from their local health authorities copies of the HIP, which is only the second version of the document. The process will evolve over time as the HIP becomes the focus for the sort of co-operation that has been spoken about today. I hope that I can reassure my hon. Friend the Member for Islington, North that we have a clear strategy to develop coherence in health planning and the promotion of good health across the local health economy that goes beyond the partnerships formed through health action zones.

Mr. Corbyn: The Minister will have heard what I said earlier. Can he offer us any comfort with regard to the perverse effects of budget planning in the health service and the local health economy, whereby it becomes a positive incentive not to take patients from a hospital into community care or vice versa because whoever takes them must pay for them and whoever has them is already stuck with the bill? I know that the problem

[Mr. Corbyn]

sounds minor, but squabbling about who should and who should not have a patient causes an enormous waste of time, energy and resources.

Mr. Denham: That problem is partly addressed through, for example, the local winter planning groups, which were established for the first time last year. They led to much more integrated planning between social services and health services locally and were able to pinpoint places in the system where bed blocking and delayed discharge could occur. We shall build on the experience of last winter for the coming winter. I think that that will become a permanent feature of the system. In many areas, the co-operation has been so productive that the planning process has been extended year round, rather than focusing only on the key winter months for which it was originally developed.

In addition, the Health Act 1999 introduced new legal flexibilities to enable local authorities and health services to pool budgets, to have an integrated provider of health and social care and to have a variety of other means for overcoming problems in developing partnerships locally. Those powers became available only towards the back end of last year, but there is considerable local interest in developing them. We have pointed to the potential role of primary care trusts working with social services departments to use the new powers to avoid individual patients falling down the gaps between the health and social care systems, as we all recognise has happened too often in the past. Although I would not pretend for one moment that all those measures are in place on the ground, the planning mechanisms and the organisational powers are now in the system to enable such problems to be tackled more effectively.

In view of the lack of time, I want to ensure that I deal with the key funding issues that have been raised, although I should like to say more about health action zones. First, however, I will respond to the several hon. Members who asked for signs of our commitment to health action zones.

I have already said that we regard the zones as a key tool in tackling health inequalities locally. We have worked with health action zones in two areas. First, we have rightly impressed on the zones the need, when spending public money, to develop programmes that not only address individual problems but that have clear targets and outcome measures, so that we can evaluate their effectiveness and be sure that the investment is achieving the desired impact. In the first year, we worked closely with health action zones to help them to do that and to encourage them to take the process further.

Secondly, we have worked with health action zones on the mainstreaming of programmes to ensure that their activities, for example, work on coronary heart disease, do not become detached from the mainstream work and the developments of the national service framework on that disease. Real progress is being made on those issues locally, but we shall continue to work with health action zones.

It is important to recognise that the extra funding going into the areas covered by the health action zones this year represents an overall increase of 37 per cent. compared with last year. It is true that there have been changes in the balance of streams through which that money goes into the zones, but, by any measure, the resources have substantially increased.

When we launched the health action zone programme, we gave the zones a general indication of the funding that they might expect to receive over the comprehensive spending review period. Everybody recognised that that budget, like any indicative budget, could change in the light of experience and developments. Two significant developments occurred. First, last December we decided to provide through the deprivation allocation an extra £30 million to the health authorities covered by health action zones. That expenditure was not envisaged or predicted this time last year. We had built an initial £30 million of extra funding into the health action zone areas in the previous year, but the new expenditure raised that total to £60 million.

Secondly, it became apparent that there was a substantial underspend of health action zone funding. We had agreed to give some flexibility to allow for slippage and for the development of local partnerships. However, out of the £88 million that was available to health action zones in 1999-2000, about £23 million was unspent and carried forward into this year. Although every zone will give reasons for that slippage, it was much higher than we had anticipated or thought to be justifiable when we agreed to the year-end flexibilities. That is why we have decided not to allow slippage at the end of this year, although we will conduct precisely the sort of exercise that I think was mentioned by my hon. Friend the Member for Bethnal Green and Bow (Ms King) and by the hon. Member for North Devon (Mr. Harvey). We will review progress in about October to ensure that we can take action on any apparent problems. It is clearly important for public money that has been allocated for tackling health inequalities and deprivation to be spent on delivering the services that people want.

Ms Glenda Jackson: As far as my local HAZ is concerned, the Government's attitude is an indication of their desire to push HAZs into the mainstream delivery of NHS services—an approach that ignores local realities on the ground and sends markedly the wrong message to the partners. Early wins can be achieved, but they do not deliver in the long term, which is what most HAZs want to do.

Mr. Denham: My hon. Friend makes a very important point. We must engage the health service more effectively in the wider agenda of tackling health inequalities and ensure that the zones are properly engaged in shaping the mainstream delivery of national health services. I do not see the two matters as juxtaposed. What is important is an effective partnership to tackle the broader issues that are being tackled by the zones and by the national health service.

For this year, health action zone areas will receive a £60 million allocation on top of what would usually have gone to the relevant health authorities. Other resources include £40.5 million in programme funding for joint projects with other agencies; £10 million for smoking cessation, which had already been allocated; £7 million in innovations funding; and £2 million for drugs funding. That makes a total of £120 million. It compares with last year's total of £87 million and represents an increase of 37 per cent.

In the Budget, an additional £660 million was allocated to health authorities throughout England. I do not pretend that that point is central to the debate, but it is worth making it clear, especially as health authorities in the health action zones received an additional £215 million of that money. The funds were allocated according to the formula, but there was arguably an increase on last year's investment of more than £200 million in those areas. Although the balance of funding has varied, health action zones received substantially more from both the health action zone project and the wider increase in resources than they would have expected this time last year. They are an important Government initiative and will continue to receive our backing.

Mr. Deputy Speaker (Mr. Frank Cook): Order. The next debate is on the report of the Commissioner for Public Appointments.

NHS Appointments

11 am

Mr. Graham Brady (Altrincham and Sale, West): I am grateful for this opportunity to raise the important matter concerning the report of the Commissioner for Public Appointments, but I preface my remarks with a note of regret: that we are having this debate in Westminster Hall when the House of Commons Chamber is not in use. That is indicative of the way in which the Government treat the matter. It is also regrettable that it is necessary for an Opposition Member of Parliament to raise this subject for debate. The issue is of great importance. It has arisen from a report presented to the Government by an independent public body. The Government should have responded quickly in the House and, ideally, allowed an opportunity for debate.

It is almost four months since the report was published. It is unacceptable that the Government have taken that long to make a serious response to the commissioner's findings. It is typical of the Government's arrogance and their contempt of parliamentary scrutiny. It is also typical of their contempt for the public, who deserve an open exposition and discussion in Parliament of the findings of Dame Rennie Fritchie's report as part of our country's proper democratic process. The fact that the Government have sought to avoid that process and scrutiny is unfortunate.

However, as I say, I am pleased to secure the debate. I am fortunate that the balloting process has allowed me to bring the Under-Secretary of State for Health, the hon. Member for Birmingham, Edgbaston (Ms Stuart), to this Chamber to comment on the matter, but had the Government been prepared to make a statement or to allow debate in Government time, hon. Members of all parties would have found it easier to take seriously the Government's commitment to improve the process of public appointments in the national health service. It would also have been easier to accept that they were taking seriously such a careful and rigorous piece of work.

The Government's failure for so long to respond to the report reveals an unfortunate attitude towards the Nolan process and the drive to improve standards in public life. The Nolan rules were not intended to be a party political tool for the use of the Labour party when in opposition. They were a serious attempt to raise standards in public life and, in this context, to raise standards in the public appointments process. The Government's treatment of the report shows that they want to take Nolan à la carte. They want to decide when it suits them and when it is politically expedient to listen to the Committee on Standards in Public Life, without understanding the important principle that the public have a right to fairness and higher standards in public life and in the Government's conduct with respect to public appointments.

The Government have abjectly failed to take seriously a matter which is vital, not just because of the need for political balance in appointments—although of course that is important, as a matter of natural justice and because the general public do not like the smell of an appointments process that is patently politically biased. The most important aspect of the question is that

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relevant appointments are being made to the boards of health authorities, NHS trusts and, now, primary care trusts. The people concerned are entrusted with the responsibility of providing, through the national health service, health care of the standard that the public have a right to expect. It is a matter of serious concern if appointments to those senior national health service positions are not based on ability or merit, because the public are being short-changed by the appointment of people who are not up to the job.

I have said that the Government have not taken the matter seriously. The report from the Commissioner for Public Appointments was published on 22 March. Ironically, in an example of what has perhaps become a new hallmark of the Government—the failure of their attempts at spin and news management—the report happened to be published on the day when the Prime Minister presented a rather empty statement in the House on NHS modernisation. Hon. Members may recall that he offered little besides platitudes. However, one significant matter was on the agenda: the report on the Government's actions with respect to public appointments in the national health service.

My right hon. Friend the Leader of the Opposition raised the matter, telling the Prime Minister that he had

> produced a system of appointments debased, corrupted and contorted by the crony culture that he has built all around him.

The Prime Minister did not even respond to that point. The hon. Member for Isle of Wight (Dr. Brand) may be pleased to hear that his party leader, the right hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy), to his credit managed to wring a little more from the Prime Minister. After he had raised his concerns following the publication of the report, the Prime Minister began his response with the comment:

> On that last point, the Secretary of State is announcing our proposals in response to what Dame Rennie Fritchie said.

That is all well and good, but the Prime Minister gave no details of his views on the matter or of the importance that should be attached to it.

When I was fortunate enough during the same exchanges to be called to put a question to the Prime Minister, I asked what action he would take to root out those who had been appointed other than on merit, and to appoint to NHS boards the best people for the job to ensure an adequate and appropriate standard of management. Frankly, the reply that I received was insulting. The Prime Minister said:

> I shall simply refer to the following sentence of the Fritchie report.

He quoted not a sentence, but part of a sentence—a tactic that we have seen more often than we would like from the right hon. Gentleman. He quoted:

> "The issue of...politicisation...is not new. The practice of inviting MPs to comment on the shortlists of candidates was first introduced by the Conservative Government..."—[*Official Report*, 22 March 2000; Vol. 346, c. 986-94.]

Had the Prime Minister completed the sentence, he would have added the words:

> but has gained a new momentum since the last general election.

At the very least, the Prime Minister's response was evasive, and it set the tone for the Government's reaction to an important public document that raised a matter of public concern. The Prime Minister told us that the Secretary of State for Health would set out the Government's response to the report—but when? It was not later that day, when the Secretary of State for Health had the first opportunity to do so during debate on the Budget resolutions. The Government were hardly short of opportunities to put the matter before the House and stress the seriousness with which they regarded the commissioner's report. They were hardly short of opportunities to demonstrate their commitment to improving the process. Nevertheless, the Secretary of State did not set out the Government's response during the following month of April—nor in May, nor in June. I cannot help but think that he would not have done so in July had it not been for my good fortune in securing this debate.

We have already seen increasing press interest and speculation in the matter. A report in *The Times* suggested that the Commissioner for Public Appointments was "irritated" that the Government had not replied to her report, and reported that she had suggested that politicisation was still occurring in appointments to the new primary care trusts that oversee general practitioner services. Again, the Government do not appear to be taking those matters sufficiently seriously.

Mr. Crispin Blunt (Reigate): I suppose one of the reasons why the Secretary of State for Health would not have been keen to reply in May was that the Labour candidate in the Romsey by-election was Andrew Howard, who was my opponent at the general election. Following the general election, he was appointed as chairman of the Croydon and North Downs Community Health NHS trust, but he resigned after 18 months to fight the Romsey by-election for the Labour party, leaving behind a bad taste among the people at the health trust whom he had abandoned. I am not alleging that Andrew Howard would not have been up to the job, but the fact that he has been popping in and out of a political career has not done the service of that health trust any good. I hope that my hon. Friend, and perhaps the Minister, will comment on that.

Mr. Brady: I am grateful to my hon. Friend, who makes an interesting and valid point. Perhaps, in the best tradition of political expediency, there has been a similar reason in each month since the report was published why the Prime Minister or Secretary of State for Health has found it inconvenient to respond to a report that has called into question the whole process of appointments in the NHS during this Government's term of office.

We saw little activity until Wednesday 5 July, when I heard that I had been successful in the ballot for a debate in this Chamber. Miraculously, two days later, on 7 July, the Minister sent a letter to the Commissioner for Public Appointments, partially responding to the report. The letter was placed in the public domain only yesterday by means of a written answer in the House of Lords, and the text of the reply was available only in the Library.

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): Will the hon. Gentleman remind me in reply to whom that answer was given? Is he suggesting that there was collusion between a member of another party over that question in the House of Lords?

Mr. Brady: I am sorry; I did not hear the Minister.

Ms Stuart: Does the hon. Gentleman know who asked the question in the House of Lords and to which party that Member belongs?

Mr. Brady: Yes, I do know, but I fail to see its significance.

Ms Stuart: Would the hon. Gentleman mind telling the Chamber to which party the Member who asked that question belongs?

Mr. Brady: I understand that it was Lord Clement-Jones, the Liberal Democrat Whip. I still fail to see the significance of the momentous point that the Minister is drawing to our attention.

Ms Stuart: It has been suggested that there was a connection between the timing of that question and our response. I have failed to establish a connection.

Mr. Brady: I now see what the Minister is driving at. Even if one leaves aside the obvious, well known and public connections that exist from time to time between the Labour and Liberal Democrat parties—I shall leave it aside, Mr. Deputy Speaker—the Minister will be aware that the Department of Health had another opportunity during the previous week, when I asked in a written question when a reply would be given to the Commissioner for Public Appointments. The response, which I received on 4 July, the day before the ballot for Adjournment debates in Westminster Hall, was that a reply would be given shortly.

Perhaps I am being uncharitable, but if Ministers had it in mind to sign a letter that was to be sent on 7 July, just three days later—they are not always punctilious about the timing of their written answers—would they not have either delayed the written answer so that they could give a substantive reply or said when a response would be given?

Mr. Philip Hammond (Runnymede and Weybridge): Will my hon. Friend remind me when the ballot took place that selected this subject for today's debate? Could that have influenced the timing of the Minister's letter?

Mr. Brady: Indeed; I draw what I think is the inescapable conclusion that it did influence the timing of the Minister's letter. The ballot took place on Wednesday 5 July. I say this in a charitable sense, because the Minister is an honourable lady and she used to live in Altrincham—I have a great affection for people who used to live there—but the reply was rather bland and anodyne. It did not add much to the sum of public knowledge, and it left Ministers with the flexibility to reply to the Commissioner for Public Appointments during July, or even during the summer recess, when they might have thought that they could sneak something out without scrutiny.

Ministers might have found further reasons why it was not yet possible to reply—perhaps because another great review, this Government's favourite tactic, was being undertaken—and might not have replied before the autumn. We would then have had the wonderful prospect of returning in the autumn and once again trying to encourage Ministers to reply. If they had the best interests of the national health service at heart, and if they took seriously the importance of rigorous and proper scrutiny, fair conduct and the proper application of the Nolan rules in the appointments process, they would have chosen to reply much sooner than yesterday.

Instead, however, a report in *The Times*—not a theological text, but generally reliable—suggested last week that the Commissioner for Public Appointments had not been invited by Ministers to discuss the contents of her report, which was published nearly four months ago on 22 March. Ministers have now given a partial reply, but it is somewhat disturbing that that reply should be sent before they had taken the trouble to speak to the commissioner and to discuss her findings in detail. What kind of a reply can that be?

I started taking an interest in the matter owing to my experiences locally. It was impossible to avoid noticing the way in which the Government operated a process of political appointment in my area. It was so obvious, determined and regular that it was plain to everyone, whether greatly interested in politics or not, that a deliberate politicisation of national health service management was taking place. The term of the chairman of the Salford and Trafford health authority was not renewed—she was effectively removed—and a Labour councillor from Salford replaced her. A Labour councillor from the borough of Trafford joined as a non-executive director, which meant that a third of the non-executive directors on the health authority not only supported the Labour party, but were active Labour party politicians. That was compounded by the situation in my local health care trust, the chairman of which was replaced by a Trafford Labour councillor. The Government were not content merely to give him a single companion; instead, they added two further Trafford Labour councillors as non-executive directors.

The borough of Trafford has always been an interesting political microcosm. It is a mixed borough, and there are sharp divisions between different parts of it, not least in politics. The political make-up of the borough is now broadly even. The Labour party has a narrow majority on the council, but in each of the past three years—the whole electoral cycle—more people in the borough have voted for the Conservative party than the Labour party. In the local elections this year, that was an absolute majority.

I shall not argue for proportional representation—immediately the Liberal Democrat spokesman, the hon. Member for Isle of Wight perks up to contribute—on NHS boards. It would not be viable for the Government to argue that it was necessary to appoint three Labour councillors to the board of the Trafford Healthcare NHS trust to reflect the views of the local community. Doing so emphatically and demonstrably did and does not reflect those views.

Mr. Nicholas Winterton (Macclesfield): I am following the good case that my hon. Friend makes, and he is clearly as concerned as I am that there should not

[Mr. Nicholas Winterton]

be flagrant politicisation of appointments to the national health service. In his view, were the people who were not reappointed as chairmen and non-executive members of the health authorities in his area competent? In my area, we currently have an outstanding chairman, who is well respected across the political spectrum. He has done a wonderful job and has increased the morale of health service staff, but is threatened with non-reappointment, on grounds about which I have no idea. It would be a disaster for the continuing success of my trust if he were not reappointed later this year.

Mr. Brady: I am grateful to my hon. Friend, who is right to raise that important matter. In the local instances to which I referred, able people were not reappointed. I shall not comment generally on those who replaced them, as I should make it clear, from a sense of even-handedness, that I am not saying that all political appointees are not up to the job.

Ms Stuart: I ask the hon. Gentleman to comment on the letter sent to him by the chairman of the north-west branch of the NHS executive, Professor Joan Higgins, who wrote:

> We looked for the relevant experience, appropriate skills and the potential to make a success of this challenging new post. The two candidates whose names have been submitted both scored very highly on these criteria. There was certainly no intention to promote individuals with a particular political affiliation at the expense of better qualified candidates.

Is the hon. Gentleman saying that there were better qualified candidates who were not promoted because they were not affiliated to the Labour party?

Mr. Brady: That is possibly so. I know of candidates of other political persuasions who, strangely, find that they are never called for interview or are called once and never again. That picture is reflected throughout the country. The Minister waves the letter in front of her but, in the case in question, I believe that there might have been people at least as well qualified, but with different political views, who were not offered the job.

The Minister raises an interesting case. An initial letter was sent to me on 11 April, in which my comments were sought on the shortlist for the appointment of chairman of the Trafford South primary care trust. I gave limited comments on the candidates because I know only one of them a little, but I commented on the process. I did not criticise the regional chairman, who was left to implement the rules given to her by Ministers and the Department of Health. I will not be diverted into a discussion of the political affiliations of the people involved in the process, because I do not know those of the regional chairman.

Mr. Hammond: The Minister is seeking to cite a particular case and has asked my hon. Friend to comment on it. Does he think that the Minister is in any way disputing Dame Rennie Fritchie's conclusion that less successful candidates have been brought forward to replace those already identified on merit? Dame Rennie's report was categoric about that, and the Minister's citing of an individual case will not alter those conclusions.

Mr. Brady: My hon. Friend makes an important point and is right to underline the significance that the commissioner's report attaches to the matter. The Minister has been bold enough to quote an example of an appointment, in relation to which an interesting situation has developed. I raised the issue of that appointment with the Commissioner for Public Appointments because I was concerned that it was evidence that the Department of Health had taken no action following her report of 22 March. I mentioned the fact that Members of Parliament were still routinely consulted on shortlists. One of those two candidates was a local Labour councillor who had already been appointed as a non-executive director of a health authority. We are getting into a compound situation in which such appointments are flowing thick and fast.

I was told by the regional chairman that the Labour councillor was the preferred candidate and that the process had been properly observed. I was left to conclude that that was the end of the matter and that the appointment would go ahead. I received no further communication until I received a newsletter from the health action zone, the front page of which told me that Professor Norma Raynes, a dynamic new chairman, had been appointed to the primary care trust. It is hard to understand what happened behind the scenes of that appointment. It was certainly a closed and odd process, in which the preferred candidate was not appointed. Perhaps the Minister can enlighten me further when she replies, or write to me on the matter.

I am conscious of time and of the fact that several hon. Members want to contribute to the debate. However, I want to raise some specific examples. I want to return to the point made by my hon. Friend the Member for Macclesfield (Mr. Winterton) about the competence or conduct of those in office. Last year, I was greatly concerned about the conduct of the Labour councillor who was appointed to chair the Trafford Healthcare NHS trust. That concern was shared by the medical advisory committee of the trust, which, as the Minister will know, complained that the Labour councillor had made a decision on party political grounds.

The decision in question related to the closure of wards, which was announced just one working day after the local elections. Statutory consultation would have been necessary prior to the decision, and it was explicitly stated that the decision should be kept quiet until after the local elections. I raised concerns about the matter, as did clinicians in the trust. In response to their complaint, an internal investigation was held. That investigation may have been thorough, but, ultimately, it sat on the fence a little. However, some of its comments were interesting. It stated:

> a very real suspicion has been created in the minds of the senior doctors (who are actually very reasonable and feel they have a genuine grievance), and with some other senior staff who are not prepared to articulate this.

One can only speculate on why they are not prepared to articulate. None the less, when the decision on the chairman's term of office came up, she was duly reappointed.

I mentioned that story in an Adjournment debate last year on ward closures. I am pleased to say that, because due statutory process had not been followed, we managed to reverse the ward closures. I am therefore delighted that the three wards at Altrincham general hospital are now open.

I raise that issue because it relates to the important point made by my hon. Friend the Member for Macclesfield. It shows the contrast between the reappointment of a Labour councillor whose conduct, at least in one instance, has been open to serious question, and the failure to reappoint other people who have done outstanding work for the national health service. I will give another example to show the contrast. It concerns a gentleman by the name of John Dutton, who has never been interested in politics or been a member of a political party, but is an active servant of the local community. He is a magistrate in Trafford, and I met him in that connection. His story gives rise to considerable concern.

Having been made a non-executive director of the Salford Royal Hospitals NHS trust in—I think—1996, John Dutton's appointment was terminated at the end of October 1999, despite outstanding service. Notably, he led a disabled access and disability discrimination programme, which became accepted as a leader in its field and was taken as model of best practice for many other hospitals. He was the chairman of the audit committee for three years, and the district auditor said that he had moved the hospital trust into the top three of his regional portfolio. His ability, commitment to the national health service and record of success in post could not be open to doubt. His only sins were that he was not politically affiliated, not a woman, and not a member of an ethnic minority.

In responding to concerns about the removal of capable members of trusts and health authorities, the Government claim that it has been necessary to increase the representation of women and ethnic minorities. I have no objection to that. Indeed, I support the increased representation of women and members of ethnic minorities in national health service management positions—but not under any circumstances, if those people are less able than those whom they replace.

Mr. Winterton: My hon. Friend has been extremely courteous in responding to my earlier intervention, so perhaps he would further say whether he is as concerned as I am that people who have given devoted service and outstanding commitment to the health service, and who are wedded to it, are being removed. He talked earlier about the process of appointment or reappointment. Is he not worried that the individual who has a major say in the north-west—the chairman of the north-west branch of the NHS executive—could be a member or strong supporter of the Labour party, as is my personal belief? She was appointed by the Government. I work closely with her; she is an able person, but might she not be prejudiced against people who do not meet what she perceives to be the Government's requirement in respect of appointments to such important positions? I am committed to my East Cheshire NHS trust and the work of its chairman, who is highly respected throughout the medical profession and political parties.

Mr. Brady: I am grateful again to my hon. Friend. The Minister challenged me on the political affiliations of Lord Clement-Jones. I do not know the political affiliations of the regional chairman, but perhaps the Minister does. Can she enlighten me?

My local experience led me to table some written questions, which yielded some important statistics. Between 1 May 1997 and 11 November 1999, a large number of councillors were appointed to trusts and health authorities. It amounted to one in seven of all appointments—that was noted in the Fritchie report—and meant that there was at least one councillor on most NHS boards. There was always someone with a political allegiance to communicate with others with the same political view.

Of those councillors, 284 were Labour councillors—83 per cent. of the total—36 were Liberal Democrats and 23 were Conservatives. In 1997-98, 27.8 per cent. of all appointments were politically active. In the following year, 22.8 per cent. of all appointees were politically active and in 1999-2000, the figure was again 27.8 per cent. Of appointees who had a political affiliation but were not local councillors, Labour party supporters comprised 77.7 per cent. in 1997-98, 77 per cent. in 1998-99 and 62.3 per cent. in 1999-2000.

Contrary to the views of the hon. Member for Brent, East (Mr. Livingstone), we are all grown up. I fully accept, as did the commissioner, that there may be political appointments. That is not a new worry, but after exhaustive scrutiny of what has been happening, she found that the process had gained new momentum and that the NHS had become subject to systematic politicisation.

The only other evidence that was available on previous political activity came from a survey conducted in late 1995 and early 1996. It stated that 8.5 per cent. of appointees declared no political activity, while 8.9 per cent. were Conservative and 7.6 per cent. were Labour. Quite rightly, the commissioner notes that it is not possible to say whether that was representative of the preceding years.

Ms Stuart: As we are all being grown up, I point out that, judging from the success rate according to political activity of those shortlisted in the hon. Gentleman's region of the north-west for NHS appointments since 1 January 1999, someone who declares a Labour activity has a 39 per cent. chance of being appointed, whereas a Conservative has a 56.3 per cent. chance. Will he comment on that?

Mr. Brady: I am tempted to take that as a compliment from the Minister. Perhaps I am making some headway on the matter. I suspect that it would be more relevant to consider the large number of appointments of Labour party members and councillors in my region. If the Minister looks at the numbers involved, a rather different picture may emerge. The commissioner stated in her report that

> Certainly the figures since the General Election reveal a large influx of appointees who were and are politically active, particularly on behalf of the Labour party.

That is not new, but it has gained momentum since the election.

Dame Rennie Fritchie uncovered in her report an appallingly corrupt political culture, which is prepared to appoint people to public office entirely on the basis of their political outlook, without reference to their ability—a clear breach of the code of practice that the commissioner was appointed to uphold. Political affiliation dictates appointment and the best people for the job may not be appointed. The commissioner noted that

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> many of the principles in my Code of Practice have either been, or risk being, breached in both their letter and spirit.

On political bias, the report states:

> It is clear from the evidence presented to the Group that there have been examples of this, and that appointments have not always been made on merit... I would go further and conclude that the process has become politicised in a systematic way.

There are clear doubts about whether appointments have been made on merit. The commissioner was moved to comment:

> Appointees are not honorary or "grace and favour", but full working members of the board.

If members appointed to NHS boards take the view that their appointment is a sinecure to reward them for other service, for loyalty or for keeping quiet, that is of particular concern.

I established from written answers that in March 1999 around £1.4 million was paid annually in fees via NHS boards to Labour councillors. Again, I do not claim that they were in all instances doing a bad job or were not fit for purpose, but as the commissioner pointed out in her report, in some instances they were—and that is wrong. The report states:

> on occasion, the Government's goals for the representation of women and ethnic minorities have taken precedence in the process over the needs of a board.

I say in the strongest terms that, although increased representation by women and people from ethnic minorities is welcome, if those objectives take precedence over the needs of a board, the quality of NHS health provision will suffer for women, ethnic minorities, and the whole population. It is bad practice, which must be stopped.

It is disturbing that a recent written answer, which I received on 4 July, said that the process for appointments to primary care trusts is continuing in much the same tone. Not so many councillors are being appointed—I do not know whether that is because Labour is running out of councillors or because it is worried about the publicity that the process is attracting. Of those declaring political activity who were shortlisted for appointment to primary care trust non-executive director positions, 28.9 per cent. declared Labour party activity; of those appointed, 17.3 per cent. declared Labour party activity. Of the primary care trust chairmen, 30.6 per cent. of those shortlisted were affiliated to the Labour party and 23.5 per cent. of those appointed are Labour party supporters.

A week ago, a headline in *The Times* stated: "Milburn chided over NHS trusts". The article noted that there had been no response to the commissioner's report. Yesterday, however, there was a response from the Under-Secretary, which was sent to the Commissioner for Public Appointments. It was, at best, half-hearted. It is obvious that it was rushed out because the political imperatives were starting to catch up with Ministers.

Mrs. Virginia Bottomley (South-West Surrey): Does my hon. Friend think that it is disgraceful that the reply came from the Under-Secretary, not the Secretary of State? Is not that an indication of how insignificantly the Government regard the matter? Does my hon. Friend share the worry of those who believe that combining the role of chief executive in the NHS with that of Permanent Secretary means that integrity and propriety in public life will not be so carefully safeguarded?

Mr. Brady: I am most grateful to my right hon. Friend, who makes an important point about the proper management of the national health service. As the debate is being held in this odd hemicycle, I had not noticed that my right hon. Friend was here; her very presence shows the importance that some former Secretaries of State attach to these matters. They are still prepared to devote their time and energy to proper management and structures in the national health service and Ministers could learn a great deal from their example.

I have annotated the Minister's letter; I do quite a lot on education policy and I have been accused of behaving like a school teacher. I have marked the hon. Lady's response because it is at best half-hearted and inadequate. It does not say what it means, which is typical of Ministers in this Administration.

The Government say that they will "implement immediately" several recommendations of the Fritchie report. On recommendation 4, their response is half-hearted. They say:

> We already make it clear that nominees are treated in exactly the same way as candidates from other sources.

That suggests that what is recommended has already been done, but although it is in the rules, it is not being enforced or implemented. The response continues:

> The Government accept that Members of Parliament should not routinely be consulted on short lists for appointment,

which is welcome. It goes on:

> We agree that secondary appointments should be exceptional and subject to open competition.

They have agreed to publish the full guidance about NHS appointments on the internet, which is also welcome.

Under the heading

> Recommendations on which action has already been taken

are recommendations followed by the action that the Government claim to have taken:

> Recommendation 1. Ministers should commission a fundamental look at the role and purpose of NHS boards.

That is what they say is being done.

> Recommendation 2. In the light of that review, Ministers should draw up fresh job descriptions.

The Government reject that recommendation completely; they state:

> The job description and person specifications have been satisfactory in recruiting people currently on NHS boards.

That is not what the Commissioner for Public Appointments stated in her report; she found that the specifications were inadequate and resulted in people being appointed who were not fit for the purpose.

Recommendation 3 is that there should be a review of the appointments process. The Government responded as follows:

> We have introduced a system of regular appraisal to assess the performance of those who have been appointed.

That does not answer the point. Recommendation 8 was not accepted, and nor was recommendation 12, although recommendation 13 was agreed to.

Recommendations 16, 22 and 26 were not accepted. They are listed under

> Recommendations on Which Action Has Already Been Taken

but many of them are flatly rejected by Ministers who say one thing and do another. Those recommendations are followed by a list of

> Recommendations Which We Do Not Intend To Implement.

With unusual candour, the Government say that they do not agree that local authorities should not be permitted to nominate people for such purposes. In response to recommendation 9, which questions whether having so many councillors on NHS boards is a good thing, they say:

> Councillors constitute only 10.6 per cent. of non-executives on NHS boards.

That seems quite a lot.

I am conscious of the time. I wish that I had time to go through all of the requests, platitudes and drivel in the rather rushed reply from the Minister to an important, serious, thorough and rigorous report. It is sad that the Government have not taken the commissioner's report seriously. It is even sadder that they do not take the fundamental issue seriously and are not concerned about whether the right people are being appointed to do the best possible job in NHS trusts and health authorities.

Several hon. Members *rose—*

Mr. Deputy Speaker (Mr. Frank Cook): Order. I have reserved the comments that I am about to make until this point because I wanted to make certain that I did not engage in the argument of the day. The hon. Member for Altrincham and Sale, West (Mr. Brady) gave the impression in his opening remarks that this Chamber is somehow subordinate to other parts of the House. I must correct that for the benefit of all hon. Members present. This is as much part of the House as any other Chamber. Any right hon. or hon. Member seeking a 90-minute Adjournment debate, which this debate is, used to be free to apply for a 90-minute slot in debate on the Consolidated Fund Bill. It is not possible at the moment to get a 90-minute slot any other way than in this Chamber under the system that the House has decided to operate.

11.52 am

Mr. Andrew Tyrie (Chichester): I shall be very brief. My hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) has said a great deal, very effectively, about an issue that has become of increasing concern to many of us over the past three years. Perhaps I should make things even briefer by asking three questions. Where has the problem come from? How bad is it? What should we do about it?

On the origins of the problem, it is clear that the Government decided early on to put large numbers of councillors on NHS trust boards. At first, it seemed like a reasonable attempt to increase local representation, but soon people became concerned that it was a ruse to put a higher proportion of Labour and Labour-inclined people on trust boards. At the time, the Conservatives had been in power for so long that Labour was disproportionately represented in local government. We heard that concern in our constituencies as early as late 1997.

Independently, Sir Len Peach, Dame Rennie Fritchie's predecessor, also became concerned. In particular, he noted that the consultation process for getting nominations from councillors to the boards had been sent to council leaders and not to chief executives. As a result, many Conservative councillors never got to hear about it and could not apply. As the ultimate in bias, they were not even given the opportunity to put their names forward.

I raised the matter with the right hon. Member for Holborn and St. Pancras (Mr. Dobson), the then Secretary of State for Health, when he came before the Select Committee on Health in February 1998. He denied that a slapdash approach had been taken to soliciting nominations impartially. I did not accuse him of political bias. I did not know whether political bias had been involved, but I was aware of widespread anxiety about at least the impression of political bias.

The then Secretary of State's response was that the issue

> has only generated an impression of political bias with the Conservative Party

and that the suggestion had been generated

> by the Conservative Party and most of the things that they have drawn attention to have been factually incorrect.

He dismissed my anxieties by repeating those words over and over again.

We now have some evidence, in the report. I shall not go through all the evidence, because I do not have time, but it is overwhelming. I draw the Minister's attention to page 15, which shows that, of local councillor appointments made between 1 May 1997 and 11 November 1999, the number of Labour appointments was 284 and the number of Conservative appointments was 23.

Is that a fair reflection? I am not suggesting that the figures should constitute an exact proportional representation of the current disposition of political forces in this country, but what possible justification can there be for 284 against 23? Might it be that Conservative councillors were of such poor quality that they could not be appointed on merit grounds, whereas Labour councillors were of such outstanding quality that they were all swept into appointments? It is absurd and disgraceful that such an appointment rate should have been allowed to persist.

The first of Dame Rennie Fritchie's conclusions has already been clearly set out by my hon. Friend the Member for Altrincham and Sale, West. She says clearly and unequivocally that

> the process has become politicised in a systematic way.

The Government have a great deal of explaining to do if, in light of those numbers, we shall not have to conclude that she is right.

Dame Rennie Fritchie's second major conclusion is that her code of practice for appointments has been completely ignored. The conclusion of the section on the code of practice, on page 33 of the report, states:

> This assessment reveals that many of the principles in my Code of Practice have either been, or risk being, breached in both their letter and spirit.

[Mr. Andrew Tyrie]

That is strong stuff from the public appointments commissioner, and I am deeply worried that the Government have been rather cavalier in their response.

It is true that anxiety has been expressed about public appointments for many years and that many accusations have been made by Labour Members about Conservative appointments to trust boards and other quangos. In the past, the Conservatives appointed a disproportionate number of business men to such posts, and in particular to NHS trust boards. They did so with the worthy intention of trying to bring more business practice and understanding into the NHS, which was a valuable step forward. As Conservatives may be more plentiful in the business community than in other parts of the community, that may have resulted in some bias, but nothing could possibly compare with the figures—284 to 23—that I cited.

We desperately need, as a response from the Government, a clear statement that they will do what is required to restore public confidence on the issue. Public confidence has been badly compromised as a result of the findings in Dame Rennie Fritchie's report. In particular, it is essential that the Government get out of their state of denial on the issue—their conviction that nothing has gone wrong. We need to hear the Minister admit today that mistakes have been made in the appointments system–that there has been some political bias, and appointing on grounds other than merit–and that the Government will do something about it. The best thing that they can do is endorse the recommendations in Dame Rennie Fritchie's report. I hope that the Minister will feel able to do that, because it is the only way in which we can restore public confidence on this crucial issue.

12 noon

Dr. Peter Brand (Isle of Wight): I congratulate the hon. Member for Altrincham and Sale, West (Mr. Brady) on securing the debate. However, I am not too sure whether his concern is about the national health service or the scoring of party political points, which he did at tremendous length.

A long time ago, I served as a member of a health authority for some 10 years. I was nominated by our local medical committee, the British Medical Association and my royal college, as was my consultant colleague. We had nominations from the voluntary sector and from local authorities. That made for a broadly based health authority, which, although not very efficient, was certainly effective in meeting the criteria of involving the community that the hon. Member for Southampton, Itchen, (Mr. Denham), the Minister of State at the Department of Health, mentioned.

The first warning signs went up under a previous Government when nominating bodies were told that they had to nominate more people to fill a post than the number of vacancies in it, to ensure an opportunity for central direction by the Secretary of State. I am pleased to say that the bodies that nominated me failed to heed that instruction because it was thought to override local interest. We then had one of the organisations that we in the NHS suffered as time went on. The nature of health authority members changed dramatically and they became more akin to the non-executive members of public quoted companies. It was clear that the Secretary of State was seeking a different type of being to serve on that board. There was no longer a requirement to live in the area that one was serving, and all the concentration was on getting people with business and financial experience.

It is in the nature of such people that they do not have time to enter public life through the political process. Therefore, it may be true that no overt political activities were involved with those appointees. From my experience, however, it was also clear where their political allegiances lay. Today's debate is something of a sterile exercise. I am not surprised that the Government made changes after the last general election. They did so most inelegantly, somewhat brutally and at times stupidly. They overdid it, and I believe that they have recognised that things did not go well.

I am amazed at the tone of this morning's debate. It has been suggested that there is something disreputable about being politically active, that the political process should not be a route to making a contribution within the NHS. That is wrong. I welcome people of all persuasions taking an active part in public life rather than doing so through—

Mr. Tyrie: The hon. Gentleman says that people of all persuasions should participate. Does he think that participation of 284 Labour councillors and 23 Conservative councillors is participation of people of all persuasions?

Dr. Brand: I pointed out that the Government overdid it and that we were critical of them at the time.

I am concerned not about the politicisation of the process but about the continued patronage involved. That has gone on under succeeding Governments. Appointment to a national health body has become a second or even first career for some people, leading to well-paid appointments in quango-land. Those appointed have lost the independence of spirit and mind that comes from being democratically elected by a hinterland representing the community.

I shall differentiate between commissioning bodies and provider bodies. The democratic deficit in commissioning bodies is regrettable. The Government should rethink their response to Dame Rennie's report, which is extremely useful as a starting point for dealing with the issue. Commissioners of health services should be firmly based in the local community and democratically accountable, perhaps at local authority level and certainly at regional level. In provider trusts, it is right for a spread of expertise in the non-executive functions to be available to managers and commissioners. I welcome the fact that people from different backgrounds are being appointed on the merit of their contributions. Dame Rennie Fritchie's recommendations in that regard are extremely important.

In the past 20 years, the process has involved an unhealthy power of patronage. I applaud the many people who have made enormous contributions as non-executive members of health authorities and trusts, but they have always had to look over their shoulders in exercising their functions. It is important that the Government produce a substantial response to the report, which also examines the role of NHS boards. Is it the purpose of the boards to control the bottom line—the financial outcome? Is it their prime function to guide officers and managers of authorities and trusts in providing the service mix most suited to their locality? I am sorry that we have not devoted more time to that important issue, instead of having a slightly cheap knockabout.

12.7 pm

Mr. Philip Hammond (Runnymede and Weybridge): I cannot agree with the final remark made by the hon. Member for Isle of Wight (Dr. Brand). My hon. Friend the Member for Altrincham and Sale, West (Mr. Brady) highlighted two important issues: the damning conclusions of Dame Rennie Fritchie's report and the Government's contemptuous treatment of those conclusions.

I congratulate my hon. Friend on securing the debate and on his interest in the subject. I know that his interest was originally stimulated by particularly nasty examples in his constituency of the practices that he described. My hon. Friend has done Parliament and the health service a great favour with his persistence in bringing such matters to wider attention, culminating in today's debate, which has forced the Minister to make a response, however interim.

It is somewhat ironic that although the Government came to office claiming that they would clean up public life, remove suspicions of impropriety and sleaze, and depoliticise the appointments process, they have presided over a massive increase in the politicisation of that process. They have introduced a culture of cronyism into the national health service and elsewhere. The Minister's interventions on my hon. Friend seemed dangerously close to displays of complacency. She appeared to suggest that there was no problem; that Dame Rennie got it wrong and that there is nothing to worry about.

My hon. Friends the Members for Altrincham and Sale, West and for Chichester (Mr. Tyrie) recited many of the findings of Dame Rennie's report. I shall summarise the most important points. The report concluded that the process of appointments to national health service bodies had been politicised in a systematic way and that the code of practice, which is supposed to govern those appointments, had been ignored. It said that there were clear examples of a candidate's political association acting as the decisive factor in his or her early selection and appointment and found evidence of the parachuting in of candidates at the instigation of Ministers at a late stage in the process as a result of lobbying by Members of Parliament.

Those practices meant, as my hon. Friends said, that 83 per cent. of councillors who were appointed during the first three years of the Government's term in office spent the first two and a half years as Labour councillors. It is important to recognise that that is against the backdrop of a significant decline in the number of Labour councillors. Four or five years ago, the Labour party had great plurality in the total number of local councillors, but the number of councillors from the two main parties is now almost equal. That makes the disproportion in appointments more shocking.

My hon. Friend the Member for Altrincham and Sale, West referred to the Prime Minister's partial quote of Dame Rennie's finding that politicisation of appointments is not new. We know and accept that. The Labour party identified politicisation in NHS appointments before the general election and said that it would do something about it. What it did not say is that it intended to accelerate that process and bias it in favour of one political party. Dame Rennie noted that the process

> has gained a new momentum since the general election.

It has indeed taken a quantum leap. She also noted that, as a result of the process,

> less successful candidates have been brought forward to replace those already identified on merit

on the grounds of promoting equal opportunities.

Real talent has been lost to the national health service. The NHS is too important to be a plaything of political correctness. The boards run one of the largest organisations in the country. They spend a budget which, over the next three years or so, will rise to £68 billion. That is a tremendous sum of money. They face an enormous task. Anyone who has talked to people who are engaged on the boards will know that the work load and demands are significant. My hon. Friend the Member for Macclesfield (Mr. Winterton) made the point that the process has driven many people from providing their expertise to the NHS.

Let me give an example of the way in which the Government, especially in their first year of office, treated people who gave their time to benefit the NHS. People in my constituency who had served on the boards for a long time and whose appointments were due for renewal were sent letters explaining that, because their appointments were coming to an end, they should refrain from participating in significant decisions in the period before their last day.

Mr. Tyrie: Thank you and goodbye.

Mr. Hammond: It was worse than that. They received no further communication, although in one case the retiring chairman of an NHS trust received a letter two weeks after his appointment had terminated informing him that the Secretary of State had decided to reappoint him. His reply was, "Too late, mate; I've already found something else to do"—another valuable talent lost to the national health service as a result of the Government's incredibly incompetent process.

Mrs. Virginia Bottomley: Does my hon. Friend recall the head of a Newcastle trust, Ann Galbraith, who led for the NHS on the citizens charter team? She did not know that she was not to be reappointed until her successor telephoned to ask whether she could make arrangements for handing over.

Mr. Hammond: My right hon. Friend is absolutely right. There are examples from all over the country. I do not want to cite dozens of individual cases because we do not have the time, but I would like to quote an additional global figure, which is telling, that neither my

[Mr. Hammond]

hon. Friend the Member for Altrincham and Sale, West nor my hon. Friend the Member for Chichester gave, although I am sure that both of them are aware of it. The figure was produced by the Library and shows that of the 87 appointees to national health service trusts in the Greater London area from May 1997 to 3 April 2000 who had declared political allegiances, 76 had allegiances to the Labour party. That figure is shocking.

What staggers and worries me so much is that the Secretary of State already has enormous power to direct and to control the national health service, which is a hugely centralised bureaucracy. Yet the Labour party apparently feels it necessary to install a second shadow control network, almost like the system that used to operate in the red army, in which there was a formal command structure and a system of political commissars who shadowed decisions and checked on the political correctness of what was being done. Many chairmen of NHS trusts and health authorities find that it is not unusual for them to be in direct communication with politicians. Two systems of control now operate in the NHS—the formal one and the political one, which operates at a different level. That should give us great cause for concern as we proceed with the plans for the development of the NHS that the Government are to announce shortly.

I want to leave adequate time for the Minister to respond to my hon. Friend the Member for Altrincham and Sale, West, so I will ask just a couple of questions. When will the Government make a full response to the findings of Dame Rennie? Dame Rennie has made it clear that she regards the Minister's letter to her as no more than an interim response. Will the Minister tell us why it has taken so long to deliver even that inadequate interim response? Will she say why the Government were so reticent in talking about the issues after the Fritchie report was published and why they have chosen not to offer Dame Rennie the opportunity to discuss her findings with Ministers?

The Government's behaviour following the publication of the report has been a gross discourtesy to Dame Rennie and to Parliament. A report so damning of the Government has simply been ignored and only now, through the securing of this debate, have we dragged any response from them. We need to hear an assurance today from the Minister that there will be immediate action to implement the report's recommendations and that she will review the appointments that have been made under the flawed process since 1 May 1997. Further, she must ensure that all appointments were appropriate. She must assure us that, where they were not appropriate, and the postholders have not been performing the required function because of the way in which they were appointed, she will take steps to ensure that proper appointments are made in their place.

12.18 pm

The Parliamentary Under-Secretary of State for Health (Ms Gisela Stuart): I start by congratulating the hon. Member for Altrincham and Sale, West (Mr. Brady) on securing the debate. Unlike him, I am extremely proud to be in Westminster Hall, which provides us with extra time in which to discuss issues. The hon. Gentleman was extremely misguided to treat it as a secondary Chamber—it is as important as the House. I acknowledge the hon. Gentleman's long-standing interest in public appointments and I welcome the opportunity to respond to Dame Rennie Fritchie's comprehensive report. Time is short, but I want to respond to a couple of specific points that have been raised.

The hon. Member for Runnymede and Weybridge (Mr. Hammond) asked when there would be a full response. I am very sorry that the right hon. Member for South-West Surrey (Mrs. Bottomley) regards it as an insult that an Under-Secretary, and not the Secretary of State, wrote to Dame Rennie Fritchie. However, in that letter I made it clear that, as part of the national plan, we are examining the whole process relating to accountability in the national health service. The role of non-executive directors will be extremely important.

I recollect that, in a Select Committee, an Opposition Member who had formerly served in the Department of Health described the appointments process at that time as highly politicised, with civil servants involved at a great distance and outcomes determined by chance, because it was not possible to foresee what would happen. The implication that the world was well, holy and wonderful before 1 May 1997 and has now gone down the drain suggests the need for Opposition Members to get in touch with reality.

Mrs. Virginia Bottomley: The hon. Lady would be well advised to consult the Nolan report. That was favourable about the new procedures for health authority appointments, which have been established in no small measure because of Dame Rennie Fritchie's work. My point was simply that the matter is of such importance that the Secretary of State should have responded to Dame Rennie.

Ms Stuart: As I have said, what we are doing is part of the development of the national plan. Dame Rennie Fritchie's report was extremely helpful to us. In our initial response, we outlined the areas in which implementation has already taken place. We disagree over one or two aspects of the report, but as the national plan developments become clearer, we shall work closely with Dame Rennie Fritchie on further development.

Mr. Brady: Will the Minister give way?

Ms Stuart: I should like to continue. Time is needed for a proper response to a one-and-a-half-hour debate.

To listen to the debate, one would think that serving on an NHS board is some kind of gravy train on to which Labour councillors have jumped, with decisions made in smoke-filled rooms. The record should be put straight. The vast majority of members who serve as non-executive directors are lay people who ensure that the needs of their community are represented. They carry out an extremely important function. There are 3,000 of those public-spirited individuals. I agree with the hon. Member for Isle of Wight (Dr. Brand) about the decline in volunteering to serve in such public capacities. However, I remind Conservative Members that, in the past three years, one in four or one in five of them has responded to requests for nominations. If Conservative Members do not put names forward, they should not be surprised at not having any selected.

Mrs. Bottomley: Every name that I put forward was effectively black-balled. I put forward several names and every time the other individual was chosen. The hon. Lady might want to investigate that. The people whom I suggested were not, as far as I know, Conservatives.

Ms Stuart: That brings me to a useful point made by the hon. Member for Isle of Wight, who said that presenting the choice of two names was a positive step. I am terribly sorry to come across the attitude among Members of Parliament—it has come up in a previous Adjournment debate—that, having made their choice of who should be selected, their wishes have been ignored. The process involves an independent panel and a proper review. On the basis of the assessment, a choice is made. Sometimes those who are involved will not think that the best person has been chosen, but the proper process will have been used.

The achievements in the appointments process since 1997 have been not insignificant, not least because a far greater number of women now serve on NHS boards. That number has increased from 39 per cent. before the general election to 48.9 per cent. Even more dramatically, the number of black people and members of ethnic minorities has increased from 5 to 12 per cent. We should be careful when we use words such as "merit" and "ability". If the definition of merit is having a white, middle-class background, it is hardly surprising—

Mr. Brady: Will the Minister give way?

Ms Stuart: No, I shall not, as I want to make progress.

An equally successful but more important change is the increase since 1997 in the number of appointments of people with a community background. The proportion of people who are appointed from the voluntary sector and who are primarily users or carers has increased to 20 per cent. We do not for one moment deny that our boards still require the skills of business people, but the need for far wider representation remains. Dame Rennie Fritchie's report should be considered with those increases in mind.

I remind hon. Members that an independent auditor's report has been produced by Ernst and Young, which was employed by the commissioner. The report found that

> in 1999, 75% of applicants for posts on NHS boards in the Northern and Yorkshire and North West Regions had declared "no political activity".

It went on to state:

> The data available suggest that the proportion of candidates declaring political activity at the application stage of the process are similar to the proportions declaring political activity at the appointment stage.

Before anybody is appointed or even shortlisted, an independent panel conducts a sifting and assessment process. It would be disingenuous to suggest that anybody is parachuted at the last moment without having gone through that process, as that is not happening.

Mr. Tyrie: I am grateful to the Minister for giving way, as I realise that she does not have much time. She is saying that there is no problem and that we are making all of this up. Will she explain the fact that 284 Labour councillors were appointed between 1 May 1997 and November 1999, while only 23 Conservatives were appointed in that time? Does she believe that that can be described as anything else but political bias?

Ms Stuart: It is important to remember the number of people who put forward their names. I would not be at all surprised if more Labour councillors were prepared to put their names forward and to enter the selection process after May 1997. I would like to hear not merely about disagreements, but about evidence of widespread and systematic abuse of the system in the interview and selection process. The Government are responding to the needs of the whole chain of accountability in the national health service. I deeply reject the notion that everything was fine before 1997. Dame Rennie Fritchie referred to the courtesy with which people who are retiring are treated and to delays in appointment. We have addressed those points and moved forward.

I should like to correct the impression that the previous Secretary of State, my right hon. Friend the Member for Holborn and St. Pancras (Mr. Dobson), wrote only to council leaders. An administrative error occurred when the first round of letters was sent, but now all of them go to council chief executives, so the opportunity to put names forward is shared equally among other parties.

Our response to the report lists a number of improvements that we have already put in place and others that we are considering. We agree with Dame Rennie's recommendation that Members of Parliament should no longer be asked to comment on shortlists for chair appointments. We inherited the practice from the previous Government—

Mr. Brady: Will the Minister give way?

Ms Stuart: No, I will not. There are two minutes left, and the hon. Gentleman spoke for 45 minutes. If he wants to hear an honest response, he should listen for a moment.

The practice of allowing Members of Parliament to comment on shortlists gave the impression that the process was politicised. We are happy to change it and are writing to hon. Members about it.

We part company with Dame Rennie on her view of local councillors, whose role we believe to be extremely important. They bring to their posts local knowledge of the community, which our NHS boards are supposed to reflect. There is no presumption, however, that being a councillor is an advantage in the interview and assessment process.

We will proceed with our proposals on the national plan. It is important that the right people are appointed, but we want more people from the regions to come forward as part of the plan. We shall announce further details, but we shall work closely with Dame Rennie to make that process more accountable and open, and to ensure that people see it as such.

Mr. Deputy Speaker (Mr. John McWilliam): Order. I am sure that the Under-Secretary would not wish to mislead the Chamber. The hon. Member for Altrincham and Sale, West (Mr. Brady) spoke for 52, not 45, minutes.

Mr. Brady: On a point of order, Mr. Deputy Speaker. I did overrun, but only because I gave way generously to all hon. Members, including the Minister.

Mr. Deputy Speaker: That is not a point of order. I call Mr. Livsey.

Hyder

12.30 pm

Mr. Richard Livsey (Brecon and Radnorshire): I am grateful for the opportunity to debate the impact of the proposed takeover of Hyder plc on water, gas and electricity services. In the mid-1980s, the Liberals initiated a debate on the future of the water industry. When the then Secretary of State for the Environment, the late Nicholas Ridley, was challenged on whether he would privatise the water industry, amazingly, he said yes. He was then asked whether he would include that policy in the next Conservative party manifesto. Again, he said yes—much to the amazement of the Conservative Members sitting behind him, as he was announcing an entirely new policy off the cuff.

The Thatcherite juggernaut steamrollered on, and we have now reached a point when Hyder, one of the successor companies to the water authorities, could be taken over by a Japanese bank or an American power company. As for the Welsh assets, the choice is between a rock and a hard place. John Elfed Jones, chairman of Welsh Water, or Dwr Cymru, built up the company in the late 1980s. It was meant to be an enterprise icon for the new Wales, and it might have happened. However, once Mr. Jones retired, the Government's golden share was abandoned and the public veto therefore disappeared. Hyder was created by a new management team and in its early days that company, too, was successful.

We could dwell on why Hyder failed, but I do not want to speak of the past except to say that the Government levied a windfall tax of nearly £300 million, the regulators imposed full-value cuts on the company and the City forced it to borrow to buy Swalec. The Government and the City took £400 million out of the company, the regulators took another chunk, and the shares lost half their value; the company is now said to be £1.5 billion in debt.

After that debacle, Wales wants a phoenix to arise—a company based in Wales that will take over the water, electricity and gas businesses and which can provide services of good quality and value. I want the Minister to ensure that that will happen because the Government contributed to Hyder's downfall. The Welsh word "hyder" means confidence. I ask the Minister to give us confidence that the company will have a good and successful future.

Hyder has one of its headquarters in my constituency, where it has 60 employees. Its water division, Dwr Cymru, has 14 major reservoirs and associated land in my constituency. The three Taf Fechan reservoirs supply Cardiff, Talybont reservoir supplies Newport, Crai reservoir supplies Swansea and the four Elan valley reservoirs supply Birmingham and so forth. We want to be assured that the former massive public investment and the jobs that go with it will be in safe hands. Hyder employs about 9,000 people in its water, electricity and gas businesses. Their future must be secured.

Mr. Nigel Evans (Ribble Valley): Does the hon. Gentleman remember that, when the windfall tax was introduced, we were told that it was a victimless crime? However, it has put Hyder into an impossible situation and it is now up for grabs, with two companies interested in buying it. Does he agree that if it goes wrong, the victims of the windfall tax will be those employees who work for the company and consumers in Wales who receive their utility supplies from it?

Mr. Livsey: I certainly agree that that is the case; the cause is partially the Government's, but it is not theirs alone. The Liberal Democrats believe that the successful new deal ought to have been financed differently.

The Minister will know that two takeover bids for Hyder are on the table—one from the Japanese bank Nomura and the other from Western Power Distribution, an American subsidiary of Southern Power that generates electricity. It distributes electricity in the west of England and has its headquarters in Bristol. WPD wants to run Swalec and arrange for United Utilities, which is based in Warrington, to run the Welsh Water business in conjunction with North West Water. There are serious reservations about competition regulations connected with the WPD bid. Those issues must be handled in the United Kingdom. Nomura International, through St. David's Capital plc, is bidding for Hyder, and it intends to make it a Welsh-based company, operating from its Cardiff headquarters.

All political parties in the Welsh Assembly have agreed a strategy, which must succeed in the interests of Wales, Welsh consumers, the company's employees and the company and its assets. I can do no better than to state that strategy. It says that any new company should:

> preserve the integrity and identity of Hyder as a distinctively Welsh business and keep its headquarters in Wales...preserve the maximum number of jobs and, as a minimum, limit the number of job losses to those already announced by Hyder plc and agreed with trade unions.

It then states that it must be

> committed to investment and development of the regulated and non-regulated businesses of Hyder plc

and that, as a minimum, it must

> maintain Hyder's environmental record and implement the Dwr Cymru investment programme within existing price limits.

It states that it must

> note that the Assembly has a duty under section 121 of the Government of Wales Act to promote sustainable development (and that the Assembly has powers to call in applications for planning permission for decision under section 77 of the Town and Country Planning Act 1990 where an application raises planning issues of more than local importance).

Next, it states that a new company should

> recognise the potential of Welsh water as an economic resource and acknowledge the wish of the National Assembly that the people of Wales should benefit from the use of this resource, especially when water is sold outside Wales...provide a high quality water and sewerage service for the people of Wales, and a high quality electricity service for the region of Wales that depends on SWALEC.

Finally, the strategy stated that the new company should

> operate a fair pricing policy and consider the formula set by the industry regulators as setting the maximum charge to be levied, rather than the norm.

I cannot underestimate how important water is as a natural resource to Wales, especially as water will one day be in short supply worldwide. The First Secretary of the National Assembly endorsed the views of the Environment, Planning and Transport and the Economic Affairs Committees, which drew up the statement that I just quoted. The Liberal Democrats in the Welsh Assembly endorsed that statement only too willingly.

The First Secretary has written to the Secretary of State for Trade and Industry about the competition worries resulting from the Western Power Distribution bid. He endorses the Assembly Committees' calls for the bid to be repatriated to the United Kingdom from the EU competition authorities under the provisions of article 9 of European Community Council regulation 4064/89 as amended by regulation 1310/97; he also confirms that the UK should be enabled to take appropriate measures under the provisions of article 21. I hope that the Minister will deal with that matter.

Our main concerns are the combination of two neighbouring electricity distribution businesses, Swalec and SWEB, and the fact that the United Utilities company, under its other aegis of North West Water, will be supplying water in two contiguous geographical areas. Those concerns are to the fore in Wales. The link between the two water companies—United Utilities and what is at present Dwr Cymru—will not be conducive to the promotion of competition in the water industry. Hon. Members will know that the Assembly issued a joint consultation paper with the Government on the subject earlier in the year.

The separation of the ownership of Dwr Cymru's assets from its operations, as well as the possible creation of a mutual company to own it, raises wider regulation issues. The resulting modifications that the Director General of Water Services proposed to the Dwr Cymru licence might raise the possibility of the Assembly using its powers of direction under section 13 of the Water Industries Act 1991. If it did so, the director general would have to consider whether he wanted to pursue the proposals by way of a reference to the Competition Commission and section 14 of the Act. No apparent implications from the bid give rise to competition considerations outside the UK. Such considerations in the UK are sufficient to provide grounds to seek repatriation under article 9. Wider measures may be appropriate under article 21, as well as public interest issues and concerns such as those identified by the Assembly Committee, which have been communicated to the commission.

The First Secretary and all the political parties in Wales believe that there is strong reason to refer the WPD bid to the Competition Commission. The Minister should be able to assure us that that will be done. The bid must be repatriated from the European Union competition authorities, in particular its electricity supply aspects. I have already mentioned those concerns as they affect the water industry. At present, it appears that the Nomura International bid satisfies UK competition criteria but the WPD bid does not. In the public interest, I ask that public documents relating to WPD's relationship with United Utilities are made available and placed in the Library. They have a material influence on how the company proposes to manage Welsh Water, given that there will be two water companies operating geographically side by side.

The deal is complex and it also affects other businesses and professional services operated by Hyder. Another factor that must be accounted for is that the United States controlling company, Southern Power, must

[Mr. Livsey]

clear its bid with the US Securities and Exchange Commission. So far, it has not done so. There may well be conflicts with Southern Power taking over, through its WPD subsidiary, a water company, for example. That process must be monitored and examined in the United Kingdom not only by the Office of Fair Trading, but more importantly by the Competition Commission.

Will the Competition Commission exclusively handle the WPD bid for Hyder? What key points can the Minister assure us will be primarily considered by the Department of Trade and Industry in the investigation? I am especially concerned about those matters that will have a material influence on the final decision. Will the Minister give us the timetable leading to the conclusion of a Department of Trade and Industry decision? What time scale would that process have? Time is not on Hyder's side and an early conclusion of any investigation will give confidence to its customers in Wales, its work force and its shareholders and give security to its assets. Decisive action is required now for the benefit of all concerned.

12.45 pm

The Minister for Energy and Competitiveness in Europe (Mrs. Helen Liddell): I take this opportunity to congratulate the hon. Member for Brecon and Radnorshire (Mr. Livsey) on securing this important debate, although the timing is inappropriate for me and I am constrained in what I may say in reply.

The hon. Gentleman has made a cogent explanation of his position that will appear in the *Official Report* and will, I am sure, be borne in mind by the relevant authorities. I am constrained because, as a Minister, I have responsibilities in relation to the competition process. Therefore, it would be inappropriate for me to respond to some of the hon. Gentleman's specific points.

The hon. Gentleman will be aware that I am accompanied by my hon. Friend the Under-Secretary of State for Wales, the Member for Delyn (Mr. Hanson). He is listening closely to the debate, as Wales has a legitimate interest, and my hon. Friend the First Secretary will soon address the National Assembly for Wales on the matter. The Secretary of State, other Ministers and I have been in communication about the issues that my hon. Friend the First Secretary raised.

The hon. Member for Brecon and Radnorshire referred to the windfall tax; he may care to reflect that the tax was a consequence of the bungled privatisation of the utilities by the previous Government. That tax was not some wheeze dreamt up at the last minute; it was presented by the Labour party in opposition as a clear route for finding resources to help young people into work. Today, as we celebrate the lowest unemployment figures for 25 years, the hon. Gentleman will recognise that many of our constituents have benefited as a consequence of that tax. As it appeared two years ago, company managements have had time to reassess liabilities and put their companies into a position in which they can continue to operate.

Mr. Lembit Öpik (Montgomeryshire): Would the Minister accept that Hyder's situation is a consequence not only of the windfall tax but of the City squeezing that company dry for dividend shares? One does not need to lay all the blame at the Government's doorstep.

Mrs. Liddell: I am sure that the hon. Gentleman would not want me to comment, especially in subjective language, on the behaviour of City institutions. Rather than talking about the past, we must deal with the situation as we find it.

The proposed acquisition of Hyder by St. David's Capital plc was considered by the competition authorities under the merger provisions of the Fair Trading Act 1973. The Secretary of State for Trade and Industry decided, in accordance with the recommendation of the Director General of Fair Trading, not to refer the case to the Competition Commission. The Department announced the merger clearance on 7 June.

The bid by Western Power Distribution for Hyder has fallen, as the hon. Gentleman knows, to the consideration of the European Commission competition authorities under the European Commission merger regulations. My hon. Friend the Minister for Competition and Consumer Affairs announced on 7 July that the United Kingdom had decided not to request the European Commission to refer the proposed acquisition by WPD of Hyder to the United Kingdom competition authorities under article 9 of the EC merger regulations, as it did not satisfy the relevant criteria in the regulation.

Mr. Livsey: Will the Minister ask the Secretary of State to reconsider that decision, because many issues will affect the United Kingdom? I drew her attention to them earlier, not least the fact that two electricity companies will be running side by side in the south, as will two water companies further north. Surely such matters should be considered within the United Kingdom.

Mrs. Liddell: The decision was made in accordance with the advice of the Director General of Fair Trading and the sectoral regulators, and we must act within the terms of that advice. It may help the hon. Gentleman to know that the European Commission will decide by 14 July whether to initiate a detailed investigation of the case.

The hon. Gentleman referred to the situation in which WPD proposes to procure certain services from United Utilities. I understand why he wants documentation relating to that matter placed in the Library, but he will appreciate that such information is commercially sensitive. The documents have been made available to the United Kingdom competition authorities in confidence and it is beyond my powers to place them in the Library, given that UK merger legislation protects such information from release unless the relevant companies agree to it being made public.

Mr. Livsey: Does the Minister agree that such matters are in the public interest? A monopoly-type situation is being created, which it is in the public interest to investigate. Such documentation should be in the public domain, so that people can judge the matter for themselves. The issues are more important than those of commercial confidentiality to which the right hon. Lady refers.

Mrs. Liddell: The hon. Gentleman should take into account the fact that Ministers can act only within the terms of what is available to them. It would not be possible for them to place such commercially sensitive information in the Library without the express permission of the two companies involved. The action that the hon. Gentleman wants to be taken is not at my disposal.

As my hon. Friend the Minister for Competition and Consumer Affairs said on 7 July, the WPD proposal did not fall within the remit of the EC competition authorities. I confirm that the United Kingdom competition authorities, including the sectoral regulators, are examining carefully whether the transaction falls to be considered under United Kingdom competition law and whether considerations are on-going. Irrespective of the changes in ownership of the licensed utilities involved in the bids, the regulatory regimes will continue to apply. That is of direct relevance to the hon. Gentleman's constituency.

I shall outline how the regulatory regimes operate. In response to each of the bids for Hyder, the Director General of Water Services and the Director General of Gas and Electricity Markets issued a joint consultation paper on the consequences of the bids for Hyder-regulated subsidiaries, Dwr Cymru and South Wales Electricity.

First, on the water issues, the Office of Water Services, the economic regulator for the water industry, is required to discharge the functions in the manner best calculated to ensure that the regulated utilities perform their functions properly and can therefore finance the performance of the company. Subject to that requirement, it must secure protection for water and sewerage customers on charges and the quality of service, promote efficiency and facilitate effective competition.

Ofwat considers that proposed mergers and those competition and regulatory issues raised before the Director General of Fair Trading are a legitimate area for the regulator to have in mind. Ofwat has to identify necessary licence modifications that deal with concerns that might arise from proposals. I am sure that the points made by the hon. Member for Brecon and Radnorshire will be taken into account.

As an example in relation to the bid for Hyder, Ofwat was interested in whether any prospective owner of DC would be fit and proper to assume the role of statutory water and sewerage undertaker, and whether DC's conditions of appointment might need to be strengthened so that any involvement as part of a larger group should not impede its ability to discharge its duties. In the bids by St. David's Capital and WPD, the director general secured the bidder's agreement to the modification of DC's conditions of appointment, which dealt with the consequences of its possible absorption into a much larger group than Hyder.

The WPD bid raises wider issues, because WPD intends to separate DC's roles as statutory undertaker and owner of the core assets from the day-to-day operation of the business. It proposes an initial contract with a company that is to be purchased by United Utilities, which owns North West Water, the statutory water and sewerage undertaker for the north-west of England. Ofwat considered in particular whether such a proposed operating arrangement would be acceptable.

As a result of negotiations with WPD on the issue and following a public consultation, Ofwat secured WPD's agreement that, if the bid were successful, DC's conditions of appointment would be modified to include a new obligation to replace the initial contract with a programme of competitive outsourcing acceptable to the regulator. As the DTI press notice of last week stated,

> irrespective of changes in the ownership of the licensed water and sewerage undertaker (DC) owned by Hyder, the water regulatory regime will continue to apply to it.

The hon. Gentleman raised several other matters. If I am not able to answer them all in the few minutes left to me, I shall write to him. On the electricity issues, Hyder distributes through Swalec, so the Office of Gas and Electricity Markets also took an interest in the competing bids for Hyder. Ofgem's function is clear. It is to protect the interests of consumers, ensuring that they have genuine value and choice by promoting effective competition in gas and electricity markets. It also regulates the monopoly elements. Ofgem considers the competition implications of any proposed merger on its individual characteristics, taking into account the precedent that applies from previous policy statements. It consults the public and third parties, and examines the issue internally before making recommendations to the Director General of Fair Trading.

Ofgem considered the competing bids and took a balanced approach to the consideration of the merger. It applied similar conditions to the equivalent aspects of the offers, and plans to seek licence amendments and assurances from any successful bidder for Hyder. The hon. Gentleman made several points, which I shall ensure that the director general can consider.

I cannot comment on the two bids, or on some of the broader issues that the hon. Gentleman invited me to consider. However, I want to emphasise what all the regulators require from the bidders. They need to ensure that the regulated utilities will comply with their legal obligations and that the quality of service to customers is at least as good as that presently provided. Whoever owns Hyder must ensure that staff and systems are in place so that networks keep working, necessary investments for reinforcement and improvements are made, emergencies can be handled quickly and professionally, and customers continue to be at the centre of the business.

I have not answered all of the hon. Gentleman's questions. I shall happily answer those that I can legitimately answer, within the constraints of my position as a Minister, in a letter and I congratulate him on securing the debate.

Iranian Jews

12.59 pm

Mr. Jim Murphy (Eastwood): I am delighted to be able to lead this debate on the plight of Iranian Jews falsely imprisoned for espionage. I have a constituency interest and an interest in international affairs. The constituency interest is that I have the pleasure of representing the majority of Scotland's Jewish community. I also have the unconditional honour of representing a small number of holocaust survivors. My interest in trying to prevent the persecution of and discrimination against Jewish people, in this country and internationally, motivated me to apply for this debate.

Unfortunately, it is impossible to consider the plight of the Iranian Jews without considering the context of the domestic power struggle in Iran, between the moderates on the one hand and the conservatives on the other. I am worried that Iran's wider Jewish community, which numbers 25,000 I think, may be caught up in that power struggle. However, the purpose of today's debate is to focus on the 10 Jews who have been imprisoned.

Mr. Gareth R. Thomas (Harrow, West): I am pleased that my hon. Friend mentioned the more general context before moving on to the specific case. Does he not agree that this case is a powerful example of the wider concern about Iran's attitude to Israel and the Jewish community in general? For example, Iran remains one of the leading state sponsors of terrorist organisations such as Hamas which, as we know, wants to disrupt the middle east peace process. Furthermore, Jews in Iran are still forbidden to teach the Hebrew language.

Mr. Murphy: I absolutely agree with my hon. Friend the Member for Harrow, West (Mr. Thomas), who has raised the matter diligently during Foreign Office questions. Ayatollah Khamenei—a leading conservative who is involved in the power struggle in Iran—chose, on the first day of the new Christian millennium, to celebrate that date by demanding the destruction of the state of Israel. On the other hand, the reformist President Khatami was elected in May 1997—as Britain was electing a new Government, so was Iran—on a 69 per cent. popular vote. His slogan was "Iran for all Iranians". To many friends of the reformists in Iran, that slogan signalled a change in policy and approach.

Unfortunately, persecution continues. The domestic press in Iran is stifled, and, as we know, student demonstrations have been violently put down. The Bahai minority, who number 300,000, have been subject to violent and continued persecution. It is important to recognise where the 10 persecuted Jews fit into that context. Despite my hon. Friend's correct comments, the purpose of the debate is not to consider the wider issue but to focus on those 10 individuals.

Unfortunately, the analysis of the arrests, trial and sentences in *The Economist* was correct. It stated:

> The sentences were severe enough to pacify Iranian hardliners but lenient enough to save Iran from diplomatic punishment.

Perhaps *The Economist* was right about the former point, but it must be shown to be wrong about the latter. Iran cannot escape diplomatic pressure and punishment if the sentences are allowed to stand. The charges were false and the trial was a violation of human rights. I shall remind my hon. Friend the Minister of some of the details. In January 1999, 13 Iranian Jews and three Muslims were arrested, but no charges were publicly identified at that time. Six months later, in June 1999, the Iranian revolutionary court charged the Jews with spying for the

> Zionist regime, the USA and World Arrogance.

The 13 Jews included a Jewish teacher, a chief rabbi, a kosher meat preparer, a cemetery attendant and a 16-year-old boy. I understand that the charges of spying for the United States of America were dropped, although I have no idea why. Perhaps they were dropped on the understanding that it would be difficult to spy for two countries at once.

The trial was flawed and fundamentally violated human rights. There was no physical evidence whatever. There were only confessions, which were not given in court. The solicitor, a respected former Iranian judge, complained that the alleged confessions were obtained after a period of solitary confinement. I have never been in that situation and I do not know how I would react. What would any ordinary human being do when asked to confess after a period of prolonged solitary confinement? The Jews were secure in the knowledge that they were being used as political pawns in a domestic power struggle. They had been denied access to a lawyer for prolonged periods. They knew that 17 Jews had been executed in Iran since the revolution in 1979. Under all those pressures and worries, perhaps the confessions were, in their minds, an attempt to receive leniency.

With all the mitigating circumstances, the lawyers strongly believed that the confessions should have been inadmissible. I find it absolutely astonishing that the solicitor, who had been appointed by the state, was not allowed access to the accused. It is incredible that the Jews were not allowed access to their solicitor, but television time was given for the alleged confessions to be aired publicly. The solicitor complained that he could not have access to the accused; the television journalists had no such complaint. That is no form of justice as I understand it.

I was absolutely amazed to learn that revolutionary court Judge Nourani was not only the prosecution; he also appointed the defence solicitor and handed down the verdicts. That sums up much of what is wrong in this case of trumped-up charges. One of the accused, Shahrohh Paknahad—I apologise if my pronunciation is not perfect—is a 30-year-old Jewish teacher, charged with passing military secrets to Iraq during the Iran-Iraq war. I have no idea how the Iranian Government reach the understanding that a Jew is passing military secrets to Saddam Hussein's regime. Even if they can make that leap of logic, the fact is that he was eight years of age at the start of that war. The charges do not bear even the most superficial examination, never mind the examination of a fair hearing.

Ultimately, 10 of the accused were found guilty and six were acquitted—three Jews and three Muslims. The sentences ranged from four to 13 years in confinement. The international reaction to the trial and judgment is a matter of considerable public record. The trial process was condemned by the European Union, the United

States and—I am pleased to say—strongly condemned by Her Majesty's Government. Our Ministers played a leading role in trying to secure a public hearing and a transparent trial. The reaction was in many ways even stronger when the judgments were passed. Some people had speculated that death sentences might have been passed and suggested that we should therefore be relieved that they were not. However, one can take no joy in the fact that these innocent individuals are faced with jail sentences of four to 13 years.

I was given a categorical assurance during Foreign and Commonwealth Affairs questions, when I asked whether the Government would do all in their power to ensure that the trial would be open and transparent, and that the accused would have access to legal advice of their own choosing. My right hon. Friend the Foreign Secretary had been told that those things would happen, but that did not occur. I believe that he gave those assurances in good faith. The source of the problem is not our Foreign Secretary, but the Iranian authorities and the Iranian Government, who misled the British Government and gave them false assurances. What do our Government intend to do in response?

Amnesty International condemned the trial process and the sentences as a violation of international human rights law, saying:

> The proceedings in this closed trial fall far short of international standards for a fair trial.

In a letter to the President of Iran, the Council of Christians and Jews demanded that the trial be transparent and just and said that the accused would be in its prayers. The signatories to that letter are hardly radicals or people who would apply pressure without due consideration. They include the Archbishop of Canterbury and the Moderator of the Church of Scotland. They are honourable people who do not take these actions without proper consideration. I can only hope that their prayers have been more successful than their letter to the Iranian President.

What action can be taken by this and other Governments throughout the world to secure a successful appeal process? International pressure helped to ensure that death sentences were not handed down. International pressure can help to ensure that these appeals are successful when they are heard. Britain is in a unique position for two reasons. First, we have now established diplomatic relations at ambassadorial level with Iran. Our ambassador in Tehran and Iran's ambassador here should be in no doubt of the strength of feeling that exists in the Foreign and Commonwealth Office and the House of Commons about this issue. We should use the channel of diplomatic relations to ensure that maximum pressure is applied.

Secondly, the UK and Iran are strong trading partners. Our economic ties with Iran are close. In 1999, Britain exported the equivalent of $244 million to Iran and we imported the equivalent of $36 million from Iran. The former Conservative Minister, Mr. Jeremy Hanley, recently led a trade delegation to Iran to try to forge new business links.

On 26 June 2000, the Iranian news agency reported that one of the leaders of that delegation, Mr. John Hill, said that the delegates would report back to British companies to tell them about their experiences of the improvement in the political climate. I do not doubt the sincerity of his comments and there is no limit to my hope that there will be improvements in the political situation in Iran: that will be the hope of the friends of Iranian reform throughout the world. British business cannot ignore the persecution of these individuals, however, and the wider discrimination that occurs in Iran.

I make an appeal to my hon. Friend the Minister and to all Ministers for joined-up government, so that we can ensure that these innocent Iranian citizens can be reunited with their relatives. I appeal to my right hon. Friend the Foreign Secretary, who will visit Iran in the near future, publicly to state Britain's view on the matter and our disappointment that our Government were misled earlier this year and to ask for assurances that the appeals process, unlike the trial itself, will be open and transparent.

I understand that our Government's position is that the people involved have been treated as pawns in a domestic power struggle. However, it is not good enough simply for the Foreign and Commonwealth Office to apply pressure. In the spirit of joined-up government, the Department of Trade and Industry and other Government Departments should play their part to ensure that it is not only a political matter but an economic one and that Mr. Hill's comments and the efforts of Mr. Hanley in taking British trade to Iran and bringing Iranian trade here are not made in a vacuum that ignores the oppression of Iran's Jews.

We should constantly remind Iran that we shall consider the matter in a wider context. I understand that Iran wants to apply for membership of the World Trade Organisation, which is to be welcomed. If Iran opens up to international economies and liberalises its economy, that too is to be welcomed. We should make the case, through whichever Government Department is involved, that Iran's application for membership of the WTO will bring it under closer international scrutiny, including scrutiny of this case.

I make a statement not so much for our own Foreign Office but for Iranian representatives here in London. The issue will not go away. Members of Parliament from all political parties will continue to press the matter as long as those 10 Iranian Jews remain in prison. Indeed, questions on the matter have already been tabled for the next Foreign Office questions.

At stake is Iran's long-term standing in the international community. If the appeals are unsuccessful, the spirit of tolerance and international hope for a new, more tolerant Iran—an Iran "for all Iranians" as the President said very publicly—will be seen to have been put to the test and to have failed. The matter raises much wider issues than the fate of 10 Iranian Jews. Iranian justice and political reform are on trial. If the appeals fail, the Iranian justice system will be found guilty, not 10 Iranian Jews.

1.17 pm

The Minister of State, Foreign and Commonwealth Affairs (Mr. Peter Hain): I thank my hon. Friend the Member for Eastwood (Mr. Murphy) for having raised the issue of the Iranian Jews found guilty of espionage in Shiraz. I pay tribute to his energy in raising this matter and others. He is highly respected in his own constituency, especially among the large Jewish

[Mr. Peter Hain]

community there, as well as for his energetic pursuit of human rights issues in Parliament generally. That is important, because his approach to the issue is part of a wider commitment to human rights across the globe. I agree that the Iranian authorities here in London will have to acknowledge that the issue will not go away.

As my hon. Friend knows and has, indeed, been fair in acknowledging, the Government are deeply worried by the news of the sentences imposed on 1 July on 10 Jewish and two Muslim defendants tried for espionage in Shiraz. I agree that, to use his words, the trial was "deeply flawed". We and our EU partners have consistently expressed our anxieties about the conduct of the trial, and in particular about its closed nature. He is absolutely right that, despite earlier assurances to us from the Iranian authorities—indeed, from Iranian Ministers—that the trial would be open, it was not. That is unacceptable.

Dr. Rudi Vis (Finchley and Golders Green): My right hon. Friend the Foreign Secretary said that the trial would be fair because he had been assured that it would be. Is that assurance in writing? If so, should we not go through it line by line and ask the Iranian Government or the Iranian embassy in London what is their reaction to the trial not having been fair?

Mr. Hain: I acknowledge my hon. Friend's close interest and, in particular, that of his constituents in the matter, and I am happy to respond to his question. The problem is that our interlocutors in the Iranian Government are Ministers. The court system is run by the revolutionary court, which is largely opposed to the reform process. So, to be open about it, there is a power struggle in Iran between the reformers in the Government, led by President Khatami, who has the overwhelming support of the people, and the entrenched interests that retain control of the court process. The assurances, which were given, accepted and represented in the House by the Foreign Secretary in good faith, got caught in the middle of that power struggle.

Both the Prime Minister and the Foreign Secretary raised the issue with Foreign Minister Kharrazi during the latter's visit in January and I pressed the matter with deputy Foreign Minister Sarmadi when we met in March. More recently, the FCO director for the middle east and north Africa raised it with the Iranian ambassador on 1 June, and the EU presidency in Tehran presented démarches on behalf of all EU partners to the Iranian authorities on 29 April and 23 May. The Secretary of State discussed the matter with members of the Board of Deputies of British Jews when he met them on 14 June. Therefore, we have been fully engaged throughout the process and I am grateful to my hon. Friend the Member for Eastwood for rightly commending our leading role in the matter.

Immediately after the announcement of the verdicts on 1 July, we issued a statement expressing our deep concern, which we have subsequently reiterated with Iranians in London and Tehran. I welcome the fact that no death sentences were passed; 17 Iranian Jews have been executed since 1979. The sentences are however extremely heavy, particularly given the nature of the charges and the character of the trial. It is important to note that provision is made for an appeal to the Shiraz revolutionary court within 20 days of sentencing and, if need be, to the supreme court. We will continue to monitor the proceedings, on which the eyes of the entire world will be directed, closely.

We regularly raise our concerns about the plight not just of a single minority in Iran, but of the Bahais, students, intellectuals and others, many of whom are Muslims, who also face serious threats.

Mr. Lembit Öpik (Montgomeryshire): What constructive action does the Minister believe that the Government or hon. Members can take to reverse the death sentences that have been passed on a small number of Bahais in Iran, where the Bahai faith is not formally recognised and they are afforded no state protection?

Mr. Hain: I acknowledge the hon. Gentleman's close involvement with the Bahais, in Britain and internationally. We remain concerned at reports of the death sentences passed on three members of the Bahai faith in Mashad on 3 February. We and our EU partners have raised those concerns with the Iranian authorities. We welcome the news that one of the three, Mr. Khulusi, has since been released. We regularly raise with the Iranian authorities our serious concern about the treatment of the Bahais because persecution of individuals on religious grounds is unacceptable.

Mr. James Clappison (Hertsmere): Will the Minister give way?

Mr. Hain: I have to make progress first.

In line with our policy of constructive engagement, we continue to raise our concerns privately with the Iranian authorities. Some hon. Members have argued that we should have no dialogue with Iran. We believe, however, that the best means of encouraging the forces most likely to promote human rights is through critical engagement—the pursuit of political dialogue wherever it can produce benefits. The reformist Government need to be able to show that progress on human rights can bring benefits to their country, through trade and other means. However, engagement does not mean suspending judgment. To engage with Iran, we have not refrained from raising the difficult issues. A number of positive developments support a broader relationship with Iran—a country with a population of more than 60 million, which is rapidly becoming a key player in the region. Its neighbours are seeking rapprochement, and Iran is playing an increasingly constructive role in regional issues, such as Iraq and Afghanistan.

We also benefit from bilateral co-operation on drugs. More than 90 per cent. of the heroin on our streets originates from Afghanistan, and most of it goes through Iran on the way to Europe. Iran has seized more drugs than any other country; last year, the Iranian authorities were responsible for more than 60 per cent. of the world's opiate seizures, but they paid a heavy price for the fight against the drug traffickers. More than 3,000 Iranian drug enforcement officers have been killed in confrontations with smugglers and their gangs in the past 15 years.

Our co-operation with the Iranians in the matter helps them and directly benefits people in Britain. We are developing that co-operation, especially in tackling terrorism. I acknowledge the point made by my hon. Friend the Member for Harrow, West (Mr. Thomas) in that respect; we raise the matter continuously.

Despite the outcome of the Shiraz trial, which gives grave cause for concern, there has recently been progress on some aspects of the human rights situation in Iran.

The latest United Nations Commission on Human Rights resolution on Iran, adopted on 17 April, and drafted and sponsored by the European Union, noted positive developments on human rights, including the recent elections, movement towards greater freedom of expression and progress on the status of women, although at the same time expressing its deep concerns on remaining issues. We continue to urge Iran to co-operate with the United Nations on such matters, including allowing a visit by Maurice Copithorne, a United Nations special representative on human rights.

The Iranian people want reform, as shown by the election in May 1997 of President Khatami, who advocates the development of an Islamic civil society based on respect for the rule of law. Since then, in municipal elections in February last year, and in parliamentary elections in February and May this year, the people of Iran have overwhelmingly shown their continued support for President Khatami: 80 per cent. of the electorate support reform, including the vast majority of women and young people. Sixty per cent. of Iranian citizens are under the age of 25 and they all want reform.

However, opposition to reform remains in some quarters. The closure of 18 pro-reform newspapers in the run up to the election is an example. However, the new, largely reformist Parliament, which first sat on 27 May, has already declared its intention to tackle the problem. New legislation is being proposed to safeguard the independence of the press and to curb the powers of intervention of the judiciary. We welcome the comments of the recently elected Speaker of the Parliament, who said that it

> must seriously try to meet the wishes of the people...we are sure that the people are after freedom of expression.

The new Parliament also declared its determination to tackle economic issues and the need to streamline Government. It is not for us to intervene in the internal situation, but isolation is not the right policy if we want to engage the process of reform. Only through constructive engagement can we show our support for the will of the Iranian people while maintaining our ability to raise concerns such as the trial, which I mentioned earlier, when they arise.

Mr. Clappison: I am grateful to the Minister for giving way. Earlier, he mentioned the Shiraz revolutionary court. Is there a risk of the court increasing the sentence or can it impose only a less severe sentence?

Mr. Hain: I do not think that it could increase the sentence; that would be unthinkable.

I am aware of the statement signed by hon. Members calling for a change in United Kingdom policy towards Iran. We and our European Union colleagues have continuing anxieties about human rights violations, which we regularly draw to the attention of the authorities. We must base our analysis on unbiased sources, however, such as the reports of Maurice Copithorne and the latest United Nations resolution adopted in April, both of which recognise improvements in Iran, rather than the propaganda of the National Council for the Resistance of Iran mentioned in the statement, which appears largely to have inspired it.

Some of my hon. Friends may not be aware that NCRI is dominated by the terrorist Mujahedin-e-Khalq organisation, the MKO, which claims responsibility for a number of terrorist attacks in Iran. The NCRI and the MKO are on the USA State Department's proscribed list of terrorist organisations. We do not recognise either of them, neither did the Opposition when they were in government. The MKO is despised by most Iranians—it is important that hon. Members understand that—as it supported Saddam Hussein in the Iran-Iraq war.

The Government believe that it is right to promote human rights, but we must choose the right way of doing so. That means responding to human rights challenges in a way that is most likely to help the people whose freedoms are being restricted. The way in which the case of the Shiraz defendants is dealt with through the appeals process will be a big test of that strategy and of the future of Iran and its people. The eyes of the world will be on Iran. It is important that the Iranian authorities respect the freedoms of those defendants.

Mr. Deputy Speaker (Mr. John McWilliam): Order. Before we start the next debate, it may be convenient to allow the Minister to take his seat reasonably gently. If he wishes to, he may address the Chair from a seated position.

Policing (Public Events)

1.30 pm

Mr. David Heath (Somerton and Frome): I sympathise with the Minister in his incapacitated state. My incapacity—such as it is—is my throat. I hope that it will last the duration of the debate.

I am grateful for the opportunity to raise an issue that was raised with me by constituents, but has wider relevance. I shall talk about the policing of outdoor public events and, specifically, the traffic management role of police at one-day agricultural shows, Pony Club events, village fetes and the other voluntary or semi-professional events that are held each summer that many people want to attend, but which cause some disruption to local traffic and need to be organised with a little care.

The issue was first brought to my attention by Mr. Charles Bradley Hudson, whom I met at Wincanton races. I do not raise everything that I am told at Wincanton races on the Floor of the House, but the gentleman involved was responsible for stewarding the races and therefore had relevant expertise. He was concerned that police policy had changed and he thought that that would have knock-on effects for commercial organisations such as his and for voluntary organisations.

As I pursued the issue, I found that it was not confined to Avon and Somerset police, with which the Minister knows that I am familiar from my past career. The guidance given by the Association of Chief Police Officers and the public safety policy that it issued on 28 April 1999 mean that the issue is relevant across the country.

The policy represents a shift in police thinking, probably for good reasons. The chief police officers are anxious to use their human and financial resources to best possible effect, and the best use of a uniformed constable is not necessarily directing traffic. I understand that. I have argued for many years that we require additional police officers in Somerset and elsewhere and I understand the difficult decisions that police management must take.

There is concern, which is also expressed in the public safety policy document, about the liability of police officers in such circumstances. The point that has been repeatedly made to me is also made in the introduction to the policy document, which says:

> the Police have no general duty to preserve public safety at any public event, except where there are imminent or likely threats to life.

That is clearly a statement of fact about the responsibility of the police. The introduction continues:

> Legal opinion suggests that the responsibility for public safety rests with the organisers of an event, the owners of the land on which it takes place and possibly the Local Authority if the event takes place on a road. However, other persons or agencies who undertake actions regarding public safety at an event may assume a duty of care and, therefore, also become responsible.
>
> In the past, the service—

the police service—

> has taken the lead and undertaken actions to facilitate public events, acting for what they believed to be the public good. However, with the emerging spectre of civil litigation, a more focused approach, confining Police action to those issues that are part of our core responsibilities and where there is legal authority, is becoming necessary.

The consequence of that view is that the police should not be directly involved with policing outside public events. That should be the responsibility of the event organisers, and the police should be employed only in the circumstances that I described earlier: where there is an imminent threat, or where there is no reasonable alternative. The outcome of that change of policy has been a withdrawal of police presence at outside public events this year. I understand some of the arguments for that, but I also want to explore with the Minister some of the consequences for others of that outcome and consider how that vacuum might be filled.

There is a vacuum in preparation and planning for events, in training and accreditation of people who take on the role of directing or assisting traffic movements and in terms of signage, liability and powers. During the past few months, I have addressed people in the various Government Departments who have partial responsibility for that area in an attempt to obtain some answers. Indeed, I received a helpful answer from the Minister of State, Home Office, the hon. Member for Norwich, South (Mr. Clarke), who said:

> I understand from the Association of Chief Police Officers that each Local Authority has a Safety Advisory Group on which the police are represented and they consider the risks associated with any proposed site for an organised local event such as a horse show or agricultural fair.

Actually, that is not the case. I do not deny that the Minister was given that advice, but according to the House of Commons Library researchers, local authorities have not set up safety advisory groups. The Association of Chief Police Officers would like such groups to be set up, but there is no mechanism to make that happen. Indeed, the Local Government Association is wary of following that course. There is a question about which authority is responsible. The responsible authority for licensing a particular area to be used for an event will almost certainly be the district council, which is not the highway authority. Therefore, there is a dichotomy between the responsibilities of the various local authorities.

It would be extremely helpful to have a system that permits a proper exchange of views. That would cure some of the problems, but I suspect not all of them. I also wrote to the public safety committee of ACPO, chaired by Mr. Sean Price, the assistant chief constable of Nottinghamshire. He wrote me an extremely helpful letter and offered to meet me—an offer that I intend to take up to enable me to discuss these issues with him. He said that the intention was for the traffic management policies that emerge from those advisory groups to be self-policing, but I do not believe that that is the case. For example, I do not believe that the Frome cheese show, a significant one-day agricultural show, will be self-policing. However sophisticated the signs and cones, traffic management will not simply happen of its own accord; it will need direction and support.

The likely result of an absence of police, traffic wardens or some other uniformed presence is chaos. Chaos is good for no one and is certainly not good for organisers of events. There is also a potential danger to public safety if emergency vehicles, for instance, have to get through. That is what concerns me.

Mr. Price continued by referring to the point that I had raised with him about the training of those who control or who seek to control traffic. His opinion was:

> As to the issue of training traffic management officers, I feel that in the light of what I have said above this becomes an unnecessary measure.

Again, he prays in aid the traffic management policy because he believes that that will be self-policing and that there is no need for stewards to be on the road directing traffic. First, I do not accept that premise and, secondly, people will in any case want to assist those attending their event. They will go out on the road and don orange jackets, but they will have not the slightest idea of what they are doing in terms of traffic management. They will not have training or accreditation because that is not available.

People whose job it is to organise events, such as Mr. Charles Bradley Hudson, to whom I referred, want their stewards to be trained properly and to be able to do the job properly. They want accreditation, which could best be provided by the police, to enable that to happen.

Adequate temporary signs could make a major contribution in the absence of police but, again, we have a little policy vacuum. Lord Whitty tells me that signs can be put up only with the agreement of the relevant traffic authority, which again puts the onus back on event organisers. He also tells me that the Department of the Environment, Transport and the Regions is reviewing and updating traffic sign regulations—the code of practice and guidance on the provision of temporary signs to special events.

That is all well and good, but to implement half a policy and then wait for the other half to come along is not a sign of what we have come to call joined-up government. The people caught in the middle are those least able to find their way through the jungle—those trying to raise money for charity and to organise events. I worry about the situation.

My final major point is liability. People who have no training or accreditation in directing traffic are personally liable for their actions. They have no power to stop vehicles. If a driver gets fed up in the traffic and does not like the look of the chap in the orange jacket, he could drive past irrespective of the consequences. That was confirmed by my local chief superintendent, Ted Allen, who told me:

> In respect of a member of the public directing traffic on a public highway they have no legal standing and would do so at their own risk with any incident resulting being investigated accordingly.

There is a premium on people who are trying to improve public safety and to do a job for their local community, but who are liable for anything that happens as a result. What worries me is the duty of care that a person with that responsibility would have not to do something reckless or rash—for example, not to call someone forward in front of a moving vehicle. I understand the point; that liability is reasonable. I wonder, though, whether the organisers of an event have a more general liability for circumstances such as those that I have described. When an ambulance or fire engine needs to get through but cannot because a mess of traffic is blocking the road over which the organisers have no powers, are they liable for any injury as a result of their inability to direct traffic effectively? There is a difficulty in the situation.

I could mention in passing the Road Traffic Regulation (Special Events) Act 1994, but that is a different issue as it concerns road closures and smaller organisations. For example, I could mention its effect on west country carnivals—a matter of great importance in my part of the world, which has a superb carnival season and circuit. The new restrictions are justified in public safety terms, but they become very onerous for many event organisers. However, I do not want to divert the discussion into such matters.

I should like to leave the Minister with the final conclusion of ACPO in its policy document. It states:

> The current policing dilemma is created by a number of conflicting issues, although the lack of legislation to regulate public events is a major factor. Inconsistency has resulted. This has the potential to cause disaffection between the police and the public and significantly damage community relationships, which are vital to the Police Service.

I agree with that view and I do not criticise the police for applying their resources in the best way possible to serve the local community. That is why I want to ensure that public events are supported by a proper policy framework and to avoid allowing a unilateral withdrawal of police support without ensuring that there is something to take its place. That requires the concerted action of the Home Office, the DETR, local authorities and the police. Such action should ensure that everyone understands where the responsibilities lie, how support can be given and how the events can be controlled in a managed way.

We should not allow well-meaning people, who are trying to serve their community by putting on events for the public good, to be put in the impossible position of not managing the traffic satisfactorily and in a way that the public will accept and, more importantly, of not ensuring public safety. I invite the Minister to consider the matter and to try to find ways in which the Government can help to resolve these issues, some which have been left open to discussion. No clear solutions are being evolved to many of the problems, either at local or national level.

1.46 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. Mike O'Brien): I thank the hon. Member for Somerton and Frome (Mr. Heath) for raising this important issue, which he has done reasonably and sensibly. His quotations from the Association of Chief Police Officers sub-committee on public safety policy were all accurate. The final paragraph of its study states:

> The Police Service will, therefore, encourage the promotion of legislation to properly regulate and control such events in future.

We will discuss with the police their proposals for the proper and effective regulation of future events.

The hon. Gentleman raised a number of issues and I shall try to deal with each in its turn. We all realise that the police have a difficult job and we have recently witnessed a number of public events in which their involvement was crucial. We have seen a number of instances of organised disorder, in which protest groups or others acting under the guise of a legitimate cause have sought to cause havoc on our streets or at public events. In the events of 18 June and 30 November last year and of 1 May this year, the police faced a difficult task in containing those groups and maintaining order in our streets.

[Mr. Mike O'Brien]

Certain police roles are important and central to the handling of such events. The police are expected to prevent and detect crime, to prevent disorder and breaches of the peace and to ensure action is taken together with the other emergency services in the event of any major crisis. That work involves a good deal of preparation, planning and consultation, especially when it relates to sizeable events. The wider community and other agencies must also be fully involved in such work. The police always have a role to play in public events that are likely to result in problems of disorder or that might do so. As far as organisers and the general public are concerned, they also have a role in events that are less likely to result in serious problems, to ensure that they are properly policed and that the core functions and responsibilities of the police are properly attended to. Those functions are preventing crime and disorder, maintaining the peace and investigating offences, which are essentially operational matters. It is for the police to determine the level of resources that they can devote to particular events.

The police are not the only public organisation involved in ensuring public safety at organised events and it is not a core police task to organise or manage traffic or to organise the events themselves. That task falls primarily to the organisers of the event. Other agencies—in particular local authorities—must also play their part. As the hon. Gentleman said, the Association of Chief Police Officers has issued guidance on public safety policy, which clarifies the police role and the tasks of other agencies.

Over several years, a creeping involvement of the police in the management of public events had come about. They had taken over responsibility because the organisers of events had been willing to let them do so. The police therefore were organising traffic management schemes and sometimes advising on the layout and organisation of an event. Those are not core police roles, but the responsibility of the organisers. The police should by all means consider the extent of their involvement in advising on such matters, but it is for the organisers to deal with them.

The premise of the hon. Gentleman's reasoned and carefully argued speech was that the police are better trained to manage the types of event in question. The assumption behind that is that somewhere police officers are being trained in traffic management of more than a basic type—by which I mean standing in a street and directing traffic. As I understand matters, traffic control officers are trained in such traffic management techniques, but ordinary police officers receive only basic training on how to direct traffic.

Some of the events in question require considerable traffic planning. Specially trained traffic control officers would not normally be involved in that. They would be on the motorway, or dealing with large and complex incidents, or the transport of heavy goods. We would not expect specially trained officers to become involved in smaller events such as fetes or carnivals, often in rural areas. That brings us back to the ordinary officer with basic training in traffic management. There is no reason why an organiser of a public event could not investigate such training, assuming that it would be relevant—it might not—or obtain advice on traffic management from other properly trained and skilled people. There are plenty of consultancies. Doing so might require resources and some of the organisations concerned might be charities, but it is the responsibility of people who organise events to ensure that they can do so properly and not to transfer to the police a responsibility beyond their core job of protecting society against crime and disorder.

Mr. Heath: I am grateful to the Minister and I accept his basic premise. The difficulty is that the police officer, however well or badly trained, has one great advantage: the power of his office of constable and the fact that he is in uniform and that if he puts his hand up the traffic will, by and large, stop. That is an attribute that the volunteer or even the professional steward does not have. That is why some training is important. Some organisations find it difficult to provide that training for their staff.

Mr. O'Brien: The hon. Gentleman is right that a police uniform conveys authority and that a uniform worn by a steward may not do so. However, we need to ensure that the authority of the police is used in a way that senior police officers feel will best contribute to preventing crime and preserving order. A senior police officer might decide that the best allocation of resources would be to have a police officer on the beat patrolling a particular area, or to use him to investigate a particular crime, rather than making him spend the day directing traffic outside a rural fete. That does not undermine the importance to the local community of that fete, but it avoids placing an additional burden on the police.

When people decide to use their land for a car boot sale, a music festival or a garden party for their friends, they should not be able to call on the police to direct traffic because we have given them a statutory responsibility to do so. That would allow everyone to call in police resources to direct the traffic as they see fit. Too often, the police have taken over the virtual management of an event on behalf of the organisers. That is regrettable.

However, the hon. Gentleman raised a number of concerns. He said that safety advisory groups have not been established in all local authorities. We will have to discuss that with the Local Government Association and ACPO. He also suggested that there is a vacuum in training with regard to how to assist traffic movement and to sign appropriately. We shall also want to discuss that with ACPO.

The subject raises the issue of where power and responsibilities lie. Advice from ACPO properly indicates that there is, to some extent, a lacuna in legal provision. We are trying to engage with ACPO and local authorities to decide how to proceed, but this is not a simple situation. I do not want to create a lot of extra duties for police officers that give public authorities and private individuals the ability to take control of the placement of police officers. That power should remain in the hands of chief constables. I accept that responsibilities should be more carefully defined, but we must not transfer all the responsibility to the police because that would place substantial demands on resources.

The hon. Gentleman asked which authority would have responsibility. In some areas, such as the hon. Gentleman's and mine, the county council is the traffic authority, but the authority that gives permission for events is sometimes a district council. We need to clarify which authority would be responsible. He said that if the police are not involved, public safety would be put at risk by the ensuing chaos. I do not accept that argument. The police in my area are often not directly involved in traffic management at an event and stewards are used instead. That happens in many parts of the country, but the practice varies from place to place depending on the resources that are available to chief constables. I do not envisage any great threat to public safety by allowing the police to be consulted and to give advice, but people who arrange private events must ensure that they are properly organised. It is their job to ensure that traffic is not disrupted. It is up to the police to ensure that if public safety is at risk, or if a crime might be committed, they are there to do their job in the proper way, but they must decide how best to allocate their resources.

The hon. Gentleman mentioned liability. People should be aware that if people organise a private event they might be liable for the consequences. However, in the case of Wincanton, I understand that the Avon and Somerset police reviewed the role of their officers who attend race courses and a great deal of good work has been done in properly stewarding the Wincanton races.

We will consider the issues. I hope that the hon. Gentleman accepts that we have given an appropriate response to an important issue.

Question put and agreed to.

Adjourned accordingly at one minute to Two o'clock.

Westminster Hall

Thursday 13 July 2000

[MR. MICHAEL J. MARTIN *in the Chair*]

EC Development Assistance

[*Relevant document: Minutes of Evidence taken before the International Development Committee on 4 July (HC 669-i)*]

Motion made, and Question proposed, That the sitting be now adjourned.—[*Mr. Mike Hall.*]

2.30 pm

The Parliamentary Under-Secretary of State for International Development (Mr. George Foulkes): The Government believe that Parliament should have a regular opportunity to discuss European Community development policy. This Chamber provides an excellent opportunity to do that and I welcome it.

In February, we debated in Westminster Hall the European development fund and we had a preliminary canter round the course on the successor to the Lomé convention. The new Cotonou agreement was signed in Benin at the end of June and marks an important step forward in the European Community's relationship with developing countries. It is a welcome step forward and the successful outcome follows a great deal of effort by the United Kingdom Government, including my right hon. Friend the Secretary of State for International Development, my noble Friend Baroness Amos and many of our officials, and a wee bit of help from myself—[HON. MEMBERS: "Hear, hear."] I am especially grateful to my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) for his support. We hope that this marks a new beginning for EU development policy generally, which is the subject of our debate.

The EC's reputation in development must be at an all-time low and the Government are the first to recognise that. There is widespread consensus, which we share, that the present situation is intolerable. Poul Nielson, the Commissioner for Development and Humanitarian Aid, said that improvement is a question of do or die for EC programmes and Chris Patten said that they are an embarrassment. I am sure that the hon. Member for Richmond Park (Dr. Tonge) will agree, in her professional capacity, that the first step to recovery is to recognise that there is a problem. There is now such a recognition.

However, in the midst of this sorry state of affairs, there are at last some encouraging signs, not least because of pressure from the British Government during the past three years. The Commission is now committed to a wide programme of reforms, which Vice-President Kinnock is overseeing. Commissioners Patten and Nielson have announced plans to improve the management of EC development programmes and they are now starting to be implemented. There is at last a good draft development policy statement, again following pressure from a number of people, not least the British Government. However, that policy statement needs an action plan so that we can see how it will be implemented.

I have referred to the new Cotonou agreement, which is a significant improvement. It has the clear objective of poverty eradication, as has our White Paper. It has a trade deal that seeks to integrate African, Caribbean and Pacific countries to the global economy in ways that benefit the poor. There will be an end to pockets of money for special interests and funding will now be linked to performance and needs.

However, I must sound a cautionary note. Those positive signs do not mean that the battle to turn the European Community's development performance 'round has been won. There is still a great deal of resistance to change, even among some Members of the European Parliament, and a lot of pressure to misuse precious aid resources. However, the Government believe that the way forward is clear, and I want to use this opportunity to spell it out.

First, we need a clear policy framework. The Commission has produced a draft development policy statement that goes a long way to providing that. We support its objectives of reducing poverty and integrating developing countries into the global economy, ensuring that globalisation, which could be a threat to them, can be an opportunity. It recognises that development policy goes beyond spending programmes. Other policies, such as trade, agriculture, environment and fisheries must support development too, as we have recognised in our bilateral programme. However, the development policy statement must be agreed and applied by all parts of the Commission to all programmes, not just to Poul Nielson's Directorate-General.

Mr. Bowen Wells (Hertford and Stortford): Does the Under-Secretary agree that the development policy statement looks like one of those declaratory rhetorical statements that we have become so used to in the European Community? It makes great statements, and puts forward great aims, but fails to show how it might be implemented and how the Community would marshal its forces to achieve it. How will this rhetoric be matched by action on the ground?

Mr. Foulkes: The hon. Gentleman has put more eloquently and forcefully what I was just saying. I think that he might also agree that the first step towards achieving implementation is knowing in which direction one is going, otherwise one could go round in circles. The Commission now has a clearer direction, and that is a first step. However, I agree that we now need a plan of action.

Mr. Gary Streeter (South-West Devon): We all agree that we like the reforms that have been introduced over recent weeks; it is certainly a great advance on the previous state of affairs. How long will the Government wait, however, before they decide whether the reforms will result in practical benefits on the ground for the EU aid policy?

Mr. Foulkes: That is a helpful question and I shall respond to it shortly, in a little more detail than I could in responding to an intervention. I welcome the hon. Gentleman's assumption that it will be a Labour

[Mr. Foulkes]

Government who will have responsibility for ensuring the implementation of the reforms over the next five or 10 years.

Mr. Dennis Turner (Wolverhampton, South-East): Fifteen years.

Mr. Foulkes: Or fifteen years, as my hon. Friend says.

We need EC programmes to be more strategic. The European Community must do less if it is to be more effective, rather than spread its work so widely and try to do everything. There are a few areas in which it has a comparative advantage. Transport and trade are examples. The EC should establish its expertise in those areas and be ruthless about not trying to develop programmes in other areas in which it does not have such a comparative advantage.

Instead, the Commission should build strategic partnerships with other donors—including ourselves and other bilateral donors—and co-fund their, and our, programmes. Perhaps the hon. Member for South-West Devon (Mr. Streeter) would like to contemplate what that could mean in practice, using the well tried expertise, knowledge and contacts that we and other donors have, while being co-funded by the European Commission. Indeed, all sensible donors do that, not least to cut the burden on developing countries that have to deal with multitudes of donors clamouring at their Ministries' front doors, each with different procedures. That creates difficulties for small countries with limited capacity. It means that the European Community and, in particular, the European Commission should be less concerned about seeing the European Union flag on their projects. Those projects should benefit the developing country, not further the glorification of the European Union.

Thirdly, we need radically to modernise Commission procedures. It is not credible to require 40 signatures before amending a contract or to require all decisions to be taken in Brussels. Streamlined procedures will encourage faster projects and improve their quality because Commission offices overseas will be given more responsibility for programmes.

Many of the proposals that were made by Poul Nielson, Chris Patten and Neil Kinnock go in the right direction. It is likely that the speed of EC programmes will increase quickly. However, the EU needs vastly to improve the quality of its programmes as well as the speed of their implementation. Otherwise, bad programmes will be delivered quickly, which would not be an improvement—quite the reverse. The Government and other member states, civil society, and national and European Parliaments need to work hard to support higher standards.

The greatest remaining concern involves the allocation of EC resources. The Select Committee on International Development, which sits under the distinguished chairmanship of the hon. Member for Hertford and Stortford (Mr. Wells), examined this question in detail 18 months ago. Despite that Committee's recommendations, there has been no significant change since then. The case for directing more EC official development assistance to poor countries is stronger now than it was 18 months ago. Research continues to show that poverty will be reduced faster if resource transfers are directed towards poor countries, especially those with good pro-poor policies. Overall, most donors changed their spending during the past 10 years to match that pattern.

The EC is the shameful exception to that trend—75 per cent. of official EC development assistance went to poor countries in 1986, but the figure is only 54 per cent. today. The EC's Mediterranean programme is allocated about 1 billion euros per year, but Asia, which is a much poorer and larger region, with better policy scores and many times more poor people, is allocated less than half as much, which cannot be right.

Dr. Jenny Tonge (Richmond Park): Does the Under-Secretary agree that that is one of the most shameful aspects of European aid? Did not the Amsterdam treaty mention aid objectives to combat poverty? Are not we simply failing to fulfil those objectives?

Mr. Foulkes: The hon. Lady is absolutely right. That is why I said that that is the key criticism.

One good sign is that the Commission has acknowledged the problem in its draft development policy statement and in a staff working paper. As I said to the hon. Member for Richmond Park earlier, she will understand, in her professional capacity, that admitting the problem is the first step. There are pressures to direct EC aid funds to regions of high political profile for the EU, namely, those that are closest to us, including the middle-income countries of the Mediterranean and eastern Europe, rather than to the poorest countries. We are all politicians, and we have to recognise, respond to and counteract such political pressures—we must not ignore those pressures, which come from within the Commission and EU member states. Unfortunately, there is a habit in this context of making gesture commitments, which grab the headlines but are forgotten the next day. In the end, they have little impact because they are poorly thought through.

I hope that hon. Members will not misunderstand my argument. The EU's political, security and trade priorities are important—no one denies that. The EU is rightly concerned about stability on its borders, but it also has important security and stability concerns further afield. It must recognise that instability, conflict and poverty in Africa and Asia have a destabilising effect on Europe, as we know only too well. Poverty, conflict and environmental degradation in Asia and sub-Saharan Africa are a threat to us, as well as to the people of those regions.

That is not to say that the EC should not provide assistance to what is described as its near abroad—especially those countries with large numbers of poor people. However, we would all agree that the needs of middle-income countries are not the same as those of the poorest. The EC needs to develop the right tools for the job. In the poorest parts of sub-Saharan Africa, that might mean using substantial resource transfers to support economic and social reform in countries that are unable to invest in the health and education services necessary for sustainable development. On Europe's borders, that means assessing needs and priorities, and providing technical assistance that will help reform, rather than crowd out important private sector flows. What it does not mean is making huge financial pledges that will not be spent, and which would serve only to undermine further the EU's reputation.

I shall conclude, Mr. Deputy Speaker, because I want to give hon. Members the opportunity to participate fully in the debate, but I hope to catch your eye at the end and reply at length to the many points that will be made.

Mr. Streeter: I thought that the Under-Secretary said in response to my earlier intervention that he would tell me how long the Government are prepared to wait, and I should like him to deal with that point. I have disagreed with nothing that he has said so far, but if the current Patten reforms do not work on the ground, how long are the Government prepared to wait? Also, if the reforms do not increase the EU's performance, what do the Government propose to do? What specific action will they call for?

Mr. Foulkes: I have two options: I can deal with that point in my winding-up speech, or I can deal with it now, and I am happy to do so. The hon. Member for South-West Devon wrote to the Secretary of State about the matter on 23 June and received a reply on 10 July. He also raised it in the House during the most recent Question Time, and the Government spokesman gave a very good reply.

The Opposition are proposing what could best be described as an à la carte European Union, which we believe would be unworkable, unnecessary and counter-productive. If EC programmes are to be effective, all member states should contribute to them; if they are ineffective, we should improve them; if they cannot be improved, we should cut them back to avoid wasting money, and set more modest objectives that can be met. Patten and Neilson echo that approach.

To achieve those aims, we do not need the treaty changes that the hon. Member for South-West Devon has bandied about. We need clear objectives, close collaboration with the Commission and other member states, and a good understanding of the way in which EC programmes work. Unlike the previous Government, this Government have delivered all those things, including the publication of reform proposals. As I said during that recent Question Time, the previous Government increased expenditure in the agreement at Edinburgh from 20 per cent. to 30 per cent., and did nothing to improve effectiveness. We, on the other hand, have taken action. Amending the treaty to allow individual member states to opt in or out of the EC programmes would make planning impossible, cut the total amount of aid from the EU, and remove any incentive for reform. It is completely unrealistic and non-negotiable.

In his intervention during Question Time, the hon. Member for South-West Devon said—no doubt, he is thinking about it again—that the matter should be raised at the intergovernmental conference. As he ought to know, the IGC is concerned not with changes of policy but with making the institutional reforms that are necessary for enlargement. That is why the agenda includes the size of the Commission, voting procedures on the Council and other such matters. I am surprised that the hon. Gentleman is not aware of that.

We believe that enlargement should remain on track. If it is to do so, negotiations need to be completed by the end of the year, and we expect them to conclude at the Council meeting in Nice in December. The agenda must remain focused. The IGC does not have time to get into wider policy questions; such a move would risk delaying enlargement and defeat the main objective of the negotiations.

I can assure hon. Members that the Government will continue to push hard for reform. The momentum for improvement is building up, and we are beginning to see real change on the ground. We accept that there is still a long way to go, but we believe that positive engagement is the right approach. That is how we will make progress. Unlike the Opposition, we are not isolationists.

This is a time of opportunity for improving the quality and efficiency of EC aid. We can even enjoy a little cautious optimism. The first challenge is to improve quality, not just speed; there are some grounds for optimism in that regard. The second is to reallocate EC funds, so that they make the necessary contribution to meeting the world poverty reduction targets. The European Community can make a great contribution, and the development assistance programme has one major advantage: it levers in assistance from European countries that would not otherwise use that money for development. That is its real added value. The programme, with that added value, can help us to achieve the poverty reduction targets for 2015—halving the number of people living in abject poverty, providing universal primary education and reducing maternal mortality rates. To do anything less than helping to get the European Commission programme moving in that direction would be to betray the poor, whom we are all here to help.

2.52 pm

Mr. Gary Streeter (South-West Devon): I welcome the opportunity to debate this important matter. I congratulate the Minister on the efforts that he has made to get the European Community to move on the aid budget. It has been a shambles for a long time, and has been getting worse in recent years.

The Minister and other hon. Members will know that I believe that the right kind of focused aid can make a difference and change lives. I strongly support such aid. That is why my experience of the EU aid programme has made me so angry. In the past two years, I have seen many examples of excellent bilateral work by non-governmental organisations—some funded by the UK Government, some by the organisations themselves—that has changed lives and made a difference in terms of sustainable development.

However, I have yet to encounter an example of strong and positive EU action that has been effective. I have been to 11 countries in the past two years, and I have yet to find it. I am not an unreasonable person, so I am looking out for examples of good practice, as well as bad. I have seen some plush offices, funded by the EU, but I have yet to see examples of action that has made a difference. It is vital that every pound that we spend and every hour of effort that we put in represents the best

[Mr. Gary Streeter]

possible value. That is why I am angry about the performance of the EU aid budget in recent years and why I am determined to see change.

Mr. Tony Worthington (Clydebank and Milngavie): The hon. Gentleman says that he has been to 11 countries and seen plush European Union offices. Where?

Mr. Streeter: The best example is Kenya, which the hon. Gentleman may have visited. I believe that the EU office is for three countries in east Africa; no doubt he will make his own inquiries. I am sure that he does not disagree that the EU aid programme has been woefully inadequate.

We all agree that the EU aid programme has failings, and welcome the recent language of the Secretary of State. The key question is, what is to be done about it? The Minister referred to the draft development policy statement. However, the Secretary of State pointed out to the Select Committee on International Development that, although it is a good statement, care is required because it does not include an action plan. She said:

> Everyone will trumpet the Policy Statement, read the words, it says everything that we would wish, and we might feel we have won, but until there is an action plan and a process for implementation, it is another piece of paper saying the right things, and we have seen that before in the Commission on poverty, on gender and all sorts of things, good policy that never got to the implementation stage.

The Minister echoed that, but he also said that he was feeling optimistic. We have heard that before: we want to see changes on the ground.

It is noticeable that, in recent years, EU aid performance has got worse and worse. During Question Time two weeks ago, the Minister, in his non-response to me about looking forwards to what practical changes can be made, merely referred to 18 years of Conservative government in which no changes took place.

Mr. Foulkes: Of course. We have had three years in government, and I have outlined the action that we are taking and the way forward. Can the hon. Gentleman give one example of something that my predecessors—Baroness Chalker or Chris Patten—did to improve the efficiency or effectiveness of EU aid? He is moaning, yet we are taking action. What action did our predecessors in his party's Government take?

Mr. Streeter: I intend to come to that. My first point is that the Minister has not yet achieved anything. As the Secretary of State said, all that the Department has is a piece of paper from the Commission and an intention to reform. The Minister said that until there is implementation on the ground nothing will be achieved. Nothing will be achieved for the children of Africa and Asia until the funding streams are diverted. Has that happened yet? No, it has not.

My second point is that, in the past three or four years, a growing consensus has formed about the true paucity of the EU development budget. The Court of Auditors annual report for the financial year 1997, which was published in 1998, blew the whistle on some of the worst examples of fraud and misuse. In March 1999, the report by the five wise men revealed some of the failings of the EU aid programme. In 1998, the admission by the European Commission showed how poor the performance of the European Community Humanitarian Office was between 1993 and 1995. In January 1999, the Select Committee—which is chaired by my hon. Friend the Member for Hertford and Stortford (Mr. Wells), who is sitting behind me—unfolded some of the worst examples of EU aid.

The EU aid programme has never been good, but it has got much worse, and there is growing consensus on that. I do not blame the Government. I blame them for an awful lot, but not for that. In the past few years, it has been recognised that the aid programme is not merely poor or second-rate, but utterly unacceptable.

Mr. Foulkes: The hon. Gentleman asked me to give one of the several examples of the Government starting, in practice, to secure agreements to switch resources. In current negotiations, the Council has, on our initiative, severely cut the Mediterranean allocation. France was outvoted on that. We proposed a small increase in the Balkans. Cutting the MEDA programme represents a major change. That is just one example. Of course these things take time; we have to take 15 countries along with us. So far—at least where we can get a qualified majority—we have been able to do so. Can the hon. Gentleman give an example of the previous Government doing anything at all?

Mr. Streeter: I have made the point that it is only in the past three or four years that the true awfulness of the EU aid programme has come to light. The Minister gave one example of a specific decision. Can he give a second example?

Mr. Foulkes: Oh.

Mr. Streeter: Come on; let him give one example of a change in the EU's attitude and performance on the ground. One swallow does not a summer make. The programme will spend £800 million of British taxpayers' money in the financial year 2001-02, and I am angry about the performance in the past few years because we could have done much more bilaterally with the money. The Minister should reflect on that.

We accept that what I still call the Lomé convention funds—we will all get used to the new expression in due course—must be left in the EU kitty. However, if the welcome reforms that have been pushed through do not deliver practical changes after a reasonable period, it will be time to make changes. It does no good for the Minister and his boss to use the right rhetoric if they cannot make the changes needed to improve the aid performance—not for their sakes or for my sake, but for the sake of the children of Africa and Indonesia.

Mr. Foulkes: The hon. Gentleman asked for one example, which I gave to him. He then asked for a second example. If he had listened to my speech, he would have heard the second example, which was Cotonou. That is a phenomenal agreement and a big change in the way in which we deliver European aid effectively to the African, Caribbean and Pacific countries. That fact is generally accepted—even some of the Government's critics accept it. I am not an apologist who says that EU aid is wonderful. I have never said that. The way in which aid is provided needs to change and is now moving in the right direction. If the hon. Gentleman will excuse the phrase, we have made a start, but we still have a long way to go.

Mr. Streeter: I certainly accept that there is still a long way to go. I repeat that I welcome the start, but I do not accept that the recent improvements in the Lomé convention reflect the Patten reforms—negotiations on which have continued for more than a year. All that has happened is that a necessary negotiation has reached its conclusion. If the Minister had a hand in that, we warmly congratulate him.

I want our contribution to the EU aid budget to be properly spent, providing value for money and changing people's lives. We welcome the changes and support the Government's rhetoric, but I want answers to my questions. How long will the Government wait for the reforms to work their way through the system? If the reforms do not succeed, what will the Government do? The Minister's answers worried me greatly. He used the usual rhetoric about having clear objectives, collaborating with the European Commission and trying to persuade people—in the same way as that used for the past three years. Those methods have not worked.

Mr. Worthington: Will the hon. Gentleman answer his own question? What would be the policies of a Conservative Government? Would they withdraw from the EU development budget?

Mr. Streeter: I thank the hon. Gentleman for suggesting that we will shortly have a Conservative Government. That is, of course, the expectation of the vast majority of people. I shall answer his question directly. I am a practical politician, and if there is an opportunity to change something that is going wrong, I will take it.

The agenda for the intergovernmental conference is under negotiation before the summit in December. The Minister is wrong to say that the IGC will discuss only enlargement and consequent structural changes. The IGC can consider any proposals from member states. There is consensus that the EU aid budget is going hopelessly wrong, and the IGC presents the best opportunity for proposing paving reforms. The United Kingdom Government will miss that opportunity if they are not careful.

In 12 months, or even 24 months, the Patten reforms may not have effected changes. The Secretary of State seemed to suggest that in her responses to the Select Committee on 4 July, because in her heart she realises that they will not work. When there is recognition that the reforms have not worked, member states that wish to do so should be allowed to withdraw the majority of their EU aid contributions. Instead of being wasted, that money could be spent bilaterally on improving the lives of people in Africa and Asia. I accept that the Lomé convention money must stay on the table and that there might be other things that should not be removed, but unless EU performance is increased and improved, the lion's share of that £800 million should be spent bilaterally. That will require significant changes, and paving reforms should be tabled now.

I have travelled extensively in the past three years; I was Conservative spokesman on Europe for 12 months, as the Minister will remember, and I know that there is a consensus in the European capitals that the EU aid programme is failing. There is also a consensus in Scandinavia and the northern European countries that radical action is necessary. In the southern Mediterranean countries, however, they use the EU aid budget as a second-tier immigration policy. That is what investment in the northern African states is all about.

It will be a wasted opportunity if there is no action at the IGC; we must capitalise now on the groundswell of recognition that there is a problem. I do not mean that we should withdraw from this or that, but we should spend money more wisely on behalf of the world's poorest people.

The Minister should visit the capital cities of EU member states to build an IGC alliance for action in a year or two if the EU aid budget does not improve. A mechanism may be put in place that is never utilised or implemented, but if it is not done—

Mr. Foulkes *rose—*

Mr. Streeter: I shall give way in a moment, but I want to finish my point.

The changes that I propose require unanimous agreement; they must be made now, or we will have to wait for the next IGC in five years' time. Imagine how many lives could have been improved during that time by implementing a streamlined, bilateral United Kingdom programme, rather than the inadequate, fraudulent, bureaucratic, badly focused EU aid budget. I am making a sensible, reasonable, do-able proposal; there is a window of opportunity in law and politics and the Minister is not taking advantage of it. It was clear from his answers to my questions that, if the reform programme does not work, he does not have a plan B, so the world's poorest will continue to suffer.

I hope that the reforms will work, but I am not optimistic about it. I urge the Minister to do something about the matter now and not to wait five years for another opportunity. There is a consensus that the vast bureaucracies of the multilateral agencies—the EU, the United Nations, the World Trade Organisation, the International Monetary Fund and the World Bank, which are important in the globalised world—have let us down in recent years because they are trying to do too much. There is a lack of accountability and nation states acting bilaterally can often do better.

Multilateral action is needed and nation-state activity must be co-ordinated, as we cannot go back to a piecemeal world. I would therefore welcome more action from the Minister and the Secretary of State in calling for reform of the multilateral organisations. We have had a debate about the EU; what about the United Nations and the WTO? What about the IMF and the World Bank?

Mr. Colman: The hon. Gentleman mentioned large budgets. Does he realise that the total budget of the World Trade Organisation is the same as the travel budget of the IMF? Given the need for developing countries to be more represented, does he agree that the WTO should be further encouraged to ensure that more

[Mr. Colman]

money is spent, so that a future development round is properly financed and developing countries are represented?

Mr. Streeter: Yes, that is a sensible suggestion; I am certainly not against it. We all recognise that the WTO has failed in its decision-making procedures and that Seattle was a disaster. The Government went there full of hope and glory, but returned hugely disappointed. We support whatever action is necessary to turn the WTO into a realistic and sensible organisation that can make decisions and implement them. At the moment, it is failing.

I call on the Department for International Development to take a lead in advocating reform of the multilateral organisations, particularly as the Secretary of State has been given the chairmanship of the important co-ordinating committee, about which we read in the week. More than anything, there is a window of opportunity not only to discuss EU aid reform, but to do something about it.

I ask the Minister not to be complacent and not to revel in his optimism about the rhetoric coming from Brussels, but to take practical steps as a practical politician. Will he table reforms at the IGC, so that the world's poorest people will not have to wait five years to get some sense from Brussels?

3.11 pm

Dr. Jenny Tonge (Richmond Park): I did not expect to speak now, but I shall. I hope that my voice holds out, as I am having trouble with it today.

I welcome the opportunity to debate EC development assistance again, as all hon. Members do. The hon. Member for Clydebank and Milngavie (Mr. Worthington) initiated a debate on the subject in February, but at that time we had not seen much progress, although it had been promised. In fairness, the budget is huge: 60 per cent. of global aid is delivered by European aid. There is no question but that some progress has been made, even since the previous debate. Two commissioners, instead of five, now deal with European aid, which must be good news.

It is even better news that Commissioner Patten is one of my constituents; it is wonderful to know that. I write to him, and he writes back to thank me—rather sarcastically, usually—for taking an interest in my constituents' lives. He is a good commissioner who does very useful work.

Two large papers have been published, including the EC development policy and EC development assistance paper and the management assistance paper, which is an ugly title. There is also the recent Cotonou trade agreement. Much inefficiency remains. I still smart when I think about the Court of Auditors' report that I read at the end of last year. It showed that a big AIDS project set up in 1994 with a lot of EU money to spend in South Africa had made no progress at all by 1997. The money was still sitting in the bank. In the past few days, we have heard more news about the AIDS epidemic raging throughout Africa. I wonder how many AIDS cases we, as European citizens, are responsible for because that money was not spent and the project did not get off the ground. I have a real worry that we are directly involved, because we have been so late in moving things forward.

During the crisis in Ethiopia, which was also debated in this Chamber, we learned that the pharaoh's granary—as I like to call it—that Ethiopia had set up to deal with food shortages following the previous famine had been depleted by the United States of America and the EU. The EU owed 70,000 tonnes of grain to Ethiopia. That is another example of European aid gone wrong. At that time, Ethiopia was suffering and was on the verge of another famine. Something is desperately wrong.

The greatest scandal of all—the Minister touched on this—is that in 1986 the least developed countries received 75 per cent. of the share of aid from the European Union but in 1997 received 51 per cent. I do not know what the present share is but I hope that it is rising again. We are pouring aid into Mediterranean countries in the Balkans, which are hardly least-developed countries: that does not comply with our policy of alleviating poverty.

Where is the true policy? We have it, because Commissioner Patten sent it to me. The EU policy document's conclusions are encouraging. It should

> Better integrate the economic, trade and political aspects of its development co-operation by:
>
> Strengthening the links between trade and development; giving particular attention to the poorest countries, and
>
> Centring development policy on the aim of poverty reduction.

It goes on wonderfully. It adopts frameworks, ensures co-ordination between member states, decentralises and redefines. I cannot resist reading one paragraph because it is a gem of Eurospeak, which I think I will send to Commissioner Patten. Under the heading "Improving internal control", the document states:

> As explained in the White Paper for Reform, during the transitional period until the new Financial Regulation enters into force, the ex-ante visa will be carried out by controllers to be gradually deconcentrated to operational Directorates-General. After this period the ex-ante visa will be abolished and control integrated into the relevant units of the operational Directorates-General. The proximity of controllers to the controlled actions, which deconcentration brings, will increase both the effectiveness and the efficiency of financial management and control, while also ensuring a clearer allocation of responsibility.

I love the use of the word "clearer".

Mr. Wells: Can the hon. Lady translate that?

Dr. Tonge: I am hoping that the Minister can do that—and assure us that there are specific objectives for European aid and for monitoring and measuring outcomes. I am keen on evaluating projects. I have worked in the health service for many years and I am always being told that I have to evaluate what is being done with the money that is spent. We want assurance that there is an action plan for reforms and positive engagement by this country in controlling what is happening with the delivery of European aid. I have much sympathy with the hon. Member for South-West Devon (Mr. Streeter), who, as usual, got carried away by his Euro-scepticism. He was right, however, to say that we have a sincere desire—I hope that the Minister accepts that—to ensure that this country is participating in the delivery of aid. We do not want to come back here in five years' time bemoaning the ineffectiveness of European aid. We want to know that controls are in place and that we are getting to grips with delivering aid.

The other big paper is entitled "Management of External Assistance". I did not find it of great help. There was little reference to the Amsterdam treaty and no mention of international development targets. However, there was a reference to co-funding, which the Minister mentioned and which is dear to my heart. In a debate in February I asked why on earth, if there is a shortage of personnel in Europe, pooled funds cannot be delegated to a specific country with particular expertise in delivery and that country be told to get on with it, monitor it, evaluate it and report back to the EU on how the money was being spent.

I think that I understood the Minister to say that that will happen. I have tried to find concrete evidence in the paper from Europe but I find its language difficult to understand. I want an assurance from the Minister that that will happen.

I wish to say something about specific areas of aid rather than about the management of aid and aid policy in Europe. There is great concern among my Liberal Democrat colleagues about tied aid. I noticed that the issue of tied aid was mentioned in the Department for International Development's strategy paper on EC assistance. However, unlike many of the other objectives that were taken on board by the Commission, I see no mention of it in Patten's strategy. We need to know more about that.

The European Community must take up the cause to untie aid, and put pressure on member countries to do so. Their credibility as donors will be severely undermined if they do not end this commercial self-interest. Will the Minister assure us that the matter is being looked into, and that the European Union—like his own Government—has stopped the practice of tying aid?

Mr. Streeter: The hon. Lady is on to an important point. Does she agree that it would be helpful if the Minister could tell us whether other member states in the European Union—especially France and Spain, which do not have a great track record on straightforward aid—are being gradually brought into line, in relation not only to the EU aid budget but to their own bilateral programmes?

Dr. Tonge: I think that it is rather difficult for the British Government to dictate to other Governments in the European Union how they should deal with bilateral aid. However, in relation to those funds that are diverted to the European Union, we should certainly press for an agreement that European aid should not be tied to commercial interests in any country. Bilateral aid between one country and another is a different matter, in which I suspect we cannot interfere.

There is also the question of debt relief. We hear a great deal about the unspent money in the European aid budget. Perhaps the Minister can tell us what possibility there would be of using the unspent 18 billion euros of aid money on debt relief. Debt negotiations will shortly be held in Okinawa. Why cannot that money be spent?

Mr. Foulkes: I shall say to the hon. Lady now, so that I do not have too much to reply to when I wind up, that 1 billion euros of unspent money from the EDF has been used to fund the heavily indebted poor countries' debt relief. That, too, was undertaken on the initiative of the British Government, and I am sure that she will welcome that.

Dr. Tonge: I thank the Minister for his reply, but 1 billion euros is peanuts, really. It sounds as though there is an awful lot of money swishing around unspent. I would have thought that it could be much better used relieving the debt of the poorest countries of the world, rather than waiting until the European Union can divert it to the Balkans or the Mediterranean.

I also want to discuss the Cotonou agreement. I admit that I have not read it, but I understand that it is good news all round, except—I suspect—for the Caribbean banana trade. I hope that the hon. Member for Hertford and Stortford (Mr. Wells) will take up that point. He usually mentions it, as it is a subject dear to his heart, as it is to mine. I love bananas and I love the Caribbean. The Caribbean Banana Exporters Association, which has written to me, is still extremely unhappy with the tariff-only or first-come-first-served quota systems, which are being encouraged under the Cotonou agreement. That is serious news for the Caribbean. I shall say a little more about that in a moment.

The hon. Member for South-West Devon and I have just returned from Colombia, where there is a great deal of evidence that if we stop people growing the coca plant there—and, hence, cocaine—it could easily shift to the Caribbean, if the Caribbean countries cannot export their bananas. I urge the Minister to look closely at the matter, with the European Union, to find out whether we can obtain a better agreement for the banana trade, especially in the Caribbean.

Finally, I want to discuss a matter close to my heart—indeed, close to my chest, as hon. Members can hear. It concerns my recent trip to Colombia. The hon. Member for South-West Devon, the hon. Member for Ayr (Ms Osborne) and I investigated the circumstances of the displaced people in Colombia. We had great difficulty contacting the villages where those people were, because of silted-up rivers and transport difficulties. We saw at first hand that, for the people in the countryside in Colombia, by far the easiest thing to do was to grow the coca plant and export cocaine via the paramilitaries and the drug barons. There is no transport for anything else, and there is no access to the outside world. I pay tribute to the hon. Member for South-West Devon, who—literally—extricated me from the mud, having first extricated the hon. Member for Ayr. We are very grateful to him. Indeed, we would have left our wellingtons behind, but he dived in and rescued those as well. I rest my case—the hon. Gentleman is a hero.

The serious point is that the European Union intended to support Plan Colombia, which is the United States' answer to the civil war in Colombia. Under the plan, military aid, helicopters, guns and more guns would be poured in, and the coca fields sprayed, thus encouraging growers to go elsewhere. However, I am glad to say that, in Madrid, the decision was deferred. The European Union intended to support the plan by providing substantial aid for people who would be displaced by such action, and those colleagues who visited Colombia with me will agree that that is a terrible

[Dr. Tonge]

thing to do. Above all, Colombian people need Europe to provide better transport and facilities. They also need food, and they need to be restored to their villages and helped to grow crops other than the coca plant, but a simple measure such as dredging the rivers would have avoided the need for the hon. Member for South-West Devon to dive into the mud twice to rescue frail female Members. Perhaps that last observation should not be included in *Hansard*.

Matters are desperate—I cannot imagine how people live in such circumstances. It takes four hours of hauling boats across mud and tramping through jungle to get a handful of people up and down a few miles of river. That demonstrated to us in an extremely harsh way just how difficult it is for those people to survive. I plead with the Minister to use his influence in the European Union to try to do something.

3.27 pm

Mr. Tony Worthington (Clydebank and Milngavie): If anything proves the worth of Westminster Hall, it is debates such as this. Although only a few people are present, it is always interesting to note the replies received from other places on issues raised in this Chamber. This year, there has been more debate on international development than ever before. Nowadays, my hon. Friend the Under-Secretary of State for International Development has a high profile in this Chamber, but in the past, he would not have appeared in Parliament, apart from at Question Time.

I congratulate the Government on securing this debate, because the issue is extremely important. The European Union distributes 30 per cent. of the world's aid, as part of some 60 per cent. that is distributed through the European Union and the member states. I have learnt that the development business must be principled, and by putting poverty at the centre of development, DFID has brought principle and priorities to development. Where there is no principle or overarching ideal, where the development process becomes contaminated, and where there is back scratching and paying off one's friends, we get into trouble. The hon. Member for Richmond Park (Dr. Tonge) referred to tied aid and short-term political gestures. There is a desperate need for poverty to be put at the centre of Europe's development budget. That has not happened because there has been no principled aid. Other hon. Members have asked about that and why areas bordering the Mediterranean are treated most favourably. Areas such as Asia, where the majority of the world's poor live, receive a tiny sum in comparison and sub-Saharan African hardly features.

Aid has been unprincipled, inefficient and underspent. I am sure that hon. Members will agree that, when faced with overwhelming need, there is a peculiar offensiveness about underspending—and the degree of that underspending is incredible. According to Chris Patten's figures and at the current rate of delivery, the Commission will take nearly nine years to deliver the aid promised to Mediterranean countries, seven years for Asia, 6.5 years for Latin America and 4.2 years for South Africa. The politicians representing the people of the European Union have willed that money but we have not even been efficient enough to spend it, never mind spend it wisely. It is an utter scandal that not one penny has yet been disbursed for reconstruction following the damage caused by hurricane Mitch. No doubt a Commissioner went to Honduras at that time to pledge money for the devastation caused by hurricane Mitch, but we have not managed to spend one penny through the European Union. The problem has become worse due to the lack of principle and because the poverty focus has lessened. My figures show that in 1986 51 per cent. of aid went to less developed countries and by 1996-97 that had fallen to 33.7 per cent. That is not good enough.

Having that poverty focus and putting it at the centre of development is particularly important in a multi-country organisation such as the European Union, in which allocations would otherwise be made according to traditional ties, with MEPs arguing for the parts of the world with which their countries have been associated.

There has been an immense improvement in the structure of the Commission and its responsibilities. No one in this country will sob about the departure of the Spanish Commissioner, Mr. Marin, whose activities in the distribution of aid were not what we would have wanted. The new structure is an improvement, but I am not happy that the Commissioner for Development and Humanitarian Aid, Poul Nielson, is junior to the External Relations Commissioner, Chris Patten. The hon. Member for South-West Devon (Mr. Streeter), who speaks for the Opposition, is nodding under the old Tory Government structure. Under that structure, Chris Patten, when he was a Foreign Office Minister, and Lady Chalker, when she was responsible for overseas aid, were in the same Department. We have taken enormous steps since DFID was set up independently.

Mr. Wells: I wonder whether the hon. Gentleman will compare that with the French position. The socialist Government in France have moved from an independent aid Department and merged it with the Ministry for External Affairs. They have moved in exactly the opposite direction, and I am not sure that this is a party political matter.

Mr. Worthington: Terms such as "socialism" are awfully confusing.

We should not assume, with regard to development, that one size fits all. In this country, the amount of attention that is given to development has increased exponentially since DFID's creation. That represented an enormous step forward, and I pay tribute to my hon. Friend the Under-Secretary and my right hon. Friend the Secretary of State for International Development for what has been achieved. It is almost perverse that the influence of development over trade and debt has increased since DFID's creation. Many people feared that development might be marginalised when DFID was created and that the Department would be regarded simply as an aid agency. It is an immense achievement that such marginalisation did not occur during the past three years—that may be partly due to the personalities involved. There is no doubt that there is much more liaison with the Chancellor and the Department of Trade and Industry than was the case previously.

I am worried about how rarely the word "poverty" appears when Chris Patten speaks as the putative Foreign Minister for Europe. In a speech that he gave on 15 June, which was entitled, "A European Foreign Policy: Ambition and Reality", he listed three overall goals for him and his Commission during the next few years. The first goal was to work "with our nearest neighbours" and the second was to sell the EU to other parts of the world as a model of integration because it suggests how states can be gathered and power shared regionally. One can see the sense in that, if worldwide trade groupings develop in a manner that parallels the situation in the EU. The third goal was to create

a serious counterpart to the United States

with a common foreign and security policy. He discussed external assistance, but he did so in relation to the west Balkans, the Mediterranean and Russia, and he welcomed the fact that he is working well with Poul Nielson. It sounds to me as if, from his perspective, development is already being marginalised. His view of the grand picture does not appear to put development at the centre. We must ensure that development is more in the centre of the EU's activities.

A speech on this subject would not be recognisable as mine unless there was a reference to the European Community Humanitarian Office. As my hon. Friends know, ECHO obsesses me. It raises questions about transparency and it needs to communicate better about what it does. I mentioned earlier the lack of disbursement of money in response to hurricane Mitch. ECHO provides an express form of European aid—it involves the quick disbursal of aid in response to humanitarian disasters.

In our debate on this subject earlier this year, to which the Under-Secretary referred, I discussed the extent to which ECHO's website was kept up to date. In February, it contained a speech by Emma Bonino, who had ceased to be a European Commissioner some considerable time previously. Some updating has occurred since then, in that Mr. Nielson's name now appears on press releases. However, it is interesting that the latest statistics that it quotes on the disbursement of aid are more than a year old. If one is looking for information about Ethopia or Mozambique, there is no point in looking there. According to the website, the most recent parliamentary question about ECHO was asked in 1998. It is significant if an organisation of that scale cannot keep the information on its website up to date.

I want to quote from the news release about Mozambique that was issued on 3 March, with which many hon. Members are familiar. It symbolises what is wrong with the organisation. Some of us were in Brussels last week and met Mr. Nielson. He thought that he had been prompt in giving attention to Mozambique because he went there on 1 March—after the crisis had largely abated. We, and others, responded much faster than ECHO, which is supposed to lead the way.

The press release illustrates the way in which the European Commission and ECHO respond to problems. In it, Mr. Nielson announced

25 Million Euro in aid for victims of the floods.

Apparently, about 2 million euros of that had already been released to NGOs, and another 2 million euros was to be delivered shortly. That left 21 million euros to be disbursed in response to the floods in the form of short-term activities. I am unable to find where that money has gone.

Hon. Members who were with us last week will remember asking the head of ECHO about what had been spent in Mozambique. She did not know, and told us that she would have to write to us about it. Given that we had produced a major report about Mozambique it was strange that she had not prepared for it, and did not have an answer. It is not good enough to announce that 25 million euros of emergency aid to Mozambique was forthcoming.

The press release goes on to state:

In meetings with leaders of the government,—

that is, the Mozambique Government—

Mr. Nielson stressed the need for a well coordinated effort with the Mozambican authorities.

A well co-ordinated effort within the European Union would be a start. One should sort out what one is doing oneself before seeking to co-ordinate with anyone else.

The press release concludes:

This year, the EU will increase its development assistance to Mozambique to 150 Million Euro...compared to 100 Million Euro for 1999.

If the EU goes on behaving as it is, that will be delivered in 2005, because that is the average rate of delay for an African programme.

Dr. Tonge: I am sure that the hon. Gentleman knows this, but the communication from the European Commission on reform of the management of external assistance specifically states in its operational conclusions that the present arrangements for ECHO are "unchanged". There is no will to do anything about the situation.

Mr. Worthington: The hon. Lady has stolen my punchline. Despite all the changes that are occurring in the EU in terms of the structure of development, it is clear that, as she says, arrangements for ECHO remain unchanged. That is not good enough, and it must be changed.

Mr. Streeter: I am enjoying the hon. Gentleman's speech. I recognise his experience, so I will ask him a genuine question. He has criticised previous EU aid arrangements and has expressed a lack of confidence in the current reforms, particularly in relation to the emphasis that Commissioner Patten gives to poverty focus. He has also agreed that ECHO will remain unreformed.

Is the hon. Gentleman optimistic that, in the medium term, the EU is capable of running an effective and efficient aid programme? Will there come a time—perhaps we are approaching it—when we must draw the conclusion that much of the money would be better spent bilaterally? I am not talking about cuts; I am talking about getting better value for our money. Is he close to reaching that conclusion?

Mr. Worthington: I have not agreed that ECHO will remain unchanged. It has been said that it will, but I believe that, through the kind of pressure that my hon. Friend the Under-Secretary and my right hon. Friend

[Mr. Worthington]

the Secretary of State have applied, change has occurred and more will come. That change will be extremely useful. It will be an uphill task, but one that can be accomplished.

There will be enormous gains to be made from getting Europe moving together on development issues. Development will be delivered only if there is the necessary money. It cannot be done simply by words. We cannot say that we must all work together and then go for bilateral work. There is enormous benefit in having a development budget as our input into solving the north-south issue. The money must be there and it must be spent wisely.

I have referred previously to the link between the provision of assistance in humanitarian disasters and the military. Every time that I consider major disasters, such as the Mozambique crisis or the refugee crisis in Kosovo, I am more convinced of the need for a mechanism to facilitate the rapid deployment of military equipment. Now that our feelings about Mozambique have, perhaps, cooled a little, we must remember that, in this place, we argued about getting helicopters to Mozambique—5,000 miles away. It was absurd: there are helicopters all around the world. The hon. Member for Hertford and Stortford (Mr. Wells) asked where the Americans were. Those regions are full of American helicopters. We must be able to link up logistically, either at a European level or at the level of NATO.

I remember going to the headquarters of the Office for the Co-ordination of Humanitarian Affairs, the UN organisation concerned with humanitarian response, and being astonished when I was told that, within the previous nine months or a year, the office had responded to about 30 humanitarian disasters. We had not heard of some of them, such as the snowstorms in Mongolia, but they were all major disasters, requiring a co-ordinated response, including the provision of heavy-lift facilities to get the supplies in. We are doing things amateurishly, and we must stop. The European Union has a role to play in improving how we operate.

The more I see of where EU money goes, the more I think that we must start using the funds that are spent on central and eastern Europe. I have never heard anything favourable about how they are disbursed. This is an unexamined area, and we should consider it carefully fairly soon to make improvements. I look forward to the Minister's response to that and other issues.

3.50 pm

Mr. Bowen Wells (Hertford and Stortford): We should acknowledge the progress made by the Department for International Development on the European development budget since the report of the International Development Committee on the future of the European Community development budget on 21 January 1999.

Although we have not achieved one commissioner to administer European development aid, we have reduced the number from approximately six to two, which is a major achievement. The Select Committee, and the Secretary of State, who gave evidence to it, wanted the number to be reduced to one. However, we have reduced the chaotic structure of the European Community. I agree with the Minister that we have a long way to go from here.

Our paper set out the objectives and the general policy to be followed by the European Community in aid matters. They are wonderful words, but we have a deep suspicion that words and big figures are not followed by action. As the Minister said, we need an action plan.

We must now move on and do what needs to be done to make management and organisation of the European development budget more effective. I shall speak first on the co-ordination of European development aid, secondly on its management, thirdly on its accounting in the United Kingdom and Europe and, finally, on the role of the European Parliament and the budget. In response to the remarks of the hon. Member for Richmond Park (Dr. Tonge), I shall speak briefly about bananas.

I start my discussion of co-ordination with a quotation from Chris Patten's first speech, on 15 June, in his new role as the External Relations Commissioner. The title of his speech was "A European Foreign Policy: Ambition and Reality". He said, in paragraph 13:

> this brings me at once to external assistance—an area in which the EU reality, at present, falls embarrassingly far below its potential. The EU and its Member States account for 55 per cent. of all official international development assistance, and some 66 per cent. of all grant aid. Yet the money is not well managed. In saying that, I do not want to cast aspersions on the many excellent and dedicated staff who have worked their hearts out trying to turn things around. But they have been saddled with lousy procedures and there are too few of them. EC aid volumes have increased two or three times as fast as the staff at our disposal to manage the funds. We have to work with absurdly heavy procedures imposed by Member States wanting to micromanage projects, and to secure contracts. As a result, in the last five years, the average delay in disbursement of committed funds has increased from three years to 4.5 years. For certain programmes, the backlog of outstanding commitments is equivalent to more than 8.5 years' payments.

I refer hon. Members to the report of the International Development Committee, which sets out the position clearly. In table 5 we show that the deficiency in allocation of spending has progressively and severely increased since 1992: 6.6 billion euros were not disbursed in 1999. That is a serious problem, which even Commissioner Patten acknowledges.

The figures that I mentioned show that much aid from Europe is delivered not by the EU but by its member states. We must properly co-ordinate the functions of the EU's development aid programmes with the functions of member states' bilateral programmes. Since its formation, the International Development Committee has managed to persuade most presidencies—although, notably, not the Portuguese presidency—to organise a meeting of the chairmen of each national Parliament's development committee to discuss co-ordination of bilateral programmes. We have included the European Parliament's committee in our deliberations. That is a start, but member states are not pursuing it with meaningful co-ordination of their actions. The result is that in Nairobi and the rest of Kenya, in Uganda, in South Africa and wherever European bilateral programmes or EU aid programmes operate, our actions are almost totally unco-ordinated. Co-ordination takes place only through a sort of networking among ambassadors and aid officials. Much money is wasted and the scarce time of officials is wasted in trying to develop meaningful programmes that will help the poorest of the poor. There is a huge question to be answered about co-ordinating the bilateral projects and reaching agreement on the division of functions between the European Union and the bilateral players.

There is a case for centralising the co-ordination and negotiation of EU aid and bilateral aid in one office in each country in which European aid programmes operate. Such offices could be led by one member state. It is rare for all member states to have a presence in a country. The French could lead one project, the British another, the Danish another, and so on. Such co-ordination is needed to provide aid properly.

Given the total amount of European aid, one European voice pushing a policy of poverty-focused world aid programmes could influence international organisations such as the World Bank and the International Monetary Fund in their roles in development and debt issues. Nothing less than that should be our aim. If Europe pulled its weight and was properly co-ordinated, it would dominate organisations in the United Nations family such as the United Nations development programme, the United Nations High Commissioner for Refugees, the United Nations Children's Fund, the United Nations conference on trade and development and the WTO. However, we must first start with Europe, and we have not even begun there.

Ms Oona King (Bethnal Green and Bow): Is there not an inherent tension between member states' desire for step-by-step accountability and the ability of the Commission to do the job? Will not enlargement make the task more difficult by involving 27 countries and, I think, 21 languages, instead of the current 15 countries and 11 languages? We must consider the implications of enlargement when trying to achieve the more streamlined approach that the hon. Gentleman described.

Mr. Wells: The hon. Lady is right. Enlargement will pose a huge problem for co-ordination and co-operation. That is why it is urgent that we get on with the proper management and reorganisation of the Commission. Unfortunately, the hon. Lady could not be with us in Brussels last week, but she will have learned that we began, tentatively and inadequately, to move towards co-ordinating the EU.

Now we need to push hard. The Minister needs to visit Brussels weekly to assess the EU's progress. He should set objectives, have them agreed and send Mr. Anthony Smith to find out how much progress the EU has made in a week. Perhaps a week is too short in Europe, but he should certainly go at intervals at which we can measure progress. To put things right, we must be determined. Madam Deputy Speaker has a reputation for being determined and persistent. The Minister and his officials must be equally determined and persistent to make the co-ordination effective.

As a result of the Committee's work, the Minister's work and so on, we have also managed to secure a promise from the EU to produce an annual report on European development assistance. If that is produced, it will have a co-ordinating and an accountability function, which will be extremely valuable. I am sure that the Committee looks forward to seeing the report and working on it.

The hon. Member for Clydebank and Milngavie (Mr. Worthington), my colleague on the International Development Committee, has spoken about the management and administration of the programme and how we should move that forward. The Committee's report quoted Philip Lowe, who was the director-general of DG VIII at the time, but is now the chef du cabinet of Vice-President Kinnock, who is re-organising the Commission. He said—

Madam Deputy Speaker (Mrs. Gwyneth Dunwoody): Order. I hesitate to interrupt the hon. Gentleman, but it might be helpful for the record if he identified exactly which quotes he is giving.

Mr. Wells: I am delighted to do so, Madam Deputy Speaker. The quote is from paragraph 60 in the summary of conclusions and recommendations of the International Development Committee's report. That should lead hon. Members to the right place. I cannot see the number of the House of Commons paper.

Madam Deputy Speaker: Perhaps 669.

Mr. Wells: Thank you, Madam Deputy Speaker. Paragraph 60 says that Philip Lowe pointed out that

> the budgetary discipline, or lack of it, evident in the EC was far below the standard expected of its peers. He suggested that the EC must adopt such procedures: "that is we forecast a budget which we plan to meet 100 per cent. and we tell the member states at the beginning of the year how much the contributions shall be and we stick to it and we do not take any more or any less than what we say at the beginning of the year...that is the normal budgetary mechanism of every national administration, and by the way it is the normal budgetary mechanism which other parts of the Commission respect."

That is what the Commission must do—no more and no less.

Incidentally, the Department for International Development is sometimes guilty of not introducing easily understood budgets that are spent 100 per cent. in line with what the Department said at the beginning of the year. The famous unallocated portion of the DFID's budget has not completely disappeared. Under "technical assistance", which is just under half of total expenditure, DFID gives very little explanation to Parliament or the British public of how it proposes to spend that and how it succeeds in spending it. We are sometimes guilty of not introducing the type of budget that Philip Lowe described, but we must aim to do so. The European development budget is very far from that ideal.

Much of the problem is undoubtedly due to the EU's not having sufficient people on the ground in the countries to identify the sort of investment that it should make, and to liaise with the Government and with people engaged in development matters, health, population and education. They simply do not have sufficient people in their offices to do this. The result is that they get lumbered with the bottom of the shopping list of the Department that is dealing with outside bodies that wish to help or aid the country, and often get the

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dud projects. That is part of the problem. We must focus on the staffing of the European development budget if we are to get this right.

Only last week the Secretary of State said in evidence that there was a proposal to deconstruct what are termed in the European budget "technical assistance offices". We are not at all sure what TAOs are. We are told merely that they are a kind of consultancy to which the European Union delegates the implementation of all the projects to which they agree. They are clearly highly inefficient because the EU does not implement them and spend the money allocated to them. Indeed, TAOs are constantly subject to condemnation by the Audit Commission for very serious fraud, maladministration and mismanagement. Projects are simply not evaluated. It would appear, prima facie, that to get rid of them and deploy people in the Commission is the only answer to the lack of personnel available to carry out sensible assessment of projects on the ground and have them properly evaluated, implemented and agreed to in Brussels.

The second problem is micro-management in Brussels. There are people in the Department for International Development who have a season ticket to Brussels and who go over to look at a series of project proposals and solemnly make great detailed decisions on them. That takes a huge amount of time; this is the micro-management of the programme. The EU says that it should not have to countenance such detailed management by member states. That is probably right, but what has to be set up is a sort of board process by which we agree the projects that are to be funded and implemented. Following that, projects with objectives that have been agreed and evaluated should be delegated to the management in the countries in which there are EU aid officials, possibly helped by bilateral programmes with the member states in those same countries. If that were done, there would be no micro-management by Brussels and we could get on with the job.

I will cite an example, which brings me a little way towards my banana remit. In St. Lucia, the EU has agreed to implement cultural and social programmes to compensate for the unemployment caused by the decline in the banana industry. A promise was given that aid would be delivered when banana production began to decline as a result of EU action. That promise was made three years ago. The banana industry has declined; it is delivering only half what it used to deliver. Yet the villages and towns and their people have not received one cent of EU aid. They have been left to get on with those difficult adjustments all on their own. That is the sort of thing that happens because the EU simply does not implement the programmes. We must aim to do something about that. The Minister and his staff must agree a management structure with the EU and monitor its implementation.

My next point is a technical one relating to how we account for EU aid in the British budget. I think that in this we are unique. We assign all money spent as part of the EU budget and the European development fund to the budget of the Department for International Development. That comes through the Treasury. The EU sends the bill to the Treasury. I do not know whether the Treasury pays it or simply sends it to DFID, which then pays it. That includes the whole of the European Union budget, which means all the money spent on the Mediterranean and north African programme, MEDA, on the PHARE programme for the applicant countries, on the TACIS programme for the former Soviet Union, on the Asian and Latin American countries, and so on.

That money is all lumped together and put into the budget of the Department for International Development. It appears in the budget that the International Development Committee monitors. That distorts statistics, because much of the money does not go directly to the poor. The objective is not that it should go to the poor. It relates instead to European Union foreign policy objectives such as MEDA, which is designed to keep north Africans out of southern Europe and provide economic opportunities in those countries. It is a perfectly legitimate programme, but not one that we would classify as overseas development. The same applies to PHARE and TACIS.

The Treasury should stop passing on expenditure on MEDA, PHARE and TACIS to the DFID budget. We could then compare the DFID budget with the budgets of other European Union countries which do not assign those programmes to their overseas development budget. That would change the statistics and change the perspective on the European Union budget within that of DFID. That has not happened because the present circumstances hold an advantage for DFID. If the European Union does not spend the money assigned to it, DFID can spend that money on other matters of a bilateral nature, because the money has been assigned to its budget by a vote in Parliament. Of course, we applaud that, but it is no excuse for distorting the normal method of accounting for European programmes.

It is not generally understood that the European Parliament's Development Committee has no control over the budget of the European Union. That function is carried out by a large committee called the Budget Committee. The members of the European parliamentary committees have one representative on the Budget Committee, or possibly a few more. I am not certain of the number, but their representation is small. Therein lies the reason why the European Parliament does not effectively monitor and control the European Union budget. I advocate a change in that method of operation. I understand that it is a popular continental method of budgeting, but it is clearly to the detriment of the proper administration and accountability of the European Union development budget.

Finally, I come to the banana issue. The European Union has issued a statement this week in which it says that, because it has been unable to agree an alternative programme, it will go along with the American proposal for a tariff-only solution. According to the Caribbean Banana Exporters Association—I believe that the hon. Member for Richmond Park has its briefing document in front of her—that would bring about a catastrophic and immediate end to the Caribbean banana industry. The British Government cannot view that prospect with equanimity, and no Member of Parliament should endorse it.

The Ministry of Agriculture, Fisheries and Food is taking a lead on this matter, but I beg the Under-Secretary and the Secretary of State for International Development to call together all concerned—as I have urged the Minister of State at MAFF to do—and, as a matter of urgency, go and link arms with the West Indian banana producers and persist, bully, shout, scream, stamp and do whatever is necessary to protect those vulnerable countries. Otherwise, they may turn to the drug industry, as the hon. Member for Richmond Park said. Many will be extremely reluctant to do so because of the implications for law and order, society and education—leaving aside the implications for this country, the rest of Europe and the United States—but will be unable to defend themselves from the huge sums of money that are involved. Unless the United States manages to stop that transition, a serious social and developmental problem will eventually be laid at the Minister's door.

Dr. Tonge: Does the hon. Gentleman agree that it is curious that the United States is prepared to step up the war against drugs in Colombia, and spend huge amounts of money fighting the drug barons and the growing of coca, yet it does not see that the problem will get even closer to its back door if it allows the new banana regime to continue?

Mr. Wells: It is inexplicable, as the hon. Lady says. As with many aspects of the world in which we live, we must look to the world of politics to understand what has happened in the United States. The situation is partly explained by the large contributions that are made to the political parties of the Democrats and the Republicans by the large US banana producers. In fact, they do not produce bananas. They merchant, ship and sell them, but the companies are US-owned, which distorts the picture.

According to the information that has reached me, an opportunity exists to negotiate an agreement—which the Americans would go along with—to get a WTO waiver for a regime that will allow for a transitional period, and may ensure the survival of at least the most efficient parts of the Caribbean banana industry. I enter a plea for that in the context of this debate about European Union development budget matters.

We have begun to make progress on the European Union development budget. There is a will on the part of the Commission, and of the two Commissioners involved, to improve performance. We must now move on to the detailed technical management of the budget. If further progress is to be made, enormous effort and energy from the Department for International Development will be required. The Department has excellent Ministers and staff, and I hope that they are given the necessary time to do that.

4.17 pm

Mr. Foulkes: I am grateful to be able to speak again.

I am sure that hon. Members agree that this has been a useful, important and comprehensive debate, and an effective use of Westminster Hall, as my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) said. I shall try to respond to all the points that have been raised. One thing that I am not short of is time, although I might be short of other relevant materials. I shall do my best.

The debate has been significant not only for its speeches, but for the fact that my hon. Friend the Member for Bethnal Green and Bow (Ms King) sat through its entirety, asking only a couple of questions. I understand that she has to leave early for other important business. I noticed that my hon. Friend the Member for Ayr (Ms Osborne), one of those saved by the hero of the hour—the hon. Member for South-West Devon (Mr. Streeter)—during the visit to Colombia, popped in to listen to a substantial part of the debate. The debate was notable for three—four, if I include myself—very balanced speeches, although one was a little more partisan than the others. We understand why, and sympathise with the hon. Gentleman about his need to take that approach. He and other hon. Members made several excellent points.

It is vital that we should constantly keep up the pressure on the European Commission to improve the quality of its aid programme. However, that is the responsibility not only of us in government, but of the International Development Committee—which has been fulfilling that responsibility—other Governments and Members of the European Parliament. The Commission, which is accountable to the Council of Ministers, is to some extent accountable to the European Parliament.

Although others therefore have a responsibility, we of course accept ours. We have published our reform proposals, and the paper has been circulated widely and picked up by other Governments. To some extent, it is the blueprint for the reform that is taking place. As I said, we have seen some signs of improvement, and they are genuinely attributable to constructive dialogue. Standing and shouting does no good, but we have tried to express our concerns forcefully and illustrate the way forward.

As has been noted, the Commission has been reformed. Where five commissioners used to deal with the matter, two now do so. Vice-President Kinnock is overseeing a programme of reforms, and Commissioners Patten and Neilson plan to improve the management of development programmes in particular. As several hon. Members—including me—have said, we need to implement the plans, criticise constructively and push hard for further reform.

In an astonishingly wide-ranging concluding comment, the hon. Member for South-West Devon advocated reform of organisations such as the United Nations, the World Trade Organisation, the World Bank and the International Monetary Fund. Of course, that goes beyond the substance of this debate, but I can assure him that the Government are looking at reform of the World Trade Organisation. My right hon. Friend the Secretary of State for Trade and Industry is taking the matter forward, and my right hon. Friend the Chancellor of the Exchequer is taking a lead on the reform of international financial institutions. We are also taking a lead on UN reform, particularly in respect of agencies that are involved in development, for which we have a particular responsibility.

The hon. Member for South-West Devon suggested that, because my right hon. Friend the Secretary of State for International Development has taken the lead in a cross-departmental committee on conflict in Africa, she has immediate responsibility for all such areas. Of course, we accept the need for coherence; we have

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introduced coherence into the language of development. I spoke about the importance of trade and agriculture policies, among others, and we are developing such policies. However, the hon. Gentleman's comments were rather niggardly, and I found his equating a specific announcement with an entire range of reforms somewhat strange.

The hon. Gentleman also said that I revelled in optimism. I tend to be accused of being somewhat jovial and optimistic from time to time, but I am realistic.

Mr. Worthington: My hon. Friend is a Hearts supporter.

Mr. Foulkes: My hon. Friend reminds me that I support Heart of Midlothian football club, which explains why I sometimes look disappointed. However, if one is a Hearts supporter, one is by definition optimistic.

In my opening speech, I dealt in detail with the specific proposal of the hon. Member for South-West Devon on the intergovernmental conference, so I need not do so now. He tried to convince hon. Members that the IGC is an appropriate forum—and that the paving mechanism is an appropriate way—in which to deal with such matters, but he has convinced no one but himself. As my hon. Friend the Member for Bethnal Green and Bow rightly said in a telling intervention, enlargement will make some of the problems even more difficult to deal with. That underlines the need to deal with them now, before enlargement. To incorporate the paving motion that the hon. Gentleman proposes into the IGC discussions would complicate matters enormously.

The hon. Gentleman also failed to appreciate the question of leverage, which is one crucial benefit of the EC development programme. In this country, we have a very effective bilateral development programme, as does the Netherlands, Germany and some Scandinavian countries. The EC development programme levers in a percentage of money from other countries that may not have effective development programmes, may not put resources into development and may not have the mechanism for delivering development programmes. If the EC development programme can be made efficient and effective, the great prize will be resources from those countries that would not normally contribute money for development.

Mr. Streeter: I intended to deal with the leverage point because it is important. It is not beyond the wit of man or woman to come up with a system that introduces an appropriate mechanism into the EU aid programme in the way that I am suggesting, so that member states that want to opt out would have to demonstrate that their bilateral programme was of no less value than their contribution to the EU aid programme. What is wrong with that? It is simple and sensible. What is the point of levering in extra money if it is spent in the wrong place, in the wrong way and does not arrive on time?

Mr. Foulkes: The hon. Gentleman is living in cloud cuckoo land. If he accepts, as I do, that it is difficult, but achievable, to make the EC programme efficient, effective and poverty-orientated, he must realise how much more difficult it would be to persuade an independent sovereign nation to change its programme, to put in more money and to change its priorities to accord with our priorities. That would be impossible.

Mr. Streeter: Diplomacy.

Mr. Foulkes: I am not sure that the hon. Gentleman is the best person to advocate that.

Mr. Streeter: The Minister may be.

Mr. Foulkes: I am grateful for the hon. Gentleman's confidence.

The hon. Gentleman also referred to the policy statement and its fine words, but asked about the action and where the beef is. I said earlier that we must know the direction before we can work on its implementation. The policy statement must be made operational. An action plan must state who will do what and when. We are working on a road map to help the Commission with its operational action plan. The Department for International Development is offering that practical assistance so that it knows the direction in which to move and how to do so.

The hon. Gentleman suggested that Ministers should be travelling around the capitals of Europe to advocate his crackpot idea. My right hon. Friend the Secretary of State and I have frequent discussions with Development Ministers of our partner countries to try to bring them on board. It sounds patronising to say that they are coming round to our agenda, but we are making alliances with people who believe the same as we do—for example, Evelien Herfkens in the Netherlands and Eddy Boutmans in Belgium.

I shall be in Madrid the week after next because we believe that more work is necessary with our partners in Spain. I am hoping to go to Rome in a few weeks to speak to Rino Serri to try to ensure that we are moving in the same direction on making EC programmes more effective and more poverty-orientated. I recently met some Development Ministers at an informal meeting in Paris, and the Secretary of State met them at the Development Council—we are having constant discussions. I endorse the comments of the hon. Member for Hertford and Stortford (Mr. Wells), who said that there are excellent officials in the DFID section that deals with Europe. They work day and night, almost literally—perhaps they are training to be Members of Parliament—in pursuit of our agenda.

I turn to the comments of the hon. Member for Richmond Park (Dr. Tonge), who made a constructive speech. I hope that I will do her no harm by praising her—she was good enough to say some good things about the Department. We are at one with her on tied aid, which we have pursued strongly. It is our policy to press for the untying of EC aid and to get other members to come along with us. We are also pursuing bilateral untying, which she—or perhaps it was another hon. Member—said would be more difficult to achieve. At a recent meeting of the development assistance committee of the Organisation for Economic Co-operation and Development, we pressed strongly for that but, unfortunately, four countries were opposed to increased untying. We need to maintain the pressure in that context, and I am happy to give the assurance that we shall do so.

Mr. Wells: Will the Minister name the four countries? I can think of three—the United States, Germany and Japan—but what is the fourth?

Mr. Foulkes: The hon. Gentleman got two out of the four right—the United States and Japan. My recollection is that the other two are Denmark and France. If I am wrong, I shall correct myself later.

The only slightly grudging part of the speech of the hon. Member for Richmond Park was when she rightly said that unspent European money should be used for debt relief. In that context, I quoted the astonishing figure of 1 billion euros, but that is just one chunk of unspent money from one fund—the European development fund. On our initiative, it was taken out. We are also pressing for other contributions, including, for example, a further 54 million euros that is financed from the EC budget for Asian and Latin American heavily indebted poor countries. We are keeping up the pressure in that context—that approach involves an effective use of underspend to help the world's poorest countries. I hope that the hon. Lady appreciates that 1 billion euro from that fund is a not ungenerous contribution.

Dr. Tonge: Will the Minister confirm—I have lost my notes—that unspent European aid amounts to 18 billion euros?

Mr. Foulkes: Money that should have been spent this year but has not yet been spent may well be spent in subsequent years. I agree with the hon. Lady about the principle that money that is unspent and is unlikely to be spent in the relevant area in future years should be considered for diversion to debt relief.

The hon. Lady and the hon. Member for Hertford and Stortford asked about Commission staff. Some Members of the Commission and of the European Parliament have suggested that we should increase the number of staff who work in the Commission on development. I suspect that that would not go down too well with the British public or in the British Parliament. We want more effective use to be made of staff who already work for the European Community. We should also ensure that they are more effectively deployed and improve the skill mix.

The hon. Member for Hertford and Stortford, I believe, asked about technical assistance offices. Our view is that we should get rid of poorly controlled and monitored technical assistance offices, which would free up programme resources for contracting in expertise. That is in the management reform plans, which are being overseen by Neil Kinnock. Progress is being made, in terms of reallocating staff responsibilities and increasing effectiveness. I can confirm that 1 billion euros was unallocated and was transferred to the heavily indebted poor countries initiative, and 8 billion euros from EDF aid has been allocated but is unspent. We are trying to ensure that that money is spent on the purposes for which it has been allocated.

The hon. Member for Richmond Park also gave us a dramatic account of her visit to Colombia with the hon. Member for South-West Devon and my hon. Friend the Member for Ayr—an interesting and unusual trio. They deserve our congratulations for taking that initiative. I spoke about it to my hon. Friend the Member for Ayr and—briefly—to the hon. Member for Richmond Park, and I know that the visit was not without danger. It bodes well for us that members of the Select Committee, party spokesmen on international development and others are willing to take such risks to get a better understanding of the issues.

The hon. Lady referred to infrastructure projects, mentioning, in particular, the dredging of a river. My hon. Friend the Member for Ayr also spoke to me about that. The European Union has projects worth 9 million euros currently under way. I do not know the exact details, but I can certainly check out that specific case. Indeed, my hon. Friend has written to my right hon. Friend the Secretary of State about it, and I shall make sure that the hon. Member for Richmond Park receives a copy of the reply. The EC is also supporting the Colombian peace plan, although the figure has not yet been agreed.

The hon. Lady referred to Plan Colombia. I appreciate her concerns about the plan. We had reservations about it too, until my right hon. Friend the Minister for the Cabinet Office, who has taken on responsibility for the matter, discussed it with the Americans and managed to persuade them to change the military aspect of the plan. That was a great step forward. We are now more supportive of the Colombian peace plan. We support the idea that the Commission should contribute to it, on the clear understanding that the plan must be even-handed in relation to all the parties in Colombia and must help to improve the Colombian Government's performance on human rights.

Dr. Tonge: I am surprised that the military element of Plan Colombia has been modified. If that has happened, it is extremely good news, and huge congratulations are due to the Minister for the Cabinet Office. Can the Minister give us more details?

Mr. Foulkes: Certainly. My right hon. Friend the Minister for the Cabinet Office recently went to the United States and subsequently took part in meetings in London and Madrid. She has taken a great personal interest in the matter and has worked closely with the Foreign and Commonwealth Office. My Department also provided briefing. She made a significant impact on the issue. I agree with the hon. Member for Richmond Park about the needs of Colombia. In Cartagena, I saw the real poverty among black people.

Several hon. Members, not least the hon. Member for Hertford and Stortford, raised the question of bananas. I agree with the hon. Gentleman that the discussion on that issue has dragged on for too long. Throughout all the discussion, the United Kingdom Government have involved every Department, in an example of joined-up government. The Ministry of Agriculture, Fisheries and Food has led, supported by the Foreign Office, the Department for International Development, the Department of Trade and Industry and other

[Mr. Foulkes]

Departments. Our objective remains a rapid WTO-compatible solution that meets the needs of the vulnerable Caribbean producers.

I shall not describe all the work, lobbying and discussions that we have undertaken. The hon. Member for Hertford and Stortford said that we should shout and stamp our feet. My right hon. Friend the Prime Minister has impressed on the President of the United States the importance of the issue to the small and vulnerable economies of some of the Caribbean islands. That shows how important we consider the matter to be. We will continue to press the issue, because it would be unhelpful if the EU were driven down the tariff-only route.

Mr. Wells: I am delighted to hear that response and I want to encourage more activity. However, the Government make the mistake of looking for a WTO-compatible agreement. That is like pursuing a will-o'-the-wisp. No agreement will be WTO-compatible. The only possible solution is to reach an agreement with the United States and obtain a waiver under the WTO for the developing countries.

Mr. Foulkes: The hon. Gentleman expanded on what I said. I might have used some shorthand. We are trying to ensure that neither the United States nor any other country will challenge the agreement in the forum of the WTO, because we want to assist the Caribbean producers.

I shall respond to some of the points made by the hon. Member for Richmond Park, who mentioned evaluation. We are trying to ensure that EU projects can be more easily evaluated and clearly shown to be effective. Instead of examining inputs and how much money is spent, the EU should monitor outputs and the effectiveness of programmes.

The hon. Member for Richmond Park also asked about AIDS. That is particularly topical, as the AIDS conference in South Africa has just concluded. She mentioned an ineffective programme from a few years ago. Changes have taken place and the European Commission is now taking a leading role with its HIV-AIDS strategy. As a doctor, the hon. Lady will understand the details better than I do. The Commission is concentrating on four key elements: mother to child transmission, essential care for people living with AIDS, vaccine development and microbicides for HIV prevention. We support those priorities and strongly support the vaccine development role. I hope that she will agree that we are developing new initiatives that could be models for other measures.

Dr. Tonge: I was not suggesting that we were not taking positive action on AIDS. I simply deplored the delay, which allowed the epidemic to take hold in Africa. The world has not seen such an epidemic since the bubonic plague.

Mr. Foulkes: We could spend a long time talking about the growing problem of the AIDS epidemic. To be honest, I think that the biggest cause of its taking hold was not the slowness in EC delivery, but the reluctance of some African leaders to accept that it is a problem, their turning a blind eye to it and their not having their own programmes and not taking up some of ours that we offered them.

My hon. Friend the Member for Clydebank and Milngavie, in a customarily informed speech, raised the question of underspending—as, I believe, did the hon. Member for Hertford and Stortford—and the scandal of non-disbursement of hurricane Mitch money. This also relates to questions raised by Commissioner Patten in his criticisms of micro-management of programmes by member states. That is a good example of the invalidity of Commissioner Patten's criticisms. Member states' micro-management was not the main cause of the delay in relation to hurricane Mitch. The Commission's proposals took a year to prepare. That is one of the criticisms that we share with my hon. Friend. The member states approved it within three weeks of receiving it. That suggests that the delays in the Commission's procedures, with the 40 signatures and the referrals back to Brussels, were the problems in the past.

My hon. Friend said that he was not happy with the new structure. He agreed that the reduction from five to two Commissioners was an improvement. I have reservations about there being two Commissioners rather than one, about one being senior to the other and about the Development Commissioner being the junior one. Our separate development Department is increasingly seen by other bilateral donors as a good model for having development assistance as a high priority. Even Charles Josselin, the French Minister with responsibility for development, who, as the hon. Member for Hertford and Stortford said, now works in the Quai d'Orsay, agrees that our model is very effective, but because of his influence in the Government and the party in France—although he is, of course, part of the structure of the Foreign Ministry—he has very much an independent remit and can get on with a great deal of the work without interference and supervision.

My hon. Friend rightly mentioned the importance of coherence in relation to working with other Departments and the influence that a separate Department for International Development can have on other areas.

My hon. Friend also mentioned ECHO, as my colleagues and I thought he might. It is right for him to raise his concerns, which he also did when he was in Brussels last week. I hesitate to say this, but I feel that we have to be balanced in our judgment on ECHO. Emma Bonino, who was quite an individual—dynamic, and unpredictable in some ways—made a significant impact on the EC's humanitarian work. Two major evaluations were made of ECHO's work in 1998 and 1999: they gave a positive assessment of ECHO's performance but identified a number of areas that could be improved. For example, its performance in key areas such as co-ordination with other agencies and transparent strategies for engagement, particularly in the grey zone between relief and development, which my hon. Friend identified, was to be improved.

We are particularly supportive of the evaluation's recommendations to improve transparency and to enhance co-ordination mechanisms with other parts of the Commission. I am sure that my hon. Friend agrees with that. ECHO has recently introduced new strategy guidelines, with proposals for a global plan, which it will present to the Humanitarian Aid Committee before it is finalised. That has been a positive exercise and has given member states the opportunity to feed in information and views at the planning stage.

My hon. Friend said that the new ECHO director, Constanza Adinolfi, could not answer his questions about money for Mozambique. She was appointed only in February, and we can understand that she may take some time to get into the job. However, she has a reputation for achieving results, and I hope that my hon. Friend and other hon. Members will give her time to implement some of the new recommendations on the organisation of ECHO.

Mr. Worthington: I recognise what my hon. Friend is saying and I am trying not to be unbalanced about ECHO. However, every other aid organisation could give specific information about how it had spent money. If we asked OCHA about emergencies, it could tell us exactly what was spent and when. On Mozambique, ECHO refers to 31 and 24 March, and 25 February. It talks about giving money to no specific target population. The primary aid type is general. The amount is 5.58 million euros. We receive meaningless information, so I ask my hon. Friend to keep up the pressure on ECHO to be transparent and to show how, when and where it is spending money.

Mr. Foulkes: I can assure my hon. Friend that we shall keep up the pressure on ECHO, although I am not sure which document he referred to. He also mentioned ECHO's out-of-date website, but we must all be careful about criticising other organisations on that matter, which has today been raised in the other Chamber. Like other hon. Members, I plan to have a website, so that people can access information about my surgeries and other issues. I already appreciate that it is not easy to find a system that can regularly be kept up to date with all the information. That imposes particular responsibilities.

My hon. Friend also asked about co-operation with the military, and I think that he used the word "absurd" regarding what happened in Mozambique. On reflection, what happened was not absurd. My Department obtained helicopters that were immediately available close to Mozambique. We hired pilots who were nearby and transported them to Mozambique effectively. Having agreed an appropriate funding arrangement with the Ministry of Defence, we mobilised resources from the United Kingdom for the next stage of assistance.

We are considering, rightly, how development workers and military personnel can work more closely together. Next week, I shall visit Kosovo, and I look forward to seeing Operation Trojan, which my officials and other hon. Members have told me is a good example of co-operation between development workers and the military.

My hon. Friend asked about PHARE and TACIS. Time moves on for all of us, and PHARE is now part of the pre-accession budget, along with separate funds for infrastructure and agriculture: ISPA and SAPARD respectively. He is probably becoming as fed up as I am with all these acronyms. Their aim is not development, but helping applicant countries to converge with EU policy and EU standards.

Incidentally, we are phasing down our development programme in eastern European countries and increasing our activity in the poorer countries in the far east of the former Soviet Union. We shall certainly keep PHARE and TACIS under review, as far as we are affected. If the International Development Committee felt that it was appropriate, it could doubtless do the same.

The hon. Member for Hertford and Stortford made positive remarks about the Department and the genuine improvements to European Commission development assistance, while acknowledging that more still needs to be done. He also raised the important issue of co-ordination. We agree that countries both inside and outside the European Union should co-ordinate their programmes. That is why my right hon. Friend the Secretary of State visited Tanzania with three other European Development Ministers to investigate working together more effectively. That was a welcome initiative.

All donors need to co-ordinate more. As the hon. Gentleman will be aware, the World Bank recognised that fact with its initiative on the comprehensive development framework, which aims to co-ordinate donors in backing poverty reduction strategies drawn up by developing countries. He should welcome the move towards accepting poverty reduction strategies as varying the criteria for assistance. We recognise the need to minimise the burden on poor countries with limited capacity. When the President of Guyana was a Finance Minister, he often asked me how a small country with 750,000 people could deal with all the donors and all their requirements. We understand that problem, which is why we are trying to improve co-ordination.

The hon. Gentleman asked about the accuracy and transparency of the Department for International Development budget and whether the budget had been fully spent. I do not have precise figures, but almost 100 per cent. of the money allocated to the Department was spent last year. That is not bad. I am sure that he agrees that that level has been similar in the past two years. As for variation from published plans, I am sure that he is not suggesting that we should not change priorities. Conflicts and natural disasters require responses, and we might have to suspend programmes with countries in which coups or political changes take place until they return to democracy. Given that need for flexibility, it is even more remarkable that we have spent 100 per cent. of the budget.

The hon. Gentleman also raised the issue of a single voice in the United Nations. The EU already co-ordinates well in UN development bodies. I have attended meetings and seen that for myself. Normally, an EU statement agreed in advance is read by the representative of the presidency. He mentioned the European Parliament and correctly said that its Development Committee did not control its aid budget. The Development Council has no such responsibility either. The General Affairs Council decides development budgets. We have examined that issue and will continue to do so. We are also talking about poverty eradication to members of the European Parliament's Budget Committee. I spoke to a British member to ensure that she understood our priorities of targeting poverty and questioning some of the allocations to Mediterranean development assistance.

[Mr. Foulkes]

I hope that I have answered most of the questions raised. The Government feel that Europe's development assistance stands at an important crossroads. We need to resist short-term political pressure for gesture spending and focus resources where they are needed most. Some sensible proposals for reform are on the table, and we press at every opportunity for their implementation . We are cautiously optimistic that they will provide concrete improvements in the quality and efficiency of programmes. We will continue to apply pressure. That will allow the EC programmes to fulfil their potential and make the impact on global poverty that they must have if we are to meet our poverty eradication target.

Question put and agreed to.

Adjourned accordingly at one minute to Five o'clock.

Written Answers to Questions

Monday 3 July 2000

LORD CHANCELLOR'S DEPARTMENT

Distress for Rent

Mr. Hilary Benn: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to review the practice of distress for rent. [128323]

Mr. Lock: The practice of distress for rent is currently being reviewed. I am aware that there are some concerns over this practice and, in particular, its compatibility with the European Convention on Human Rights. We are investigating these concerns urgently and any problems identified will be addressed promptly.

INTERNATIONAL DEVELOPMENT

Staff Secondments

Mr. Don Foster: To ask the Secretary of State for International Development, pursuant to her answer to the hon. Member for Harrogate and Knaresborough (Mr. Willis) of 8 February 2000, *Official Report*, column 89W, on secondments, if she will give the names, grades and job titles of the staff seconded into her Department from each organisation mentioned, stating in each case the name of the section they were seconded to and a summary of the work that they were involved with. [128252]

Clare Short: The figures given in the reply of 8 February referred to four individuals, all of whom were seconded for periods of more than 12 months and thus figured in the statistics for more than one of the years dealt with in the reply. The information required is as follows:

Name	*Grade*	*Job title*	*Section*	*Work*
Mr. J. C. Barrett	Grade 6	Natural Resources Research Programme Manager	Systems Management Office	Management of the Natural Resources Systems Programme
Dr. R. G. Poulter	Grade 6	Senior Natural Resources Adviser (Research)	Natural Resources Research Department	Advice on Research Policy issues. Liaison with the UK science base
Ms F. J. Proctor	Grade 6	Senior Natural Resources Adviser	West and North Africa Department	Natural resources advice on bilateral and regional programmes to Ghana, Nigeria, Senegal and Chad
Ms S. Moorehead	Band A2 (Grade 7 equivalent)	Research Manager	Economic Policy and Research Department	Management of research commissioned by the DFID Advisory Committee on Economic and Social Research (ESCOR)

Moluccas

Rev. Martin Smyth: To ask the Secretary of State for International Development what funds Her Majesty's Government have allocated to provide humanitarian aid to those suffering in the conflict in the Moluccas. [128813]

Clare Short: My Department is not currently funding relief operations in the Moluccas, but is willing to do so if safe access is obtained to make the necessary needs assessments. The rise in violence is preventing effective and impartial humanitarian access and has forced most relief agencies to evacuate and suspend their operations. We will continue to monitor the situation through our contacts in the few remaining operational agencies and will reassess our inputs once the security situation stabilises and humanitarian access is once again guaranteed.

A DFID team has just returned from Indonesia where they were advising the United Nations on possible options for engagement in conflict reduction activities. We have also seconded a humanitarian specialist to the United Nations in Jakarta. He is assisting with the co-operation of relief efforts throughout Indonesia, whether resulting from natural disasters or conflicts as in the Moluccas.

UN Social Summit

Dr. Tonge: To ask the Secretary of State for International Development if she will make a statement on her Department's representation at the UN Social Summit in Geneva. [128714]

Clare Short: My Department's delegation to the United Nations General Assembly Special Session in Geneva last week, which followed up the Copenhagen Social Summit five years ago, was led by my Chief Social Development Adviser, supported by other senior DFID social development professionals and officials.

China Western Poverty Reduction Project

Dr. Kumar: To ask the Secretary of State for International Development if she will make a statement on the status of the China Western Poverty Reduction Project. [128477]

Clare Short: Britain supported this project in the Bank Board meeting in June 1999 because it would bring significant benefits to 1.7 million of the poorest people in China. We also supported the Board conclusion that no funds would be disbursed on the Qinghai component of the project until an independent Inspection Panel had conducted an investigation, and pending further environmental and social assessments.

The report by the Independent Inspection Panel, and Bank Management's response to it, will be discussed at a World Bank Board meeting on 6 July 2000. We are looking very carefully at the conclusions of the Inspection Panel Report, and Management's response to it, in preparation for the Bank Board meeting.

Dr. Kumar: To ask the Secretary of State for International Development what recent representations she has received concerning the status of the China Western Poverty Reduction Project. [128478]

Clare Short: I have received representations on the issue of the China Western Poverty Reduction Project from members of the public, from hon. Members and from organisations which concern themselves with the welfare of Tibetans.

FOREIGN AND COMMONWEALTH AFFAIRS

Sudan

Dr. Stoate: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the recent SPLA violations of the ceasefire in Bahr al-Ghazal, Sudan. [129074]

Mr. Hain: We have been following with grave concern reports of violations by the SPLA of the humanitarian ceasefire in Bahr-al-Ghazal and in particular the attack on the town of Gogrial. We call on the SPLA and the Sudanese Government to exercise restraint, to respect humanitarian principles and the agreed ceasefire in that region and to work to negotiate a comprehensive, permanent, effectively monitored ceasefire throughout Sudan. We reaffirm our support for the peace efforts being made under the auspices of the Intergovernmental Authority on Development (IGAD) and firmly believe that only a negotiated settlement can bring all the people of Sudan the peace and stability they deserve.

Indian Sub-continent (Nuclear Weapons)

Dr. Stoate: To ask the Secretary of State for Foreign and Commonwealth Affairs in what circumstances a licence is required to export strategic goods or technology to India or Pakistan; and what the Government's policy is regarding exports to nuclear or nuclear-related end-users in India and Pakistan. [129016]

Mr. Hain: A licence is required to export to India or Pakistan any goods or technology that are listed as subject to control in the legislation under which strategic export controls are implemented or any goods or technology subject to the Weapons of Mass Destruction (WMD) end-use controls set out in Article 4 of Council Regulation (EC) 3381/94 and Regulations 4(1) and 4(2) (b) and (c) of the Dual-Use and Related Goods (Export Control) Regulations 1996.

Where a licence is required then, as my hon. Friend the Member for Manchester, Central (Mr. Lloyd), the then Minister of State, said in answer to my hon. Friend the Member for South Thanet (Dr. Ladyman) on 10 July 1998, *Official Report*, columns 687–88W, we will not allow the export of items listed in the Nuclear Suppliers Group Dual-Use List to nuclear or nuclear-related end-users in India or Pakistan, nor any other goods to these end-users which could contribute to the Indian and Pakistani nuclear programmes. The exception is equipment which would not normally require an export licence but is deemed licensable under the WMD end-use controls and where the initial concerns about WMD end-use are not subsequently substantiated.

New Deal

Mr. Brady: To ask the Secretary of State for Foreign and Commonwealth Affairs how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage this represents of total staff. [129091]

Mr. Hain: Four New Dealers have been recruited. This represents 1 per cent. of Band A1 staff (which is the grade at which we recruit New Dealers), and .07 per cent. of total staff.

Sierra Leone

Mr. Quentin Davies: To ask the Secretary of State for Foreign and Commonwealth Affairs what initiatives the Government have *(a)* taken and *(b)* propose to take on modifying the UN Security Council resolutions governing the presence of United Nations forces in Sierra Leone. [127997]

Mr. Hain: We have actively supported the UN Secretary-General's initiatives to adapt UNAMSIL to meet changing circumstances; most recently leading the Security Council in adoption of resolution 1299 of 11 May 2000 to expand UNAMSIL from 11,100 to 13,000. We have been leading discussions on a further resolution on UNAMSIL in the Security Council, in the light of the Secretary-General's most recent report of 19 May 2000.

Mr. Quentin Davies: To ask the Secretary of State for Foreign and Commonwealth Affairs what factors he took into account in assessing the need for UK action in response to Security Council resolution 1289 concerning the increase in manpower of the UNAMSIL force in Sierra Leone. [127998]

Mr. Hain: We strongly support the UN's effort to help bring peace and stability to Sierra Leone. Since the adoption of Security Council resolution 1289 on 7 February 2000, we have provided an MOD team to help on the ground with UNAMSIL force deployment as well as our 15 UN military observers. We are also continuing to provide technical advice and support to UNAMSIL both in Freetown and New York.

Mrs. Gillan: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what representations he has made to those countries which agreed to make a contribution to Sierra Leone through the Lomé Peace Accord but have *(a)* not or *(b)* only partly met the commitment they entered into; [128573]

(2) if he will list the countries which agreed to make a contribution to Sierra Leone through the Lomé Peace Accord, but which did not make the contribution agreed or any contribution; and if he will make a statement; [128572]

(3) if he will list those countries which have made contributions to Sierra Leone through the Lomé Peace Accord, indicating the amount of each contribution; and if he will make a statement; [128522]

(4) if he will list those countries which agreed to make contributions to Sierra Leone through the Lomé Peace Accord, indicating the amount of money each country agreed to give; and if he will make a statement. [128521]

Mr. Hain: Following signature of the Lomé Peace Agreement, a number of countries and donor institutions pledged and provided political and financial support to help re-build Sierra Leone after eight years of brutal conflict.

Around US$65 million was pledged at the international donor's conference, chaired by the Secretary of State for International Development in London on 27 March.

Practical support from the international donor community will continue to be needed if lasting peace and stability is to be achieved in Sierra Leone.

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* British and *(b)* other western nationals have been evacuated from Sierra Leone since 8 May . [127688]

Mr. Hain: 125 British nationals and 49 other western nationals were evacuated by British forces from Sierra Leone since 8 May (the figure for other western nationals includes EU, US and Canadian nationals).

Child Labour

Dr. Godman: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made on the implementation of ILO Convention No. 182 on the prohibition of child labour; and if he will make a statement. [127917]

Mr. Hain: The UK ratified ILO Convention 182 on the worst forms of child labour on 23 March 2000. The provisions of the Convention are met in the UK. The Government are committed to eradicating the exploitation of children. ILO Convention 182 represents an important step towards achieving this goal. The UK strongly supports the ILO in its campaign to encourage all ILO member states to ratify and implement the Convention as soon as possible. The UK is now considering how best to take bilateral action in support of the ILO campaign.

European Social Charter

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on how many EU member states have ratified, and accepted as legally binding, the European Social Charter in whole or in part. [127913]

Mr. Vaz: The Community Charter of the Fundamental Social Rights of Workers was adopted by 11 of the then 12 EU member states in December 1998, with the UK dissenting. The Charter was declaratory and is not legally binding.

Article 136 of the EC Treaty (Title XI), as amended by the Amsterdam Treaty 1997, mentions the Community Charter, alongside the European Social Charter 1961, within the context of the objectives of the social chapter of the Treaty. All 15 member states have ratified the Amsterdam Treaty.

Human Rights and Biomedicine Convention

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the number of EU member states which have ratified the Convention on Human Rights and Biomedicine. [127914]

Mr. Hain: The Convention came into force on 1 December 1999. Three EU member states have ratified the Convention: Denmark, Greece and Spain. Seven have signed the Convention: Finland, France, Italy, Luxembourg, The Netherlands, Portugal and Sweden.

The Convention contains a mixture of devolved and reserved matters. The Government are considering the most appropriate way forward in the light of devolution.

European Convention on Human Rights

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the European Convention on Human Rights and its protocols, with special reference to those parts which some EU member states have not agreed to ratify. [127995]

Mr. Hain: This year is the 50th Anniversary of the European Convention on Human Rights. The Convention has now been ratified by all 41 member states of the Council of Europe. It has become the Europe-wide standard for fundamental rights and freedoms providing, as its founders hoped, cohesive values and a bulwark against tyranny. In the UK, the Human Rights Act 1998, which comes into force on 2 October 2000, will enshrine in UK law the guarantees provided by the Convention.

Since the Convention's entry into force, a series of additional protocols have been adopted. Where these elaborate the rights set out in the Convention or add new rights, they are optional. Like other EU and Council of Europe states, the UK keeps under review its position with regard to those protocols it has not already ratified.

Gibraltar

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 7 June 2000, *Official Report*, column 295W, how many people are in the United Kingdom Government/Gibraltar Liaison Unit for EU Affairs which has been established in his Department. [128487]

Mr. Vaz: The United Kingdom Government/Gibraltar Liaison Unit for EU Affairs was established on 1 June, within the Southern European Department of the Foreign and Commonwealth Office. Initially, three members of this Department have been allocated responsibility for running the Unit alongside their other duties. We will keep the resources of the Unit under review.

Zimbabwe

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the actions of ZANU(PF) during the election campaign and on polling day in Zimbabwe. [128716]

Mr. Hain: We fully agree with the statement issued by Pierre Schori, the Head of the EU Observer Mission, in which he indicated that

> ZANU(PF) was responsible for the bulk of political violence

during the election campaign. The two days of polling were peaceful and orderly.

Serbia/Iraq Trade

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on financial and trade links between *(a)* Serbia and Iraq and *(b)* the Federal Republic of Yugoslavia and Iraq. [126626]

Mr. Vaz *[holding answer 19 June 2000]:* There are no reliable figures for FRY/Iraq trade but according to official FRY figures it does not appear to be a significant element in the FRY balance of payments. The FRY has participated in the UN's oil for food programme, bartering grain exports for oil.

EU Political and Security Committee

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what items have been on the agenda of the EU Political and Security Committee since 1 January; and what decisions it has taken. [128505]

Mr. Vaz: The Interim Political and Security Committee started work on 1 March 2000. Since its establishment, the Committee's principal task has been to contribute to the preparation of the Council's decisions on the new European defence and security arrangements and in particular the Report and Annexes on European defence and security adopted by the European Council at Feira on 19–20 June. The Committee has also started to contribute to the Council's work on current CFSP issues, such as Zimbabwe and Sierra Leone.

Moluccas

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Indonesian authorities to ensure that those responsible for the sectarian violence in the Moluccas are brought to trial. [128786]

Mr. Battle: EU representatives called on the Indonesian Government on 12 June to remind them of their responsibility to maintain law and order, and to request an investigation and immediate steps to bring the perpetrators to justice. I issued a statement on 23 June, and saw the Indonesian Ambassador on 3 July. In the light of the alarming escalation of the violence, we and others are urging the Indonesian authorities to redouble efforts to take effective action.

AGRICULTURE, FISHERIES AND FOOD

Organophosphates

Dr. Gibson: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of recent research on the effect on the nervous system of exposure to organophosphates. [126036]

Ms Quin: A Working Group of the Committee on Toxicity of Chemicals in Food, Consumer Products and the Environment (COT) undertook an in-depth study in 1998 and 1999 of whether exposure to low doses of organophosphorus compounds can cause long-term adverse health effects. The Working Group considered the most recent research in this area. The COT's Report to Ministers was published on 26 November 1999 and copies were placed in the Library of the House. Presentations from researchers working on OPs were made to a Scientific Workshop on 28 March 2000 which was organised by the Government. We hope shortly to call for proposals for further research in this important area.

Lindane

Angela Smith: To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received about the health implications of Lindane. [127817]

Ms Quin: MAFF has received numerous representations from individuals and organisations concerning the pesticide Lindane. Most of these have expressed concern over the possible environmental or human health effects of the use of Lindane in this country.

The Government act whenever necessary on pesticides in order to safeguard health and protect the environment. In the case of Lindane, using a precautionary assessment, independent scientific advice is that the currently approved agricultural uses of lindane do not pose any unacceptable risk to people. Ministers are currently considering the advice from the independent Advisory Committee on Pesticides on the home garden and non-agricultural uses of Lindane and will announce their conclusions as soon as possible.

Pesticides and Fertilisers

Mr. Oaten: To ask the Minister of Agriculture, Fisheries and Food which discussions he has had with his counterparts in other EU member states on establishing reciprocal recognition arrangements on the use of pesticides and fertilisers. [127663]

Ms Quin *[holding answer 26 June 2000]:* All EU countries regulate the safety and efficacy of agricultural pesticides on the basis of scientific data under their respective national legislation. However, a gradual transition is already underway to an EC system of regulation which in addition to safeguarding people and the environment is also aimed at freeing the market in agricultural pesticides by achieving consistent standards between member states.

As such it provides for the mutual recognition of pesticide product approvals and uses granted in other member states.

Officials from the various member states are frequently in contact with each other to discuss the issues relating to harmonisation of the authorisation procedures and the regulation of agricultural pesticides.

The EU has established procedures whereby fertiliser companies can seek to have products designated as "EC Fertilisers" thereby enabling those products to be sold in all member states. Non-EC designated fertiliser products may be sold to another member state only where they comply with that country's domestic legislation.

Organic Farming

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 10 April 2000, *Official Report*, column 56W, on organic farming, what plans he has to undertake research into the balance of trade in organic produce in the last 12 months for which figures are available; and what representations have been made to him regarding the balance of trade in this respect. [126474]

Mr. Morley *[holding answer 27 June 2000]:* We have no plans at present to undertake such research.

We have received a number of representations concerning the proportion of organic food which is imported, usually coupled with requests that support for organic conversion be increased. The Government have substantially increased funding for conversion: £12 million has been committed in the current financial year and we plan to spend £140 million on conversion aid over the life of the Rural Development Plan for England.

Sheep Farmers

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food if he will press for additional compensation for sheep farmers affected by cuts in the sheep annual premium. [128058]

Ms Quin: There have been no recent changes in the way the sheep annual premium is calculated. As part of the Action Plan for Farming, the Prime Minister announced on 30 March that this year sheep farmers will receive £22 million to compensate for the effects of exchange rate fluctuations during 1999.

Fishing (Russian Vessels)

Mr. Bercow: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the appearance of Russian blue water vessels off Rockall; and if he has assessed the consequences for UK haddock fishing. [128158]

Mr. Morley: This spring there was evidence of increased activity by Russian vessels fishing for haddock and other demersal stocks in international waters to the west of Rockall. Unregulated fishing of this kind risks undermining EU management measures aimed at conserving stocks. At the Fisheries Council in June we called upon the European Commission to press for the adoption of specific management measures by the North East Atlantic Fisheries Commission (NEAFC) to constrain fishing in the area. We are supported by a number of other member states. The European Commission has undertaken to pursue the necessary action in NEAFC.

Staff Secondments

Mr. Don Foster: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer to the hon. Member for Harrogate and Knaresborough (Mr. Willis), of 10 February 2000, *Official Report*, column 292W, on secondments, if he will give the names, grades and job titles of the staff seconded into his Department from each organisation mentioned, stating in each case the name of the section they were seconded to and a summary of the work that they were involved with. [128246]

Mr. Morley *[holding answer 29 June 2000]:* Secondments and attachments are part of the Interchange Initiative, which promotes the exchange of people and good practice between the Civil Service and other organisations. Before an Interchange can occur all parties must be satisfied that no conflict of interest arises.

Further to my earlier reply to the hon. Member for Harrogate and Knaresborough (Mr. Willis), the secondee from the Royal Bank of Scotland worked in the Finance Unit at the Central Science Laboratory in York on the production of a report on operating procedures for contracts. The secondee from Manor Bakeries undertook a programme of visits within the Department.

CULTURE, MEDIA AND SPORT

Sport Funding

Mr. Breed: To ask the Secretary of State for Culture, Media and Sport how much the Government spent per head of population on supporting sport in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland in the last financial year; what the planned figure is for 2000–01; and what assessment he has made of such spending in other EU member states. [127127]

Kate Hoey: The information requested by the hon. Member is included in the table.

Exchequer and Lottery funding for sport is channelled primarily through the four home nation sports councils (Sport England, SportScotland, Sports Council for Wales, Sports Council for Northern Ireland) and the UK Sports Council (UK Sport). Funding is also provided to the Football Licensing Authority, which is charged with ensuring the implementation of Government policy regarding grounds at which designated football matches are played. Support for sport and recreation is also provided by local Government expenditure.

No direct comparison of expenditure on sport by EU member states has been made by my Department or the Sports Councils. Meaningful comparisons are difficult because of the way in which sport is structured and financed from country to country.

1999–2000 (Outturn)

	Population (1998 Census)	*Exchequer funding (£)*	*Lottery draw-down (£)*[1]	*Total (£)*	*Per capita expenditure (£)*
England/Sport England	49,495,000	37,900,000	250,686,000	288,586,000	5.83
Scotland/Sport Scotland	5,120,000	10,100,000	25,645,000	35,745,000	6.98
Wales/Sports Council for Wales	2,933,000	6,799,000	14,677,000	21,476,000	7.32
Northern Ireland/Sports Council for Northern Ireland	1,689,000	2,380,000	10,323,000	12,703,000	7.52
UK Sport[3]	—	12,600,000	15,357,000	27,957,000	—
Football Licensing Authority	—	900,000	—	900,000	—
Total[4]	59,237,000	70,679,000	316,688,000	387,367,000	6.54

2000–01 (Plans)

	Population (1998 Census)	*Exchequer funding (£)*	*Lottery draw-down forecasts (£)*[2]	*Total forecast (£)*	*Per capita expenditure forecast (£)*
England/Sport England	49,495,000	37,973,000	355,500,000	393,473,000	7.95
Scotland/Sports Scotland	5,120,000	10,309,000	30,600,000	40,909,000	7.99
Wales/Sports Council for Wales	2,933,000	7,417,000	14,281,000	21,698,000	7.40
Northern Ireland/Sports Council for Northern Ireland	1,689,000	2,322,000	10,230,000	12,552,000	7.43
UK Sport[3]	—	12,600,000	23,060,000	35,660,000	—
Football Licensing Authority	—	900,000	—	900,000	—
Total[4]	59,237,000	71,521,000	433,671,000	505,192,000	8.53

[1] The figures are taken from the National Lottery Awards database which uses information supplied by the distributing bodies.

[2] Data are based on information provided by the distributing bodies.

[3] UK Sport provides support to those sporting programmes and policies that are of benefit for the United Kingdom as a whole. It is not possible to determine the amount of benefit provided by UK Sport to sport in individual home countries.

[4] In addition, Local Authority estimated outturn on current and capital expenditure on sport and recreation activities in 1999–2000 totalled £767 million in England and £55 million in Wales. Expenditure details for 1999–2000 for Scotland and Northern Ireland and Planning figures for 2000–01 are not available.

Spoliation Panel

Mr. Dismore: To ask the Secretary of State for Culture, Media and Sport if the Spoliation Panel inquiry into works of art looted by the Nazis has met; and if he will make a statement. [128118]

Mr. Alan Howarth *[holding answer 29 June 2000]:* The first meeting of the Spoliation Advisory Panel was held on Thursday 8 June. To date, the Panel is aware of only one claim—that of Jan Griffier the Elder's View of Hampton Court Palace—which was acquired by the Tate in 1961. On 12 June, the Panel issued a news release inviting both the claimants and the Tate to submit their case as soon as possible. The Panel desires to complete its proceedings on this claim as rapidly as possible consistent with proper consideration of the evidence.

Royal Palaces

Mr. Alan Williams: To ask the Secretary of State for Culture, Media and Sport what, at constant prices, has been the cost of maintenance projects in each year since 1991–92 at the occupied Royal Palaces after deducting the costs of the exceptional rewiring programme in hand at the time of the Windsor fire, and the costs relating to the restoration after that fire. [128461]

Mr. Alan Howarth: The costs are as follows:

	£000
1991–92	14,999
1992–93	10,768
1993–94	9,105
1994–95	10,637
1995–96	12,547
1996–97	11,630
1997–98	7,437
1998–99	7,392
1999–2000	6,788

Excluding minor maintenance costing less than £2,500

Mr. Alan Williams: To ask the Secretary of State for Culture, Media and Sport in each year since 1993–94, what has been the *(a)* gross income and *(b)* net income from charges to visit Buckingham Palace; and to which Department the income was paid. [128460]

Mr. Alan Howarth: The gross income and net income from charges to visit Buckingham Palace in each year since 1993–94 are as follows:

£000

		Net income	
	Gross income	*WCFR*[1]	*RCT*[2]
1993–94	2,277	1,391	0
1994–95	2,662	1,398	0
1995–96	2,948	1,667	0
1996–97	2,812	1,686	0
1997–98	2,353	1,080	0
1998–99	2,505	1,066	0
1999–2000	2,349	0	907

[1] Windsor Castle Fire Restoration Project

[2] Royal Collection Trust

The net income accrues to the Royal Collection Trust rather than to any Government Department. Just under £8.3 million has been contributed toward the cost of the Windsor Castle Fire Restoration Project. Having completed the Fire Restoration Project, the net income has been retained by the Royal Collection Trust to fund ongoing conservation of the Royal Collection and the project to re-develop the Queen's Gallery.

Mr. Alan Williams: To ask the Secretary of State for Culture, Media and Sport in each year since 1993–94 what has been the *(a)* gross income and *(b)* net surplus from charges to visit Windsor Castle precincts. [128459]

Mr. Alan Howarth: No gross income is attributable to the Windsor Castle precincts as visitors buy one ticket which covers the State Apartments, Queen Mary's Dolls House, St. George's Chapel, the exhibition and the precincts. The net surplus from charges to visit Windsor Castle precincts in each year since 1993–94 is as follows:

	£000
1993–94	100
1994–95	1,616
1995–96	1,908
1996–97	2,257
1997–98	2,381
1998–99	3,416
1999–2000	2,400

[1] Charges for entry to the Windsor Castle precincts introduced on 4 January 1994

Hollywood Films

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what representations he has *(a)* received and *(b)* made regarding allegations of anti-British bias in Hollywood films; and if he will make a statement. [128815]

Mr. Chris Smith: I have received a number of letters from members of the public about historical misrepresentation in Hollywood films, and while it is not for the Government formally to intervene in the creative process of film-making, I have made my personal views on the subject clear and will do so again when appropriate occasions arise.

Tourist Industry (Crime)

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the effect of a rise in the crime rate on the tourist industry. [128814]

Mr. Chris Smith: The vast majority of tourists to Britain have a safe and enjoyable visit. Misleading comparisons of crime in Britain with that in the United States are of course unhelpful; but we expect to welcome many overseas visitors to Britain this year, four million of whom are expected to come from the United States alone. The Government are, of course, determined to tackle violent crime and are providing resources to address the issue.

United Kingdom Sports Institute

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport how many contracts have been let by the United Kingdom Sports Institute; for what purposes; and if he will make a statement. [128812]

Mr. Chris Smith: My Department has asked both Sport England and UK Sport to provide the information requested, and I will write to the hon. Member as soon as it is available, placing copies of my letter in the Library of the House.

SOCIAL SECURITY

Benefits (Foreign Countries)

Mr. Lidington: To ask the Secretary of State for Social Security if he will list the foreign countries where people claiming social security benefits currently reside; and how many customers of his Department reside in each such country. [127351]

Mr. Rooker *[holding answer 22 June 2000]:* Such information as is available has been placed in Library.

Child Support

Mr. Bob Russell: To ask the Secretary of State for Social Security, pursuant to his answer of 22 June 2000, *Official Report*, column 256W, on child support, if the new criminal offences for providing false information will apply retrospectively; and if he will make a statement. [128153]

Angela Eagle: It would not be appropriate under the terms of the European Convention on Human Rights for such provisions to have retrospective effect, allowing prosecution for an act or omission which was not a criminal offence at the time it was committed.

Ancillary Employees

Mr. Winnick: To ask the Secretary of State for Social Security what is the latest position regarding the payment of Jobseeker's Allowances to school ancillary employees during the school holidays. [128293]

Angela Eagle: The current legal position, confirmed by the Court of Appeal in October 1999, is that ancillary workers with an on-going contract of employment, who are not entitled to Jobseeker's Allowance (JSA) or Income Support (IS) during term-time because of the hours they work, are also not entitled to JSA or IS during the school holidays. We understand that leave to appeal to the House of Lords against the Court of Appeal decision was granted on 11 April.

Where any doubts exist over entitlement to JSA or Income Support, school ancillary workers may make a claim, which will be decided on an individual basis. School ancillary workers with low incomes may still claim in-work benefits such as Housing Benefit and Council Tax Benefit. Those with children may also be eligible for the Working Families Tax Credit.

Winter Fuel Payments

Mr. Burns: To ask the Secretary of State for Social Security when he expects men aged between 60 and 64 years in the West Chelmsford Constituency to receive their Winter Fuel Allowance; and if he will make a statement on the delays in paying it to them. [128320]

Angela Eagle: Retrospective payments for previous years winter fuel payments started to be paid in the week commencing 26 June 2000 in line with our targets. The payments will be issued as claims are processed and are not defined into postcoded areas. Some customers in West Chelmsford may have already received their payment and the remainder will receive them over the coming months as claims are received and processed.

Mr. John Ward

Helen Jones: To ask the Secretary of State for Social Security if he will investigate the treatment by SEMA and by the Benefits Agency of Mr. John Ward, a constituent whose address has been supplied to him; and if he will make a statement. [124877]

Mr. Bayley *[holding answer 12 June 2000]:* This matter has now been fully investigated. Due to the Data Protection Act 1998 I have written to my hon. Friend privately.

State Pension

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to his answer of 27 June 2000, *Official Report*, column 480W, on the state pension, if he will estimate the cost of Option (b), an increase of £5 in the rate of the basic state pension and the introduction of age additions of £5 for pensioners aged 75 to 79 and £10 for pensioners aged 80 years or over, on the basis that the age additions for those aged 75 to 79 or 80 years and over are paid in full, regardless of contribution record. [128605]

Mr. Rooker: The information is in the table.

£ billion

	Gross	*Net of means-tested benefits and income tax*
2001–02	4.6	3.1
2002–03	4.7	3.2
2003–04	4.7	3.2
2004–05	4.8	—
2005–06	4.8	—

Notes:

1. Figures include the cost of benefits whose rates are linked to the rate of basic Retirement Pension.

2. Figures are rounded to the nearest £0.1 billion and are in 2000–01 price terms.

3. Gross costs estimated by the Government Actuary's Department. Costs net of income-related benefit savings are estimated using the Policy Simulation Model. Income tax revenues estimated by the Inland Revenue.

4. Estimates of income tax revenues not available beyond 2003–04.

5. Age related increase uprated in line with RPI, as in previous reply.

Ms Roseanna Cunningham: To ask the Secretary of State for Social Security what the annual cost would have been in respect of pensioners in Scotland if the level of the state pension for *(a)* single pensioners and *(b)* couples had been uprated in line with earnings from May 1997. [128064]

Mr. Rooker: The information is not available in the format requested. Such information as is available is shown in the table.

Gross cost of uprating the basic state pension in line with earnings for pensioners in Scotland from April 1998

£ million

	Gross cost
1998–99	20
1999–2000	70
2000–01	200

Notes:

1. Costs estimated by the Government Actuary's Department are in 2000–01 price terms. Estimates are rounded to the nearest £10 million.

2. Costs include those benefits whose rates are linked to the rate of basic retirement pension.

3. Assumed rates of earnings growth are based on the seasonally adjusted average earnings index for the three months to July of the previous year, as originally published.

4. Separate estimates for singles and couples are not available.

5. Costs net of means-tested benefit savings are not available.

Staff Secondments

Mr. Don Foster: To ask the Secretary of State for Social Security, pursuant to his answer of 9 February 2000, *Official Report*, column 213W, concerning secondments, which of the secondees listed were appointed for a period of 12 months or less. [124820]

Mr. Rooker *[pursuant to his reply, 7 June 2000, c. 290W]:* All four of the secondees listed were appointed for a period of 12 months or less.

Mr. Willis: To ask the Secretary of State for Social Security how many staff were seconded from the private sector to his Department in *(a)* May 1997 to April 1998, *(b)* May 1998 to April 1999 and *(c)* May 1999 to the latest date for which figures are available, stating in each case the companies from which staff have been seconded. [109293]

Mr. Rooker *[pursuant to his reply, 9 February 2000, c. 213W]:* Secondments and attachments are part of the Interchange Initiative which promotes the exchange of people and good practice between the Civil Service and other organisations. All Sectors of the economy are involved: Voluntary, Education, Health, Public and Private. Interchange is a key component of the reform agenda. The Modernising Government White Paper committed us to increasing interchange, in particular by bringing in more people on secondment and sending more of our people out.

For the periods in question, four private sector staff are recorded as having been seconded to the Department. One was from the Guardian Media Group plc between September 1997 and December 1997, one from Sacker and Partners between October 1997 and February 1998, one from Oracle from March 1998 to September 1998 and the final one from CSL Managed Services between August 1999 and February 2000. Other inward secondments of three months or more recorded centrally in the above periods were mainly from local government and other parts of the public sector outside the Civil Service.

Heating Fuel (VAT)

Mr. Hurst: To ask the Secretary of State for Social Security what analysis he has made of the annual financial benefit in respect of pensioners resulting from the reduction of the rate of VAT on heating fuel; and if he will make a statement. [127586]

Mr. Timms: I have been asked to reply.

Customs and Excise estimate that households in which the head is of State Pension Age and economically inactive will benefit on average by around £13 in 2000–01 due to the reduced rate of VAT on fuel and power.

TRADE AND INDUSTRY

Corruption and Bribery

Mr. Austin: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 26 June 2000, *Official Report*, column 351W, on corruption and bribery, if he will list the number of cases in the last five years where the ECGD judged *(a)* the level of commission to be excessive and *(b)* the payment procedures unusual, indicating the companies concerned and the reasons why cover was refused. [128571]

Mr. Caborn: In the last five years there have been no cases where the levels of commission were deemed to be excessive or where there were unusual payment procedures.

Our customers understand and abide by our procedures in this regard.

Deer Management Qualifications Ltd.

Mr. Beggs: To ask the Secretary of State for Trade and Industry when his Department was informed that Deer Management Qualifications Ltd., Registration Number 3449049, was continuing to trade from a new registered office at Wrexham. [128568]

Dr. Howells: Deer Management Qualifications Ltd. has not informed Companies House of any change of address of their registered office, and remained at 381 Kingsway, Hove, East Sussex, the original address, until struck off and dissolved in September 1999.

A representative of the former company subsequently wrote from Wrexham on 28 December 1999 claiming that the organisation of that name was still trading. Information on restoration was sent in January 2000, but no application for restoration has been received to date.

In the interim, a new company, Deer Management Communications Ltd., Registration Number 4019145, has been incorporated.

MCI WorldCom Sprint Merger

Dr. Cable: To ask the Secretary of State for Trade and Industry what representations his Department has received regarding the proposed merger of MCI WorldCom and Sprint. [128493]

Dr. Howells: This case fell to the consideration of the EC competition authorities under the EC Merger Regulation (ECMR) and the Commission prohibited the proposed deal on 28 June.

It is not our policy to disclose the identity or content of representations on cases so that interested parties may comment freely without any concern that their comments might then be disclosed.

Dr. Cable: To ask the Secretary of State for Trade and Industry what representations the Government have made to the European Commission regarding the MCI WorldCom Sprint merger. [128494]

Dr. Howells: This case fell to the consideration of the EC competition authorities under the EC Merger Regulation (ECMR) and the Commission prohibited the proposed deal on 28 June.

Member states have a formal role in the ECMR process. However, in order to protect the integrity of the ECMR process, member states do not disclose the line they took on individual cases.

Malaysia

Mr. Alan Simpson: To ask the Secretary of State for Trade and Industry (1) if he will make a statement on the licensed production agreement between Pains Wessex (Schermuly) and SME Ordnance in Malaysia for the production of *(a)* low enforcement pyrotechnics, *(b)* CS irritant cartridges and *(c)* CS canisters; [128281]

(2) if he will list the licensed production agreements between British and Malaysian defence companies. [128280]

Dr. Howells: I refer my hon. Friend to the answer I gave my hon. Friend the Member for Cynon Valley (Ann Clwyd) on 22 March 1999, *Official Report*, column 117W.

However, I would also refer my hon. Friend to the answer given by my hon. Friend the then Under-Secretary of State for Small Firms, Trade and Industry, on 12 January 1999, *Official Report*, columns 149–50W. The response to the Committee, referred to in this answer, was published on 23 February 1999, HC270.

Staff Secondments

Mr. Don Foster: To ask the Secretary of State for Trade and Industry, pursuant to his answer to the hon. Member for Harrogate and Knaresborough (Mr. Willis), of 11 February 2000, *Official Report*, column 313W, on secondments, if he will give the names, grades and job titles of the staff seconded into his Department from each organisation mentioned, stating in each case the name of the section they were seconded to and a summary of the work that they were involved with. [128244]

Dr. Howells *[holding answer 29 June 2000]:* Giving the information in the format as set out in my answer of 11 February, details of the DTI grades of the posts filled and the Directorate in which the secondees were placed are given in the table.

For data protection and privacy reasons it is not possible to give names of individuals.

The Department has a long-standing programme of interchange with the private sector to promote the exchange of people and good practice between the Civil Service and other organisations. Before a secondment can occur, all parties must be satisfied that no conflict of interest arises.

Company names	*Grade*	*Section*
1 May 1997–30 April 1998		
The Export Association	PR 10	Export Promotion
North Cape (Scotland) Ltd.	PR 10	Export Promotion
Bank of Ireland	PR 10	Export Promotion
Rover Group Ltd.	PR 10	Export Promotion
Reyrolle Projects Ltd.	PR 10	Export Promotion
Grant Thornton	PR 7	Small and Medium Enterprise Policy
Drinks Marketing Consortium	PR 10	Export Promotion
European Gas Turbines-GEC Alstrom	PR 10	Export Promotion
Ericsson Ltd.	PR 11	Communication and Information Ind Dir
Prince Associates	PR 10	Export Promotion
British Telecom plc	SCS	Communication and Information Ind Dir
Littlejon Frazer	PR 9	Company Law and Investigations
The Institute of Export	PR 10	Export Promotion
Arthur Andersen	PR 8	Insurance Directorate

Company names	*Grade*	*Section*
Deloitte and Touche	PR 10	Regional Assistance
NHS Supplies	PR 10	Export Promotion
British Nuclear Fuels plc	PR 10	Export Promotion
Herbert Smith	PR 10	Consumer Affair Competition Policy
Mobil	PR 10	Oil and Gas
Hyder plc	PR 10	Export Promotion
EPSRC	PR 7	Chemicals and Biotechnology
PricewaterhouseCoopers	PR 9	Company Law and Investigations
ERTL Europe Ltd.	PR 10	Export Promotion
British Telecom plc	PR 10	Invest in Britain Bureau
BT International Business	PR 10	Invest in Britain Bureau
Nuclear Electric plc	PR 10	Nuclear Industries Directorate
Frank Roberts and Sons Ltd.	PR 10	Export Promotion
Barclays Bank plc	PR 10	Export Promotion
Silver Altman	PR 9	Company Law and Investigations
Guinness Brewing Worldwide Ltd.	PR 10	Export Promotion
PricewaterhouseCoopers	PR 10	Insurance Directorate
Anglian Water International UK	PR 10	Infrastructure and Energy Projects
Hambros Bank Ltd.	SCS	Regional Assistance
General Accident/CGU Insurance	PR 10	Export Promotion
Beaumont Colson Ltd.	PR 10	Export Promotion
AWE plc	PR 10	Nuclear Industries Directorate
Epinet Communications plc	PR 10	Export Promotion
Matra Marconi Space	PR 10	British National Space Centre
Barclays Bank plc	PR 10	Export Promotion
PricewaterhouseCoopers	PR 10	Regional Assistance
Reuters Ltd.	PR 10	Communication and Information Ind Dir
Lee and Allen Consulting plc	PR 9	Company Law and Investigations
CERN	SCS	Simpler Trade Procedures
HSBC Holdings plc	PR 10	Export Promotion
University of Greenwich	PR 10	Low Pay
Toyoboshi UK Ltd.	PR 10	Export Promotion
Institute of Exports	PR 10	Export Promotion
Westcountry Development Corporation	PR 10	Government Office South West
Hydro Technologies Ltd.	PR 10	Export Promotion
Crown Agents Overseas Government and Administration	PR 10	Export Promotion
ICI Chemicals and Polymers Ltd.	PR 10	Export Promotion
Cable and Wireless plc	PR 10	Export Promotion
GEC Marconi Avionics Ltd.	PR 10	Export Promotion
Cookstown Enterprise Centre Ltd.	PR 11	Export Promotion
Sonic Communications	PR 11	Export Promotion
Unipart International	PR 10	Export Promotion
Natural Animal Feeds Ltd.	PR 11	Export Promotion
Russo-British Chamber of Commerce	PR 11	Export Promotion
Eschmann Bros and Walsh Ltd.	PR 10	Export Promotion
Arthur Andersen	PR 10	Invest in Britain Bureau
The Hosiery Manufacturing Co. Ltd.	PR 10	Export Promotion
Delamore Associates Ltd.	PR 11	Export Promotion
Lockstair Ltd.	PR 10	Engineering Industries Directorate
1 May 1998–30 April 1999		
The British Petroleum Company plc	PR 10	Export Promotion
British-Israel Chamber of Commerce	PR 10	Export Promotion
Matheson and Co Ltd.	PR 11	Export Promotion
Lloyds TSB Group plc	PR 10	Small and Medium Enterprise Policy
The Hosiery Manufacturing Co. Ltd.	PR 11	Export Promotion
The British Petroleum Company plc	PR 10	Export Promotion
ICL	PR 10	Communication and Information Ind Dir
East European Trade Council	PR 11	Export Promotion
British Aerospace plc	PR 10	Export Promotion
British Telecom plc	PR 10	Invest in Britain Bureau
British Marine Equipment Council Ltd.	PR 11	Export Promotion
E A Technology Ltd.	PR 11	Export Promotion
AEA Technology	PR 10	Office of Science and Technology
Slaughter and May	PR 7	Communication and Information Ind Dir
Glaxo Wellcome Research and Development	PR 10	Office of Science and Technology
Knight Piesold Ltd.	PR 10	Export Promotion
AEA Technology plc	PR 10	Export Promotion
Knight Piesold Ltd.	PR 11	Export Promotion
EPSRC	PR 7	Chemicals and Biotechnology
PWR (Electrical Services) Ltd.	PR 10	Export Promotion
British Nuclear Fuels plc	PR 10	Nuclear Industries Directorate
Hewlett-Packard Ltd.	SCS	Office of Science and Technology
East Europe Trade Council	PR 11	Export Promotion

Company names	*Grade*	*Section*
Enterprise Ayrshire	PR 10	Infrastructure and Energy Projects
British Telecom	PR 7	Communication and Information Ind Dir
Herbert Smith	PR 10	Utilities Review Team
British Consulate General Osaka	PR 10	Invest in Britain Bureau
Polish Social and Cultural Association Ltd.	PR 11	Export Promotion
Moody Cashmere Ltd.	PR 11	Export Promotion
Abercairn of Scotland Ltd.	PR 10	Export Promotion
Grant Thornton	PR 9	Small and Medium Enterprise Policy
Financial Service Authority	PR 6	Insurance Directorate
GK Communications Group Ltd.	PR 10	Export Promotion
AEA Technology plc	PR 10	Office of Science and Technology
British American Tobacco Company	PR 10	Export Promotion
Aspen Waite Chartered Accountants	PR 11	Export Promotion
ICI Group	PR 9	Office of Science and Technology
Masters International (UK) Ltd.	PR 11	Export Promotion
GKN Westland Helicopters	PR 10	Engineering Industries Directorate
Gardenex	PR 11	Export Promotion
British Aerospace Aviation	PR 10	Infrastructure and Energy Projects
Trade Development Ltd.	PR 10	Export Promotion
ACO Technologies plc	PR 10	Export Promotion
Independent Power Corporation plc	PR 11	Export Promotion
Freeman Rich Chartered Accountants	PR 10	Export Promotion
SMMT Ltd.	PR 11	Export Promotion
Ernst and Young Services Ltd.	PR 10	Regional Assistance
Reuters Ltd.	PR 10	Communication and Information Ind Dir
Elizabeth Emanuel Enterprises Ltd.	PR 10	European Policy
East European Trade Council	PR 11	Export Promotion
Simmons and Simmons	PR 6	Communication and Information Ind Dir
ICL	PR 10	Futures Unit
Oracle Corporation UK Ltd.	SCS	Communication and Information Ind Dir
Brown and Root AOC	PR 11	Infrastructure and Energy Projects
LGC Ltd.	PR 8	Chemicals and Biotechnology
1 May 1999–8 February 2000		
Rover Group Ltd.	SCS	Export Promotion
Moy Park Ltd.	PR 10	Export Promotion
Robson Rhodes	PR 10	Regional Assistance
The Building Centre Ltd.	PR 11	Export Promotion
Newbrook Engineering Co. Ltd.	PR 10	Export Promotion
Medical Research Council	PR 6	Ministerial Parliamentary Support
Mott MacDonald Group Ltd.	PR 11	Export Promotion
Darwin Instruments Ltd.	PR 10	Export Promotion
MacAlister Elliott and Partners Ltd.	PR 10	Export Promotion
The Beaver Housing Society Ltd.	PR 10	Export Promotion
GKN plc	PR 11	Export Promotion
William Santus and Co. Ltd.	PR 11	Export Promotion
The Wellcome Trust	PR 7	Office of Science and Technology
Knight Peisold Ltd.	PR 11	Export Promotion
PricewaterhouseCoopers	PR 9	Company Law and Investigations
The Export Association	PR 10	Export Promotion
Proactive Associates Ltd.	PR 10	Export Promotion
British Telecom	PR 7	Communication and Information Ind Dir
Reuters Ltd.	PR 10	Joint Export Promotion
West India Committee	PR 10	Export Promotion
David Stanley Associates Ltd.	PR 10	Export Promotion
Mivan Ltd.	PR 11	Export Promotion
Natwest Group	SCS	Regional Policy
Shaw Trust Ltd.	PR 11	Export Promotion
British Telecom	PR 10	Invest in Britain Bureau
AstraZeneca	PR 10	Export Promotion
British Nuclear Fuels plc	PR 10	Export Promotion
Black Isle Consultants Ltd.	PR 11	Export Promotion
Unipath Ltd.	PR 8	Office of Science and Technology
The Symphony Group plc	PR 10	Export Promotion
Binnie Black and Veatch Ltd.	PR 10	Export Promotion
John Laing International Ltd.	PR 10	Export Promotion
Simmons and Simmons	PR 6	Communication and Information Ind Dir
Shell UK Exploration and Production	PR 10	Oil and Gas
AstraZeneca	PR 10	Export Promotion
Grant Thornton	PR 10	Small and Medium Enterprise Policy
ONE North East	PR 6	Invest in Britain Bureau
BHP Petroleum Ltd.	PR 10	Futures Unit
Phoenix Timber Group plc	PR 11	Export Promotion
Biwater International Ltd.	PR 11	Export Promotion

Company names	*Grade*	*Section*
Gardenex	PR 11	Export Promotion
Linklaters and Alliance	PR 10	Competition Policy
Middle East Association	PR 10	Export Promotion
Science Systems (Space) Ltd.	PR 10	British National Space Centre
Trades Union Congress	PR 11	Employment Relations
KCA Drilling Ltd.	PR 8	Oil and Gas
Imperial Chemical Industries plc	PR 10	Chemicals and Biotechnology

Wind Energy

Mr. Hilary Benn: To ask the Secretary of State for Trade and Industry what assistance his Department is giving to support offshore wind generator research, development and manufacturing; and if he will make a statement. [128145]

Mrs. Liddell: The Government recognise the potential of the offshore wind energy industry both in the UK and internationally. Accordingly, offshore wind energy is a priority area within my Department's research and development programme for new and renewable energy.

The programme has so far committed £790,000 in two projects. One will monitor and evaluate the installation and performance of the UK's first offshore installation of two 2 MW turbines being installed off Blyth Harbour this summer. The other is supporting the development of a new rotor hub, aimed at the offshore market, being assembled in the UK using UK components. In addition, the programme also has several high-value research proposals currently under consideration to develop and evaluate installation systems and techniques for offshore wind farms with prospects for reducing costs.

A further aim of our programme is to establish the environmental effects of offshore wind farms. A project providing an initial assessment of all the potential effects has been completed and is being followed up by scoping studies focusing on the effects on sea wild life, birds and coastal processes such as erosion and deposition.

The Government are also considering the scope for additional support for offshore wind in the context of the new renewables obligation.

Mr. Hilary Benn: To ask the Secretary of State for Trade and Industry what assessment he has made of the potential contribution of offshore wind energy to electricity production; and if he will make a statement. [128146]

Mrs. Liddell: An analysis of the potential contribution of offshore wind energy and other renewable energy technologies was produced for my Department in March 1999 by the Energy Technical Support Unit (ETSU) and formed the Supporting Analysis to the Consultation Document on Renewable Energy then published. A copy of the Supporting Analysis is in the Library of the House.

The UK's wind resources are potentially much greater offshore than onshore. They are limited only by practicable working water depths, the use of maritime areas for other activities, and the costs of achieving linkage with the onshore electrical network. Moving from onshore to offshore need not require major changes in the technology, but additional technical problems arise because of the more hostile environment. Offshore installations could increase the contribution from wind power substantially.

Hyperlinking

Mr. Wyatt: To ask the Secretary of State for Trade and Industry what interest the Government hold in a patent on hyperlinking; and if he will make a statement. [128322]

Ms Hewitt: The Government hold no interest in any patents on hyperlinks.

Magnox Fuel

Mr. Chaytor: To ask the Secretary of State for Trade and Industry if he will list the technical papers on the dry storage of previously wet stored magnox fuel that he has commissioned; and if he will place copies of all such papers in the Library. [127962]

Mrs. Liddell: My Department has commissioned no such technical papers. Government policy is that the owners of spent fuel are responsible for its management subject to meeting regulatory requirements.

Export Credit Guarantees

Mr. Matthew Taylor: To ask the Secretary of State for Trade and Industry if he will estimate the net savings to the Exchequer in each of the next 10 years from restricting export credit guarantees to non-military exports; and if he will make a statement. [127502]

Mr. Caborn *[holding answer 27 June 2000]:* If the hon. Gentleman's question is intended to ascertain the effect of a general restriction on export credit guarantees to non-military exports, the answer is that I do not envisage any net savings given that ECGD supported business caught by it would have been priced and managed with a view to at least breaking even. Additionally, while such a restriction would tend to reduce ECGD's exposure to interest make-up risk, it cannot be predicted at the outset whether this would generate net savings or expenditure for the Exchequer.

Indeed there would be a cost to the Exchequer from such a general restriction arising not only from forgone tax revenues which would arise otherwise from business thwarted by the restriction but also from any consequent reduction in employment.

If however the question is intended simply to elucidate the effect of the Chancellor's announcement of 11 January, extending the UK's unilateral ban on export credits in respect of "unproductive expenditure" to include a further 22 countries, then assuming recent trading patterns continue I would not envisage any costs or savings to the Exchequer given that, from information readily available, the £775 million business with these countries supported by ECGD guarantees over the last five years falls within the productive expenditure criteria against which future export credit business will be assessed.

Electricity Consumers Committees

Mr. Hilary Benn: To ask the Secretary of State for Trade and Industry if he will make a statement on the future of the regional electricity consumers committees. [128024]

Mrs. Liddell: The new Gas and Electricity Consumers Council (GECC), being established under the Utilities Bill, will replace the Gas Consumers Council and the electricity consumers committees. An announcement was made in both Houses on 23 June on GECC's future organisation. It will have a head office based in London, an office in Glasgow serving Scotland, one in Cardiff serving Wales and further offices in Manchester, Birmingham, London, Newcastle and Bournemouth serving England.

Engineering

Jane Griffiths: To ask the Secretary of State for Trade and Industry which organisations were represented at the meeting on 23 May to discuss the work of the Hawley Review Group; and what was the outcome of the meeting. [127736]

Mr. Alan Johnson *[pursuant to the reply, 27 June 2000, c. 456W]:* Unfortunately the list of organisations shown in the answer was incomplete. Following is the full list:

AEA Technology

BAE Systems

BioIndustry Association

British Computer Society

Committee of Vice-Chancellors & Principals of the Universities of the UK

Department for Education and Employment

Department of Trade and Industry

Engineering and Marine Training Authority

Engineering Council

Engineering Employers' Federation

Federation of Electronics Industries

Forum for the Future

Institution of Chemical Engineers

Institution of Civil Engineers

Institution of Electrical Engineers

Institution of Incorporated Engineers

Institution of Mechanical Engineers

Marconi plc

Nortel Networks

Rolls-Royce plc

Royal Academy of Engineering

Scottish Executive

Transport & General.

After discussing a report from the Chairman of the Engineering Council, Dr. Robert Hawley, those present expressed their support for the work to date of the Hawley Group and confirmed their support for the future direction of the project.

PRIME MINISTER

New Deal

Mr. Maclean: To ask the Prime Minister, pursuant to his oral answers of 7 June 2000, *Official Report*, column 288, and 14 June 2000, *Official Report*, column 934, if he will reconcile the figures given in the two answers for the number of jobs created under the New Deal; and if he will make a statement. [127588]

The Prime Minister: Over 250,000 people have found jobs as a result of the New Deal, 210,000 of whom have been young people.

Parliamentary Questions

Mr. Maclennan: To ask the Prime Minister how many parliamentary questions were tabled to his Department between 19 October 1999 and 20 April which requested information, pursuant to his previous answers. [128009]

The Prime Minister: Of the 454 written answers I provided within the specified period, 41 were in answer to questions pursuant to previous answers.

SCOTLAND

Tall Ships Race

Mr. Sarwar: To ask the Secretary of State for Scotland if he will make a statement on the economic impact of the Tall Ships Race in Scotland. [127714]

Dr. Reid: I understand that Inverclyde Council and Renfrewshire Enterprise commissioned an economic impact evaluation of the visit of the Cutty Sark Tall Ships Race to Greenock in summer 1999. This showed that new expenditure of £8.5 million was generated in the Inverclyde Council area. It was estimated that this level of expenditure would support a notional 248 jobs for one year in Inverclyde.

Assisted Areas

Mrs. Ewing: To ask the Secretary of State for Scotland how many representations he has received from *(a)* hon. Members, *(b)* MSPs, *(c)* local councils and *(d)* local enterprise companies in connection with the definition of assisted area status submitted to the Commission on 10 April. [128561]

Dr. Reid: I have received the following representations in connection with the definition of assisted area status submitted to the Commission on 10 April:

(a) 12 from hon. Members (six of these hon. Members are also MSPs but they have not been included in the number at *(b)*)

(b) Eight from MSPs

(c) 19 from local councils

(d) Five from local enterprise companies.

Skye Bridge

Mr. Charles Kennedy: To ask the Secretary of State for Scotland what percentage of tolls paid at the Skye Bridge tollbooth, after discounts, goes towards paying back the money owed on the project. [128286]

Dr. Reid: Responsibility for tolls paid on the Skye Bridge is a matter for the Scottish Executive.

Fisheries

Mr. William Ross: To ask the Secretary of State for Scotland what is his estimate of the number of angler-caught *(a)* salmon, *(b)* grilse and *(c)* sea trout caught in Scotland in each of the last five years; and what is his estimate of the number of each of these three categories of fish taken by seals in Scottish waters in each of these years. [128854]

Dr. Reid: Information on catches up to 1998, the latest year for which statistics have been published, are contained in the Statistical Bulletin, Fisheries Series published by the Scottish Executive Rural Affairs Department. A copy is available in the House of Commons Library. Information on the number of salmon, grilse and sea trout taken by seals is not available.

NORTHERN IRELAND

Robert Hamill

Mr. Sarwar: To ask the Secretary of State for Northern Ireland if he will make a statement on the decision of the Greater Belfast Coroner not to hold an inquest into the murder of Robert Hamill. [127719]

Mr. Ingram: The decision of whether or not an inquest is held is entirely a matter for HM Coroner.

My right hon. Friend the Secretary of State and I are concerned that an inquest will not be held in Mr. Hamill's case and have asked for all the facts to be made available to us.

Fisheries

Mr. William Ross: To ask the Secretary of State for Northern Ireland what is his estimate of the number of *(a)* salmon, *(b)* grilse and *(c)* sea trout caught by anglers in Northern Ireland in each of the last five years; and what is his estimate of the number of each of these three categories of fish taken by seals in Northern Ireland waters in each of these years. [128853]

Mr. George Howarth: Responsibility for this subject has been devolved to the Northern Ireland Assembly and is therefore no longer a matter for the Secretary of State for Northern Ireland.

HEALTH

Influenza

Mr. Hunter: To ask the Secretary of State for Health how many influenza vaccinations were given in the run-up to the winter of *(a)* 1998–99 and *(b)* 1999–2000; what assessment he has made of the effectiveness of the flu vaccination programme in each of these periods; and what assessment he has made of the incidence of flu in the (i) immunised and (ii) non-immunised groups in each of those periods. [127302]

Yvette Cooper: Manufacturers' data show that 7.6 million doses of influenza vaccine were distributed for winter 1998–99 and 7.8 million for 1999–2000.

Data on the incidence of flu in immunised and non-immunised groups are not routinely collected. Efficacy data are based on published studies, some of which have spanned several years, showing that current available influenza vaccine gives 70–80 per cent. protection against infection with influenza virus strains related to those in the vaccine. In the elderly, protection against infection may be less, but immunisation has been shown to reduce the incidence of pneumonia, hospital admissions and deaths.

NHS Trusts

Mr. Lilley: To ask the Secretary of State for Health (1) what was the total NHS trust extra contractual referrals for 1997–98 *(a)* from GP fundholding practices and *(b)* from health authorities, excluding GP fundholding practices; [124380]

(2) if he will publish, for each trust completing table 1 on pages 17 to 19 of "The New NHS Guidance on Out of Area Treatment Consultation Paper", the total trust adjustment for columns B, C and D. [124379]

Mr. Denham *[holding answer 5 June 2000]:* The consultation on "The New NHS: Guidance on Out of Area Treatment Consultation Paper" took place between May and July 1998. In the light of this the information requirements for the out-of-area treatment (OAT) data collection exercise were modified.

The exercise to establish the 1999–2000 OAT adjustments was led by National Health Service trusts. It was carried out in two stages.

At stage 1, NHS trusts identified their 1997–98 extra contractual referral (ECR) income from health authorities and cost per case income from general practitioner fundholders. They then reduced these amounts to take account of activity that had already been put into contracts or service agreements. The data were validated by health authorities and submitted to regional offices. These data are shown in columns A and B of the table that has been placed in the Library.

At stage 2, the amounts established at stage 1 were analysed by NHS trusts. In agreement with health authorities the amounts were further reduced to take account of the activity which would be covered by new or expanded service agreements in 1999–2000. The amounts not covered by service agreements formed the base for the 1999–2000 OAT adjustment. This is shown in column C of the table. These figures, uplifted by 8.5 per cent., comprise the 1999–2000 OATs adjustment.

The information collected to establish the 1999–2000 OAT adjustment was provided by NHS trusts. The figures were derived from NHS trust ECRs but do not represent the totality of NHS trust ECRs.

The amounts in column C of table 1 formed the basis of the OAT adjustments made to health authorities.

Table 2, a copy of which has been placed in the Library, shows NHS trusts' 1997–98 forecast ECR and cost per case income. This information was collected as part of the in-year financial monitoring returns.

The figures in tables 1 and 2 are not comparable.

TV Advertisements

Mr. Baker: To ask the Secretary of State for Health, pursuant to his answer of 26 June 2000, *Official Report*, column 356W, on television advertisements, if he will list the advertisements which were not provided with closed caption subtitling. [128518]

Ms Stuart: Further to the answer given on 26 June, I regret the information given the hon. Member was incorrect and the total number provided with closed caption subtitling was 32.

The three advertisements commissioned without closed caption subtitling were:

Campaign Against Living Miserably (CALM)

Nurse Recruitment 2000—"Joe" (60 seconds version)

Nurse Recruitment 2000—"Joe" (30 seconds version).

Meat Inspection Charges Task Force

Mr. Gill: To ask the Secretary of State for Health when he will publish his response to the report of the Meat Inspection Charges Task Force. [R] [128735]

Ms Stuart: We are grateful to the Task Force and its chairman for the thorough and comprehensive investigation they have carried out into this complex issue. We are now urgently considering the Task Force's recommendations and will announce its conclusions once that consideration is complete.

Health Action Zones

Dr. Kumar: To ask the Secretary of State for Health what role health action zones will play in addressing the decline in children's activity levels and the increase in the number of overweight children; and if he will make a statement. [128385]

Mr. Hutton: All health action zones are working towards the key aims of reducing health inequalities and modernising services in the most deprived parts of England. HAZ programmes include a number of projects that focus on exercise and diet for children.

Care Leavers

Ms Julie Morgan: To ask the Secretary of State for Health how many children have left local authority care since the implementation of the Children Act 1989 in *(a)* England and *(b)* Wales. [128776]

Mr. Hutton: The estimated number of children who have ceased to be looked after in England between the implementation of the Children Act 1989 (14 October 1991) and 31 March 1999 is 190,000.

The provision of data for Wales is a matter for the Welsh Assembly.

Ms Julie Morgan: To ask the Secretary of State for Health (1) what is the average size of the grant made by local authorities to care leavers going into *(a)* further education and *(b)* higher education; [128775]

(2) how many young people who were in local authority care have been awarded a university degree during the past year in England and during the previous two years in *(a)* England and *(b)* Wales. [128777]

Mr. Hutton: The information relating to England is not available centrally.

The information relating to Wales is a matter for the devolved Administration.

Hospitals (Adverse Incident Report)

Mr. Oaten: To ask the Secretary of State for Health what recent advice he has issued to hospitals on the circumstances in which they must produce an adverse incident report. [128479]

Ms Stuart: In November 1999, the Minister of State for Health, my hon. Friend the Member for Southampton, Itchen (Mr. Denham), launched a series of standards underpinning the National Health Service Executive's "controls assurance" project. One of the standards outlines a number of key components of an effective system of risk management that all NHS hospitals must subscribe to, including incident reporting. A key criterion contained in the "risk management system" standard requires NHS hospitals to ensure that

> Incidents, including ill health, are systematically identified, recorded and reported to management in accordance with an agreed policy of positive, non-punitive reporting.

Guidance supporting this criterion elaborates on certain circumstances requiring an adverse incident to be reported, and to whom. Further specific guidance is planned based around a more comprehensive "incident recording and reporting" standard which is currently being developed by the NHS Executive to augment the guidance contained in the Controls Assurance risk management system standard, and to underpin incident reporting requirements forming part of a new national incident reporting system planned in response to the Chief Medical Officer's recently issued report "An Organisation with a Memory".

GM Foods

Joan Ruddock: To ask the Secretary of State for Health what consideration the Advisory Committee on Novel Foods and Processes has given to research into the long-term effects on human health of eating GM foods. [128294]

Ms Stuart: The Advisory Committee on Novel Foods and Processes (ACNFP) has considered the practicality of post-market health surveillance for all novel foods, including genetically modified foods. Based on their advice, a feasibility study is due to start in July to test the robustness of data collection procedures. The results of this study will then be assessed by the ACNFP.

MS Patients

Dr. Tonge: To ask the Secretary of State for Health what plans he has for nurses to be employed by health authorities specifically to advise and help MS patients. [128773]

Mr. Denham: It is for individual National Health Service trusts and health authorities to determine the number, grade and mix of staff they will require to deliver services.

A partnership arrangement between The Multiple Sclerosis Society and the NHS has been set up to contribute to the development of MS specialist nurses. The funding arrangements include a formal evaluation of the nurses' roles that are being developed through this interesting partnership arrangement. There are currently around 70 of these specialist nurses. The further development of specialist nursing posts, however, is a matter for NHS commissioners and providers to determine as an integral part of neurological services.

Mr. Wyatt: To ask the Secretary of State for Health if UK trials to validate myelin as a drug for MS patients have begun; and if he will make a statement. [128321]

Ms Stuart: No clinical trials have been authorised in the United Kingdom.

Cannabis

Dr. Tonge: To ask the Secretary of State for Health when he expects Government research into the use of cannabis for medical purposes to be completed; and if he will make a statement. [128765]

Mr. Denham: There are currently two trials underway. The first, a three-year study to attempt to measure the therapeutic efforts of cannabis extract in people with multiple sclerosis, is due to report early in 2004. This study has received £950,000 from the Medical Research Council.

The second trial is being managed by GW Pharmaceuticals Ltd. with the aim of developing a cannabis-based medicine. Initial findings from this trial are expected later this year.

Electronically Powered Wheelchairs

Dr. Tonge: To ask the Secretary of State for Health what recent guidance he has given to *(a)* health authorities and *(b)* NHS trusts regarding the provision of electronically powered wheelchairs. [128713]

Mr. Hutton: Comprehensive guidance on the introduction of electrically powered indoor/outdoor wheelchairs (with phased funding between 1996–97/1999–2000) was issued to the National Health Service in May 1996 (Health Service Guidance (96)34).

On 31 May this year, all health authorities were notified of their recurring allocations from 1 April 2000 for the continuation of the powered wheelchair and voucher scheme initiatives. This letter advised health authorities of our decision that allocations should:

> be free of distinctions between what should be spent on powered wheelchairs or vouchers schemes, and that health authorities and provider services should consult with service users and take a flexible approach to ensuring this money meets local needs and priorities in wheelchair services, and
>
> that all services should continue to operate a voucher scheme which offers users a choice in having a wheelchair which meets their needs.

Bovine Materials

Mr. Baker: To ask the Secretary of State for Health on what date the Committee on Dental Surgical Materials required that no materials containing United Kingdom bovine material be used. [111895]

Yvette Cooper: *[holding answer 1 March 2000]:* The Committee on Dental and Surgical Materials (CDSM) did not impose a ban on the use of bovine materials in the production of surgical materials. Licensable dental and surgical materials were subject to the guidelines on the sourcing and processing of bovine materials for use in medicinal products that were issued by the Committee on Safety of Medicines as a precautionary measure in March 1989. The effect of the guidelines was to require all United Kingdom licence holders to source bovine material from outside the UK. Existing supplies of dental or surgical products that used UK sourced bovine materials were not withdrawn and it is therefore not possible to confirm when those products ceased to be used.

Mr. Baker: To ask the Secretary of State for Health what assessment his Department made of the risk of transmission of BSE from the use of bovine material in *(a)* surgical catgut and *(b)* cosmetic products in deciding whether or not to prohibit the use of such material. [111896]

Yvette Cooper *[holding answer 1 March 2000]:* The use of bovine material in the production of surgical catgut was considered by the Committee on Safety of Medicines (CSM), the Committee on Dental and Surgical Materials (CDSM) and the bovine spongiform encephalopathy working party, set up to advise the CSM and CDSM on the implications of BSE for licensable products in the light of the Southwood Report conclusion that any potential risk of transmission of transferable spongiform encephalopathies associated with medicinal products was remote. They advised that, as a precautionary measure, surgical catgut should be subject to the CSM guidelines issued in March 1989 on the sourcing and processing of bovine material for use in medicinal products. The effect of the guidelines was to require all United Kingdom licence holders to source bovine material from outside the UK.

Cosmetic products are controlled by the Cosmetic Products (Safety) Regulations 1996, which implement in the UK the European Union Cosmetics Directive (76/768/EEC). The Department of Trade and Industry has responsibility for these Regulations.

No independent risk assessments were carried out on use of bovine material in cosmetics prior to the opinion of the EU Scientific Committee on Cosmetology (SCC) given in 1996. However, in 1990 the Department of Trade and Industry considered that, although risks were likely to be very low, it would be prudent to take similar action to that taken in the food area on use of UK sourced bovine material. In 1992 guidance was issued by the UK trade associations on the use of bovine and ovine extracts, based primarily on sourcing material from outside the UK or with extracts that conformed with World Health Organisation advice on infectivity.

The National CJD Surveillance Unit monitors the incidence of CJD and undertakes a detailed examination of cases of variant CJD (vCJD) for any evidence of common risk factors. Investigation of the cases to date has found no evidence of an association with the use of surgical catgut or cosmetic products.

Vaccines

Mr. Baker: To ask the Secretary of State for Health how many yellow card reports have been received by the Medicines Control Agency of suspected adverse reactions to each routine vaccine in each year since 1990. [122910]

Yvette Cooper *[holding answer 19 May 2000]:* The yellow card reports to the Medicines Control Agency of suspected adverse reactions to a routine vaccine are presented in the table. A report of a particular suspected reaction does not necessarily mean that it was caused by the vaccine; other factors may have contributed.

Because multiple antigens can be included within a single vaccine, such as the combined diphtheria, tetanus and whooping cough vaccine, single reports may be listed more than once, against each different antigen involved. Children often receive more than one vaccine at a time and therefore a single report can be linked with all of those vaccines and similarly appear more than once in the list.

Over 150 million doses of vaccines have been distributed in the United Kingdom in the last 10 years.

Number of reports by year

Vaccine	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*
Measles	504	249	183	131	1,289	245	148	214	155	96	52
Rubella	504	255	475	140	1,291	248	156	216	160	237	52
Mumps	493	247	183	131	140	133	142	211	155	96	52
Diphtheria	311	312	357	487	453	417	545	431	500	699	148
Tetanus	522	434	475	564	567	465	595	475	545	733	117
Whooping cough	246	199	231	343	301	209	298	250	237	595	75
Polio	13	43	100	124	99	83	91	92	131	111	45
BCG	246	27	30	33	29	63	91	40	38	47	3
Haemophilus influenzae type B	0	0	543	1,132	293	125	217	226	187	339	72

Mr. Baker: To ask the Secretary of State for Health if vaccines are produced using human serum for individuals who would suffer an allergic reaction to the presence of bovine material in the vaccine. [124087]

Yvette Cooper: No. No bovine material is used as an ingredient in vaccines. Where bovine material is used in manufacture, purification processes are designed to remove material from the finished product.

Mr. Baker: To ask the Secretary of State for Health, pursuant to his answer of 23 May 2000, *Official Report*, column 424W, on human vaccines, what was the first date of the use of bovine material in the early stages of the manufacture of vaccines. [124372]

Yvette Cooper *[holding answer 5 June 2000]:* Vaccines were in use many years before there were controls on safety, quality and efficacy of medicinal products as introduced by the Medicines Act 1968 and have traditionally used bovine materials in their production since the 19th century.

Since 1968 there have been increasing controls on the manufacture of medicines, including vaccines, such that today we require manufacturers to supply very detailed information about materials and processes used in manufacture and we have a well-developed system of routine inspection against those standards.

As a result it is not possible to specify the first date of the use of bovine material in the early stages of vaccine manufacture.

Donaldson Report

Dr. Stoate: To ask the Secretary of State for Health when he plans to publish the Donaldson report on amending the Human Fertilisation and Embryology Act 1990; and if he will make a statement. [124083]

Yvette Cooper: The Chief Medical Officer's Expert Group on Therapeutic Cloning has completed its work on the potential benefits, risks and the ethical issues raised by developments in stem cell research and cell nuclear replacement. The report is expected to be considered by Ministers shortly.

Pain Management

Mr. Hammond: To ask the Secretary of State for Health (1) what steps he is taking to ensure that a full cost-benefit analysis, including financial savings accruing to all Government Departments is available to support Department of Health decisions about guidance on investment in pain management; [124327]

(2) what estimate he has made of the budgetary benefits accruing to other Departments from NHS investment in pain management programmes. [124360]

Mr. Denham: The Department recognises the importance of improving pain services as highlighted by the recent Clinical Standards Advisory Group report. We have supported a number of studies on pain, particularly low back pain—a major cause of morbidity and absence from work. While we have not commissioned a specific analysis of the benefits accruing to other Government Departments from National Health Service investment in pain management, we would, where appropriate, make all studies commissioned by the Department available to other Government Departments to support their policies.

Disease Cases

Mr. Baker: To ask the Secretary of State for Health how many cases of *(a)* measles, *(b)* mumps, *(c)* rubella, *(d)* diphtheria, *(e)* tetanus, *(f)* whooping cough and *(g)* polio there were in each of the last 10 years. [124211]

Yvette Cooper *[holding answer 5 June 2000]:* The data in the table, which is for England and Wales, have been provided by the Public Health Laboratory Service, Communicable Disease Surveillance Centre. For measles, mumps and rubella, data are collected as both notifications of disease and as laboratory-confirmed cases. Laboratory-confirmed cases give a more reliable guide to the true incidence of a disease, and in recent years a low proportion of suspected cases of measles, mumps and rubella have been confirmed as true cases.

Data prior to 1995 on how many notifications of measles, mumps and rubella were tested and confirmed are incomplete and are incomparable with that for 1995 onwards from which date more accessible salivary antibody testing was introduced. Prior to 1995 confirmation required a blood test; these data are not collated but it was likely to be few. The number of cases of pertussis (whooping cough) is based on notifications; only hospitalised cases are tested and the test is only positive in severe disease and very early in infection. The data for diphtheria are for laboratory-confirmed toxigenic diphtheria isolates. The figures for tetanus and polio are for cases ascertained by all methods.

Year	*Measles notified*	*Measles tested*	*Measles confirmed*	*Mumps notified*	*Mumps tested*	*Mumps confirmed*
1989	26,222	n/a	100	20,713	n/a	265
1990	13,302	n/a	78	4,277	n/a	94
1991	9,680	n/a	49	2,922	n/a	52
1992	10,268	n/a	106	2,412	n/a	49
1993	9,611	n/a	96	2,153	n/a	34
1994	16,374	n/a	406	2,494	n/a	48
1995	7,445	4,622	60	1,933	962	68
1996	5,613	3,320	115	1,747	966	94
1997	3,962	2,596	199	1,914	1,102	181
1998	3,728	2,309	57	1,587	1,000	119
1999	2,438	1,412	101	1,691	1,131	335

Year	*Rubella notified*	*Rubella tested*	*Rubella confirmed*	*Diphtheria*	*Tetanus*	*Whooping cough*	*Poliomyelitis*
1989	24,570	n/a	760	6	10	11,646	2
1990	11,491	n/a	705	4	11	15,286	4
1991	7,174	n/a	249	1	11	5,201	2
1992	6,212	n/a	197	3	10	2,309	5
1993	9,724	n/a	1,489	5	11	4,091	4
1994	6,326	n/a	309	4	3	3,964	2
1995	6,196	2,847	971	1	6	1,869	2
1996	9,081	4,217	2,776	3	6	2,387	1
1997	3,260	2,032	99	5	6	2,989	2
1998	3,208	2,207	118	3	9	1,577	1
1999	1,954	1,285	181	0	3	1,139	0

Includes cases confirmed by salivary antibody testing in addition to those confirmed by blood testing

Note:

The 1999 data are provisional

Lung Cancer (Radon)

Dr. Gibson: To ask the Secretary of State for Health what assessment he has made of recent evidence on the correlation between rates of lung cancer and long-term exposure to radon gas. [126042]

Yvette Cooper: We obtain advice from the National Radiological Protection Board (NRPB) on matters of radiological protection. NRPB reviewed the evidence on the risks of exposure to radon in the 1993 "Board Statement on Diagnostic Medical Exposures to Ionising Radiation During Pregnancy and Estimates of Late Radiation Risks to the UK Population" (Documents of the NRPB Vol 4, No 4). Copies are available in the Library.

The NRPB's Advisory Group on Ionising Radiation has recently started a new review which will be completed in about two years. Although some new evidence, including a case control study in South-West England—"Risk of lung cancer associated with residential radon exposure in South West England: a case-control study" S.C. Darby et al British Journal of Cancer (1998), 78(3), 394–408 (copies are available in the Library)—has become available in the interim, the NRPB advise it is unlikely to alter the broad assessment of risk which is that living for a lifetime in a house at the United Kingdom action level for radon (200 Bequerels per cubic metre of air) carries a 3–5 per cent. risk of lung cancer.

HIV/AIDS

Mr. Gerald Howarth: To ask the Secretary of State for Health what proportion of HIV infection in 1995 was spread through *(a)* homosexual contact, *(b)* heterosexual contact, *(c)* drug use and *(d)* other specified means; and what are the most recent figures for transmission in these categories. [126830]

Yvette Cooper: The table provides the information requested, with the proportions expressed as percentages.

Probable route of HIV infection	1995 Number	1995 Percentage	1999[1] Number	1999[1] Percentage
(a) Homosexual contact	1,458	56	1,198	42
(b) Heterosexual contact	844	32	1,277	45
(c) Injecting drug use	180	7	91	3
(d) Other specified means	79	3	57	2
Undetermined[2]	55	2	224	8

[1] Data to end March 2000; proportions may change over time as more information is obtained.

[2] Includes mother to child and blood/tissue transfer or blood factor.

Mr. Gerald Howarth: To ask the Secretary of State for Health how much was spent on *(a)* drugs, *(b)* care, *(c)* other treatment and *(d)* research in relation to AIDS in (i) 1985, (ii) 1990 and (iii) 1999. [126828]

Yvette Cooper: Spending on HIV/AIDS research in each of the three years is given in the table (in £ millions). Information is not available for the other categories in the form requested. The table shows allocations for 1985–86 and 1990–91 for HIV/AIDS treatment and care made to the National Health Service (which includes drug costs), support to local authorities through the AIDS Support Grant (which will include a contribution towards community-based support) and grants made to voluntary organisations for support and counselling. Actual spend is shown for these budgets for 1999–2000.

Year	NHS	Local authority	Voluntary sector	Research
1985–86	0	0	0.01	0.667
1990–91	70.1	7	1.6	18.4
1999–2000	162.9	15.5	1.6	[1]20.4

[1] This is now the outturn figure rather than an estimate.

Mr. Gerald Howarth: To ask the Secretary of State for Health if he will estimate how many of those with *(a)* AIDS and *(b)* HIV come from broken families. [126800]

Yvette Cooper: The information requested is not collected centrally.

Mr. Gerald Howarth: To ask the Secretary of State for Health how many people with AIDS and HIV there were in the UK in *(a)* 1985, *(b)* 1990 and *(c)* 1999. [126748]

Yvette Cooper: The numbers of people alive with diagnosed HIV or AIDS at the end of 1985 and 1990 are estimated to have been about 4,500 and 14,000, respectively. Data are not yet available to answer this question for 1999, but for 1998 the estimated number is 20,000.

Drug Addicts

Mr. Gerald Howarth: To ask the Secretary of State for Health what was the total cost of running drug dependency units and treatments for drug addicts broken down between *(a)* in-patient and *(b)* out-patient care, separately identifying the costs for (i) methadone prescribing and (ii) prevention schemes in (1) 1970, (2) 1980, (3) 1990 and (4) 1999. [126747]

Yvette Cooper: The requested information is not collected centrally. Data are available for methadone used in the treatment of substance dependence, covering prescriptions dispensed in the community only. The table shows the number of prescriptions, the actual net ingredient cost, and the net ingredient cost at 1999 prices for the period 1980 to 1998, and the first nine months of 1999. Data before 1980 are not available and full data for 1999 are not yet available.

The regional drug misuse databases are the main source of information on persons presenting to drug treatment services with a drug misuse problem. Copies of the six-monthly statistical bulletin are available in the statistics resource unit of the Library.

Number and net ingredient cost of prescriptions dispensed in the community for methadone hydrochloride used in substance dependence, 1980–1998, and 1999 (January to September), England

	Prescriptions (Thousand)	Net ingredient cost (£000)	Net ingredient cost at 1999 prices (£000)
1980	17.3	13.2	31.7
1981	25.9	28.5	62.5
1982	24.6	23.3	47.8
1983	35.4	40.7	79.8
1984	38.5	50.5	94.0
1985	65.3	117.7	208.3
1986	112.0	192.5	330.4
1987	171.7	363.0	591.3
1988	196.5	337.3	514.6
1989	249.8	471.1	670.7
1990	341.2	800.7	1,057.3
1991	403.3	1,912.3	2,377.6
1992	495.0	2,659.3	3,200.5
1993	598.2	3,626.2	4,251.0
1994	682.4	4,444.7	5,137.0
1995	787.0	5,328.0	5,984.9
1996	891.0	6,117.8	6,657.7
1997	981.7	6,852.3	7,254.6
1998	1,022.8	7,067.7	7,244.4
1999[1]	1,081.7	7,360.1	7,360.1

[1] January to September

Notes:

1. The methadone hydrochloride drugs used in substance dependence are shown in the British National Formulary (BNF) section 4.10, "Drugs used in substance dependence".
2. The data up to 1990 are not strictly consistent with data from 1991 onwards. Figures for 1980–90 are based on fees and on a sample of 1 in 200 prescriptions dispensed by community pharmacists and appliance contractors only. Figures for 1991 onwards are based on items and cover all prescriptions dispensed by community pharmacists, appliance contractors, dispensing doctors and prescriptions submitted by prescribing doctors for items personally administered. The data do not cover drugs dispensed in hospital or private prescriptions.
3. The net ingredient cost (NIC) is the basic cost of a drug and does not take account of discounts, dispensing costs, fees or prescription charges income.
4. Figures at 1999 prices are calculated using the GDP Deflator.

Genito-Urinary Services

Mr. Gerald Howarth: To ask the Secretary of State for Health how many people visited a genito-urinary clinic in *(a)* 1970, *(b)* 1980, *(c)* 1990 and *(d)* 1999; and what was the cost of drugs prescribed to deal with sexually transmitted diseases in each of these years. [126798]

Yvette Cooper: The available information is as follows.

Diagnoses[1] of sexually transmitted diseases in genito-urinary medicine clinics in England

Year	*Number of diagnoses*
1970	251,256
1980	288,315
1990	308,211
1998[2]	507,655

[1] Provide an indication of patient numbers but individuals may have more than one diagnosis

[2] Data for 1999 are not available yet

Information on overall drugs expenditure to treat sexually transmitted diseases is not available.

Sterilisation

Mr. Gerald Howarth: To ask the Secretary of State for Health how many *(a)* sterilisations and *(b)* reversals of sterilisation were carried out by the NHS in (i) 1970, (ii) 1980, (iii) 1990 and (iv) 1999; how many were requested as a result of people getting married or acquiring new partners; and what the total cost to the NHS was in each of those years. [126838]

Yvette Cooper: The following table shows Hospital In-Patient figures for 1980, 1990–91 and 1998–99. Data are not available for 1970 and are not collected on reasons why procedures were performed.

Information is also not available on the total costs to the NHS.

Procedure	*1980*	*1990–91*	*1998–99*
Female sterilisation	16,954	44,904	48,194
Female sterilisation reversal	6,831	1,556	699
Male sterilisation	651	36,670	35,609
Male sterilisation reversal	652	1,745	896

1980 data were collected via the Hospital In-Patient Enquiry which was based on a one in 10 sample of discharges and deaths from non-Psychiatric and non-Maternity NHS Hospitals in England

Royal Shrewsbury Hospital

Mr. Paul Marsden: To ask the Secretary of State for Health how many *(a)* hip operations, *(b)* knee replacements, *(c)* hernia operations and *(d)* cataract operations were carried out at the Royal Shrewsbury Hospital in the last available year for which figures are available; and if he will make a statement. [126590]

Yvette Cooper: The table shows the information requested for the period 1 April 1999 to 31 March 2000.

	Number of operations
Hip operations	80
Knee replacements	5
Hernia operations	717
Cataract operations	1,546

Action is being taken specifically on both reducing waiting times for patients needing orthopaedic procedures and on improving services to them. We are also improving access to cataract services. In doing so, it will improve the volume of surgery and reduce waiting lists. A capital modernisation fund of £20 million over two years from 2000–01 will allow local services to modernise.

Mr. Paul Marsden: To ask the Secretary of State for Health how many patients at the Royal Shrewsbury Hospital have benefited from the two week wait for treatment for cancer; and if he will make a statement. [126591]

Yvette Cooper: The National Health Service White Paper sets a cancer standard of two weeks from general practitioner referral to first outpatient appointment. This arrangement has been in place since April 1999 for breast cancer and a rolling programme is in place to achieve the same standard of care for all cancers during 2000.

The table shows the number of women seen at the Royal Shrewsbury Hospital NHS Trust within two weeks of urgent referral for breast cancer since the standard was introduced.

Waiting times for breast cancer treatment

	Q1 April to June 1999	*Q2 July to September 1999*	*Q3 October to December 1999*	*Q4 January to March 2000*
Urgent referrals received within 24 hours:				
Seen within 14 days	1	13	28	30
Not seen within 14 days	0	0	0	8
Urgent referrals not received within 24 hours:				
Seen within 14 days	14	11	0	3
Not seen within 14 days	1	0	0	0

Fluoride

Mr. Etherington: To ask the Secretary of State for Health (1) what plans he has to monitor the levels of fluoride added to toothpaste, mouthwashes and dental floss by manufacturers of dental products; and if he will make a statement; [127234]

(2) what powers are available to him to require manufacturers to include the fluoride contents of *(a)* toothpaste, *(b)* mouth washes and *(c)* dental floss on product labels. [127233]

Yvette Cooper: The Cosmetic Products (Safety) Regulations 1996 controls the safety of cosmetic products in the United Kingdom. Toothpaste and mouthwashes can be classified as oral hygiene products and are controlled under these regulations. Oral hygiene products containing fluoride can contain a maximum of 0.15 per cent. The product must also be marked "contains . . . fluoride". Regulations require all cosmetic products to be marked with a list of ingredients. Ingredients in concentrations of less than 1 per cent. may be listed in any order after those in concentrations of more than 1 per cent.

Some toothpaste and mouthwashes containing fluoride are classified as medicinal products if claims are made for the products in accordance with the definition in section 130 of the Medicines Act 1968 and the relevant definition in Directive 65/65/EEC. Manufacturers of licensed medicines have a statutory obligation to list all the product's ingredients on the label and patient information leaflet. Active ingredients (those with therapeutic effect), including fluoride in toothpaste and mouthwashes, must be expressed in terms of their concentration.

The General Product Safety Regulations 1994 apply to dental floss. Under these Regulations manufacturers must provide relevant information to enable consumers to use the product safely and to warn about hazards that are not immediately obvious.

There is no evidence that these arrangements are causing public concern and we have no plans for any further monitoring of levels of fluoride added to toothpaste, mouthwashes or dental floss.

Immunisation

Mr. Gardiner: To ask the Secretary of State for Health what proportion of children have received the BCG immunisation in *(a)* London, *(b)* Brent and Harrow Health Authority area and *(c)* England and Wales; and what target the Government have set for such immunisation. [127348]

Yvette Cooper: The information available about the number of children who have been immunised with BCG vaccine is contained in the Statistical Bulletin "NHS Immunisation Statistics, England 1998–99". Copies of the bulletin are in the Library and it can also be found on the Department of Health website www.doh.gov.uk/public/ab9928.htm. Because the immunisation programme is two-pronged, some are given the vaccine shortly after birth neo-natal and others at 10–14 years as long as they are tuberculin skin test negative, reliable estimates of coverage are not readily available. As a result targets are not set for BCG immunisation.

Our BCG policy is that it should be offered first and foremost to all those considered to be at a higher risk of exposure to tuberculosis such as certain neo-nates and those whose occupation may put them at increased risk (eg. health service and veterinary staff). In addition the policy includes those classed at "normal" risk such as school children between the age of 10 and 14 years.

Mr. Gardiner: To ask the Secretary of State for Health what proportion of children have been immunised against measles, mumps and rubella in *(a)* London, *(b)* Brent and Harrow Health Authority area and *(c)* England and Wales; and what target the Government have set for such immunisation. [127349]

Yvette Cooper: The information available about the percentage of children immunised against measles, mumps and rubella nationally and by health authority is contained in the Statistical Bulletin "NHS Immunisation Statistics, England: 1998–99", copies of which are available in the Library and can also be found on the Department of Health website www.doh.gov.uk/public/sb9928.htm. The target set for immunisation coverage is 95 per cent. for all vaccines by age two.

Alcohol Misuse

Mr. Bradshaw: To ask the Secretary of State for Health what the timetable is for publication and implementation of the Government's national strategy on alcohol misuse. [127412]

Yvette Cooper: We plan to publish a consultation paper later this year, which will allow a period for comment, prior to the publication of the strategy.

Huntington's Disease

Mr. Bob Russell: To ask the Secretary of State for Health (1) what assessment he is undertaking to recategorise Huntington's disease; and if he will make a statement; [127410]

(2) what representations he has received *(a)* requesting that the present categorisation of Huntington's disease be reassessed and *(b)* opposing any recategorisation; [127409]

(3) when Huntington's disease was declassified as a mental condition. [127411]

Mr. Denham: Huntington's disease is regarded as a neurological condition, although in its end stages it does lead to dementia. Patients need to receive care appropriate to the stage of the disease they have reached, and this may include management by nursing staff who have experience of treating patients with challenging behaviour.

There are no plans to recategorise Huntington's disease at present, and no representations have been received by the Department asking for recategorisation.

CFS/ME Working Group

Mr. Blizzard: To ask the Secretary of State for Health if he will make a statement on the work carried out to date by the CFS/ME Working Group. [127701]

Yvette Cooper: The Chief Medical Officer's Working Group on Chronic Fatigue Syndrome/Myalgic Encephalomyelitis (CFS/ME) has just completed a year-long scoping exercise, which included a children's sounding board event held in October last year and an adult sounding board event held on 7 June 2000. These events were designed to gather patients' views of service. The Group will now begin to move into the second phase of work which will include a consensus-building exercise, to assist with the development of clinical guidance as well as the drafting of the final report.

Mr. Blizzard: To ask the Secretary of State for Health when he expects to receive the final report of the CFS/ME Working Group. [127702]

Yvette Cooper: The Chief Medical Officer expects to receive and consider the final report from his working group on Chronic Fatigue Syndrome/Myalgic Encephalomyelitis in 2001.

Cancer Care

Mr. Paul Marsden: To ask the Secretary of State for Health if he will list the national standards for access to cancer care services; and if he will make a statement. [127656]

Yvette Cooper: We are determined to improve access to cancer care services and have set the standard that, by the end of the year 2000, patients referred urgently by their general practitioners will be seen by a specialist within 14 days. This standard has been in place for breast cancer since April 1999 and in the first year, 86,000 patients have benefited. We are rolling out this high standard of care for all other cancers so that by December 2000 all suspected cancer referred urgently for investigation will be seen by a specialist within two weeks.

General Practitioners

Mr. Sarwar: To ask the Secretary of State for Health what recent representations he has received with regard to Government policies which affect general practitioners in the NHS. [127717]

Mr. Denham: Ministers and officials regularly receive representations on a wide range of National Health Service matters, including those affecting general practitioners.

We have, in addition, just undertaken the most comprehensive and ambitious consultation exercise in the history of the NHS in England. This has given every member of the general public and all NHS staff an opportunity to have their say on what they think would make the NHS better. Some of the responses have commented on or made suggestions about the role of general practitioners.

Lindane

Angela Smith: To ask the Secretary of State for Health what representations he has received about the incidence of breast cancer associated with the use of Lindane. [127815]

Yvette Cooper: The Department has received a number of representations from hon. Members which have been noted. The Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment reviewed all the available published literature and recent research on the association between exposure to Lindane and breast cancer in 1999. The Committee concluded that

> Overall the available data do not suggest that environmental exposure to Lindane is a cause for concern as a risk factor for human breast cancer.

Angela Smith: To ask the Secretary of State for Health what *(a)* recent research and *(b)* evaluation of research his Department has undertaken into the possible health risks associated with the use of Lindane. [127818]

Yvette Cooper: None.

The Committee on Carcinogenicity of Chemicals in Food, Consumer Products and the Environment reviewed all the available published literature and recent research on the association between environmental exposure to Lindane and breast cancer in 1999. The Committee concluded that

> Overall the available data do not suggest that environmental exposure to Lindane is a cause for concern as a risk factor for human breast cancer.

Continence Services

Dr. Naysmith: To ask the Secretary of State for Health (1) what procedures he has set in place to monitor whether targets for the implementation of the new guidelines for NHS continence services have been met; [127966]

(2) what procedures and funding he has set in place for the NHS at the local level to provide support for national continence awareness campaigns. [127964]

Mr. Hutton: The Department issued "Good Practice guidance for continence services" in April. This guidance suggests that continence awareness activities should be initiated locally as part of the responsibilities of local integrated continence services. The Department has no plans to provide further support for national continence awareness campaigns.

The guidance also includes appropriate references to the National Health Service performance assessment framework, which is used by the NHS in its planning and monitoring of the delivery of services. The Department has no plans to develop separate procedures to monitor the implementation of the guidance on continence services.

Antidepressants

Dr. Naysmith: To ask the Secretary of State for Health if he will issue a warning to doctors about the danger of suicidality in certain patients through the prescribing of Prozac and Sertraline; and if he will make a statement. [127960]

Ms Stuart: It is well known that suicidal ideation is associated with depression. Features of depression, including suicidal behaviour, can worsen after introduction of any antidepressant prior to its beneficial effects being apparent. The British National Formulary, issued to all general practitioners, pharmacists and other health professionals, advises that patients treated for depression should be assessed frequently for suicidal tendencies. The summaries of Product Characteristics (SPCs) for Prozac (fluoxetine) and Lustral (sertraline), in common with those for other antidepressants in the class, warn that the possibility of a suicide attempt may persist until significant remission of depression occurs and that patients should be closely supervised in the early stages of treatment.

Child Deaths

Mr. Field: To ask the Secretary of State for Health (1) how many children aged under 16 have died non-accidental deaths while receiving treatment from a paediatric toxicologist in each of the last five years. [128047]

(2) how many children aged under 16 have died non-accidental deaths in each of the last five years while receiving treatment from *(a)* general practitioners and *(b)* paediatricians. [128048]

Ms Stuart: The information requested is not available centrally.

Surgical Instruments

Mr. Stunell: To ask the Secretary of State for Health how many NHS operations in England have been cancelled in the last 12 months for which records are available due to delays in procuring surgical instruments; and if he will make a statement. [128021]

Mr. Denham: Quarterly reports of figures for all cancelled operations in England, which arise on the day a patient was due to come into hospital, or after they have been admitted, are available in the Library. We do not collect data on the reasons for the cancellation of operations but we have no information to suggest that delays in the procurement of surgical instruments have caused cancellations.

Residential Homes

Mr. Hilary Benn: To ask the Secretary of State for Health what steps he is taking to ensure that older people living in residential homes have sufficient opportunities for leisure and recreational activities; and if he will make a statement. [128144]

Mr. Hutton: The Care Standards Bill makes provision for a new independent regulator for care homes, as well as a range of other care services. The National Care Standards Commission will register and inspect care homes against national minimum standards. Statements of these standards will be developed which will be based upon the regulations made under clause 21 of the Bill. We intend to publish the finalised standards for care homes before the end of the summer, and we will be aiming to ensure that residents in care homes have their social, cultural, religious and recreational needs satisfied.

PFI Hospitals

Mr. Harvey: To ask the Secretary of State for Health what the average period is between completion of the Full Business Case and signing of the Final Contract for PFI hospitals; and what delays have been experienced in the delivery of services under those contracts. [128102]

Mr. Denham: The length of time between the approval of the full business case and signing of the final contract for the major private finance initiative hospital schemes (capital value greater than £25 million) which have reached this stage is shown in the table. All these schemes are in the construction phase, for which they are either on or ahead of schedule, except Carlisle, which became operational in April 2000, 34 days ahead of schedule.

Period between FBC approval and contract signature	*Scheme*
Less than 7 days	Calderdale Healthcare NHS Trust
	North Durham Healthcare NHS Trust
	Leeds Community and Mental Health Services NHS Trust
	Bromley Hospitals NHS Trust
	Greenwich Healthcare NHS Trust
	King's Healthcare NHS Trust
	St. George's Healthcare NHS Trust
	Dartford and Gravesham NHS Trust
	Swindon and Marlborough NHS Trust
Less than one month	South Durham Healthcare NHS Trust
	Barnet and Chase Farm NHS Trust
	South Buckinghamshire NHS Trust
	Worcester Royal Infirmary NHS Trust
	Hereford Hospitals NHS Trust
Greater than one month	
52 days	Carlisle Hospitals NHS Trust
65 days	South Manchester University Hospitals NHS Trust
640 days	Norfolk and Norwich NHS Trust

Mr. Harvey: To ask the Secretary of State for Health what mechanisms are in place to monitor the *(a)* service provided by hospitals delivered under the Private Finance Initiative and *(b)* performance of PFI contracts for hospitals. [128100]

Mr. Denham: National Health Service guidance requires NHS trusts to establish arrangements to monitor the implementation and performance of the private finance initiative contract in both the period up to completion and commissioning of the new facility and during the operational phase of the contract during which services are provided to the NHS trust.

Mr. Harvey: To ask the Secretary of State for Health what penalty clauses there are in the standard PFI contract for hospitals; and how often these have been invoked. [128101]

Mr. Denham: The payment mechanism in a private finance initiative contract, which includes mechanisms for the withholding or deduction of payments to private sector partners for their failure to perform to time or to standard, is negotiated individually for each scheme within guidelines set out by the National Health Service Executive.

There has only been one instance to date of a penalty clause being invoked at the new major PFI hospital schemes.

NHS Consultation Process

Dr. Tonge: To ask the Secretary of State for Health in the recent NHS consultation process *(a)* how many leaflets were issued, *(b)* how many leaflets were returned by 5 June, *(c)* how the leaflets were distributed and *(d)* what conclusions he has drawn; and if he will make a statement. [127901]

Mr. Denham *[holding answer 28 June 2000]:* Over 12 million leaflets were produced and made available to the public and National Health Service staff through hospitals, general practitioners, surgeries, supermarkets and other retail outlets asking for an outline of the top three things that would make the NHS better.

The Department has received 219,943 responses. The top three priorities for the public were more capacity (doctors, nurses and pay), less waiting and doing things differently.

Health Services (North Yorkshire)

Mr. Willis: To ask the Secretary of State for Health how many *(a)* intensive care, *(b)* acute, *(c)* recuperative, and *(d)* intermediate beds are maintained by Harrogate District Hospital. [128085]

Mr. Hutton: The number of intensive care beds for Harrogate Health Care National Health Service Trust as at 15 January 2000 was three intensive care and five high dependency beds in a combined unit.

The average daily number of available acute beds during 1998–99 was 310. Data on recuperative and intermediate beds are not collected as a separate ward classification.

Mr. Willis: To ask the Secretary of State for Health how many *(a)* nursing and *(b)* residential beds are paid for by North Yorkshire Health Authority. [128084]

Mr. Hutton: Central information on bed numbers is only available on a National Health Service trust basis. The total number of available beds in trusts bounded by the North Yorkshire Health Authority is 2,641. General and acute beds make up 1,937 of this total. Data on nursing beds are not collected as a separate ward classification.

Data on residential beds are not available centrally.

Mr. Willis: To ask the Secretary of State for Health what recent consultation has taken place on reorganisation of the health services in North Yorkshire. [128079]

Mr. Hutton: The North Yorkshire Health Authority has recently consulted on proposals by York Health Services National Health Service Trust for the development of services for older people with mental health problems in Easingwold. The consultation ended in January 2000.

Mr. Willis: To ask the Secretary of State for Health how many vacancies for *(a)* junior doctors, *(b)* consultants, *(c)* nurses, and *(d)* locum staff there are at Harrogate District Hospital. [128086]

Mr. Denham: The information is given in the table.

Staffing description	*Whole-time equivalents*
Junior Doctors	[1]2.0
Consultants	[1]1.0
Nurses	[2]18

[1] Locum staff and agency staff are currently employed by the trust to cover these posts. There is also one locum employed covering annual leave and one locum covering sickness.

[2] Where nursing vacancies exist, bank and agency staff are used.

Source:

Harrogate Health Care National Health Service Trust

Mr. Willis: To ask the Secretary of State for Health if he will hold a public consultation on the future configuration of health services in North Yorkshire. [128077]

Mr. Hutton: The development of primary care trusts requires all local health communities to consider the implications for the configuration of National Health Service organisations. The North Yorkshire health authority has been working with a wide range of local stakeholders, including National Health Service trusts, primary care groups and local authorities, on future organisational configuration issues. Local Members of Parliament have been kept informed about these discussions.

Should these discussions result in formal proposals for the reconfiguration of National Health Service trusts, these would be subject to a full public consultation.

Mr. Willis: To ask the Secretary of State for Health what measures his Department has taken to help ensure people in North Yorkshire health authority have access to drugs and other treatment for Alzheimer's disease. [128088]

Mr. Hutton: It is the responsibility of individual health authorities to have policies in place for the treatment of Alzheimer's disease. Drugs for Alzheimer's disease will be reviewed by the National Institute for Clinical Excellence and guidance should be issued to the National Health Service by December 2000.

Mr. Willis: To ask the Secretary of State for Health what assessment his Department has made of the *(a)* accident and emergency, *(b)* cardiac, *(c)* orthopaedic and *(d)* cancer care at the (i) Leeds Teaching Hospitals NHS Trust and (ii) York and Scarborough NHS Health Trust. [128080]

Mr. Hutton: The Department has made no formal assessment of these services. Such work would normally be undertaken by the relevant National Health Service trusts and health authorities.

Mr. Willis: To ask the Secretary of State for Health how many *(a)* junior doctors, *(b)* consultants, *(c)* nurses, and *(d)* locum staff are contracted (i) full-time and (ii) part-time to Harrogate District Hospital. [128087]

Mr. Denham: The information is shown in the table.

Data on hospital and community health services medical and dental staff holding either directly employed or agency locum appointments have not been collected centrally since 1996.

NHS Hospital and Community Health Services (HCHS): Nursing, midwifery and health visiting staff by Nature of Contract, in Harrogate Health Care NHS Trust, as at 30 September 1999

Whole-time equivalents

	Nursing, midwifery and health visiting staff	*Consultant*[1]	*Junior doctors*
Total	780	40	50
Full-time	470	40	50
Part-time	280	[2]—	[2]—
Bank	40	[3]—	[3]—

[1] Consultants with maximum part-time contracts are included with full-time staff to reflect their substantially full-time commitment to the NHS

[2] Five or less and greater than zero

[3] Not applicable

Notes:

1. Figures are rounded to the nearest ten
2. Figures exclude learners and agency staff
3. Due to rounding totals may not equal the sum of component parts

Sources:

Department of Health Non-Medical Workforce Census

Department of Health Medical and Dental Workforce Census

Mr. Willis: To ask the Secretary of State for Health if he will make a statement on the future of Harrogate District Hospital. [128078]

Mr. Denham: Harrogate District Hospital will remain a general hospital serving the local community. Achieving this will require development of clinical partnerships with neighbouring general hospitals, and work to achieve this is under way across North Yorkshire. It has benefited from a major capital development of £37 million. The main phases have been completed and final construction work will be completed in November 2000.

Mr. Willis: To ask the Secretary of State for Health how many instances of MRSA have been reported in the past five years in *(a)* Harrogate District Hospital and *(b)* North Yorkshire Health Authority; and what measures his Department has taken to eliminate instances of MRSA. [128089]

Mr. Denham: The data requested are not held centrally. Tackling hospital acquired infection, including MRSA, has been set as a "must do" for the NHS. We have developed and issued national standards for infection control that places responsibility on chief executives of NHS trusts to deliver locally. Progress on compliance with these standards will be independently reviewed and monitored by both the Audit Commission and the Commission for Health Improvement.

Staff Secondments

Mr. Don Foster: To ask the Secretary of State for Health, pursuant to his answer to the hon. Member for Harrogate and Knaresborough (Mr. Willis) of 8 February 2000, *Official Report*, column 119W, on secondments, if he will give the names, grades and job titles of the staff seconded into his Department from each organisation mentioned, stating in each case the name of the section they were seconded to and a summary of the work that they were involved with. [128253]

Ms Stuart *[holding answer 29 June 2000]:* Secondments and attachments are part of the interchange initiative which promotes the exchange of people and good practice between the Civil Service and other organisations. Before an interchange can occur all parties must be satisfied that no conflict of interest arises.

Details of secondments from the private sector commencing in the years shown are set out in the tables.

May 1997-April 1998

Companies seconded from:	*Civil service grade*	*Business unit seconded to:*	*Summary of work undertaken*
Rawlings Ophthalmic Opticians	IP4	Health Services Directorate	Developing policy on general ophthalmic services
Private Finance Panel Executive (2)	IP4	Finance and Performance Directorate	Advising NHS trusts on legal and financial aspects of PFI contracts
Tarmac Plc	SCS	Finance and Performance Directorate	
Nabarro Nathanson	IP4	Finance and Performance Directorate	
Pinsent Curtis	IP4	Finance and Performance Directorate	

May 1998-April 1999

Companies seconded from:	*Civil service grade*	*Section seconded to:*	*Summary of work undertaken*
Hempsons	IP4	Finance and Performance Directorate	Advising NHS trusts on legal and financial aspects of PFI contracts
PriceWaterhouseCoopers	IP4	Finance and Performance Directorate	
Ward Hadaway	IP4	Finance and Performance Directorate	
Beachcroft Stanleys	IP4	Finance and Performance Directorate	
Dickinson Dees	IP4	Finance and Performance Directorate	
Lloyds Bank	IP4	Finance and Performance Directorate	

May 1999-April 2000

Companies seconded from:	*Civil service grade*	*Business unit seconded to:*	*Summary of work undertaken*
British Airways	SCS	Corporate Management Directorate	Developing the Department's capacity to change in order to deliver Minister's priorities.
Addleshaw Booth & Co.	IP4	Finance and Performance Directorate	Advising NHS trusts on legal and financial aspects of PFI contracts
Berwin Leighton	IP4	Finance and Performance Directorate	
Taylor Woodrow	IP4	Finance and Performance Directorate	
Deloitte & Touche	IP4	Finance and Performance Directorate	
Herbert Smith	IP4	Finance and Performance Directorate	

GM Feed

Sandra Gidley: To ask the Secretary of State for Health what plans he has to fund research into the health effects of GM animal feeds. [127052]

Ms Stuart *[holding answer 29 June 2000]:* I am informed by the Food Standards Agency that all genetically modified animal feed has been rigorously assessed by United Kingdom and European Union experts for possible effects on the health of consumers of the resulting animal products. Research to date has concentrated on the effects of processing on animal feed materials and the ability of DNA to survive processing and passage through an animal's gut. No incidental ill-effects have been detected in countries where GM crops have been grown and they and their by-products have been fed to animals for a number of years.

The agency is funding a study to investigate whether, and under what circumstances, antibiotic resistance marker genes from GM feed materials might transfer into the genomes of gut bacteria in the buccal cavities and gastro-intestinal tracts of ruminant animals.

Mileage Allowances

Mr. Martlew: To ask the Secretary of State for Health when he plans to increase the Whitley Council mileage allowance for NHS staff using their own transport. [128282]

Mr. Denham: Mileage and travelling entitlements for National Health Service staff on national contracts are determined by an agreement of the General Whitley Council. A working group of the Council which includes representatives from trade unions and employers is reviewing existing provisions with the aim of recommending new arrangements which are fair to staff, meet service needs and reflect our wider environmental policies. We are aiming to complete these negotiations shortly.

Teenage Pregnancies

Mr. Jim Cunningham: To ask the Secretary of State for Health if he will make a statement on the link between personal, social and health education and targets to reduce teenage pregnancy rates. [126110]

Jacqui Smith *[holding answer 20 June 2000]:* I have been asked to reply.

I refer my hon. Friend to the reply given on 27 June 2000, *Official Report*, columns 473–74W.

DEFENCE

Procurement

13. **Mr. St. Aubyn:** To ask the Secretary of State for Defence if he will make a statement on the effectiveness of the Government's defence procurement policies. [127269]

Mr. Hoon: The Government's procurement policy is based on delivering value for money through competition and prime contracting. Our Smart Procurement reforms focus on improving procurement effectiveness by introducing commercial best practice and working more closely with all our suppliers, at both project and policy level.

The benefits of smart procurement are beginning to work through, and I am confident that this forward-looking approach will lack the legacy of cost overruns and slippage that have bedevilled equipment procurement in the past.

23. **Mr. Clifton-Brown:** To ask the Secretary of State for Defence what meetings he has had with the Chief Secretary to the Treasury to discuss defence procurement; and if he will make a statement. [127279]

Mr. Hoon: I have had frequent meetings with the Chief Secretary to the Treasury where we have discussed a wide range of issues, including defence procurement.

UN Operations

14. **Sir Sydney Chapman:** To ask the Secretary of State for Defence how many British armed forces personnel are allocated to UN operations; and in how many places. [127270]

Mr. Spellar: The UK currently contributes 356 military personnel to six UN-commanded operations. These operations are in Cyprus, Georgia, Sierra Leone, East Timor, the Democratic Republic of Congo and on the Iraq/Kuwait border. Some 6,000 further troops are deployed with NATO on UN mandated operations mostly in Bosnia-Herzegovina and Kosovo. Fifty-six MOD police personnel are deployed with UNMIK in Kosovo.

Eurofighter

15. **Mr. Gerald Howarth:** To ask the Secretary of State for Defence with what weaponry the Eurofighter will be armed when it first enters service with the RAF. [127271]

24. **Mr. Wilkinson:** To ask the Secretary of State for Defence with what weaponry the Eurofighter will be armed when it first enters squadron service with the RAF. [127280]

Mr. Spellar: Eurofighter will be armed with the Advanced Short Range Air-to-Air Missile (ASRAAM) and the Advanced Medium-Range Air-to-Air Missile (AMRAAM) when it first enters service.

SA80

16. **Mr. Jim Cunningham:** To ask the Secretary of State for Defence when he expects to make an announcement on the SA80 modification programme. [127272]

Mr. Hoon: My hon. Friend the Under-Secretary of State announced on Friday 23 June that we intend to award a contract to Heckler and Koch, a subsidiary of Royal Ordnance, to modify some 200,000 SA80 weapons, including both the Individual Weapon and the Light Support Weapon. The SA80 is a generally effective weapon system. But we now know that it can be improved. Our Service men and women deserve a reliable weapon in which they have confidence. The modification programme will make the SA80 among the best in the world. And it demonstrates our willingness to take quick and decisive procurement action when required.

Iraq

17. **Mr. Galloway:** To ask the Secretary of State for Defence what operations Her Majesty's armed forces have been engaged in over Iraq in the last month; and if he will make a statement. [127273]

Mr. Hoon: In the month to 30 June, coalition aircraft have continued to patrol the no-fly zones over Iraq in support of UN Security Council Resolution 688, which demanded an immediate end to Saddam's brutal repression of his people. During that time, the Iraqi air defence system attacked or threatened coalition aircraft carrying out their legitimate duties on 18 occasions. Acting entirely in self-defence, RAF aircraft took part in eight operations against those military facilities threatening or attacking our aircraft.

Computer Failures

19. **Dr. Gibson:** To ask the Secretary of State for Defence what assessment he has made concerning the level of computer failures in his Department, its agencies and the armed forces. [127275]

Mr. Spellar: The Ministry of Defence does not keep central records of non-critical computer systems as it would be uneconomic to do so. However, no operation has been curtailed due to a computer system failure in the last year.

The Ministry of Defence regularly assesses the criticality of all its computer systems. Based on these assessments there are contingency plans in place to ensure vital functions are provided with an alternate means of processing the data in the event of a computer failure.

Submarines

21. **Mr. Leigh:** To ask the Secretary of State for Defence how many Royal Navy submarines are operationally available. [127277]

Mr. Hoon: There are currently nine Royal Navy submarines operational or engaged in preparing for service, trials or training.

Homosexuals (Armed Services)

22. **Mr. Borrow:** To ask the Secretary of State for Defence what recent representations he has received calling for improved support for homosexual service men and women; and if he will make a statement. [127278]

Mr. Spellar: My right hon. Friend the Defence Secretary announced our renewed policy on homosexuals in the Armed Forces in January this year. Since then, we have not received any representations for improved support for homosexual servicemen and women. Sexual orientation is now viewed as an entirely private matter. All Service personnel, regardless of their sexual orientation, have full access to the entire range of Service welfare agencies, including confidential helplines.

European Security and Defence Identity

25. **Miss McIntosh:** To ask the Secretary of State for Defence what recent meetings he has had with his opposite numbers in EU member states to discuss European security and defence identity issues; and if he will make a statement. [127281]

Mr. Hoon: I last discussed European security and defence issues with my EU counterparts at the General Affairs Council on 13 June.

27. **Dr. Julian Lewis:** To ask the Secretary of State for Defence what assessment he has made of the effectiveness of the armed forces of the United Kingdom's continental European allies in the context of the European security and defence identity. [127283]

Mr. Hoon: The Kosovo crisis has shown that European nations need to be better able to deploy rapidly and sustain the right mix of armed forces for NATO or EU-led operations.

To this end, EU member states made a commitment to improving their military capabilities by signing up to a collective target—known as the Headline Goal—at the Helsinki Summit in December 1999. This goal is complementary to NATO's Defence Capabilities Initiative.

In line with the measures endorsed at the recent Feira European Council, we expect EU member states to nominate their voluntary contributions to this goal at the Capabilities Commitment Conference later this year.

Recruitment (Ethnic Minorities)

28. **Mr. Ernie Ross:** To ask the Secretary of State for Defence what progress has been made by each of the three armed services in meeting their targets for recruitment among Britain's ethnic minorities. [127284]

37. **Mr. Love:** To ask the Secretary of State for Defence what progress has been made by each of the three armed services in meeting their targets for recruitment among Britain's ethnic minorities. [127293]

Helen Jones: To ask the Secretary of State for Defence what progress has been made by each of the three armed services in meeting their targets for recruitment among Britain's ethnic minorities. [127257]

Mr. Spellar: In 1990–2000, 1.9 per cent. of the total Armed Forces intake were from the British ethnic minority communities. Single Service achievement levels were:

Naval Service: 1.7 per cent.

Army: 2.1 per cent., and

RAF: 1.5 per cent.

Although we are disappointed that this is short of our own 3 per cent. tri-Service goal, all three Services have continued to improve on the previous year's performance. The figures are in the right direction. We are committed to meeting these goals and working hard to meet them in the future.

Ro-ro Vessels

29. **Mr. Ben Chapman:** To ask the Secretary of State for Defence when he will make an announcement on the award of a contract for roll-on, roll-off vessels. [127285]

Mr. Hoon: The competition for the Strategic Sealift (RORO) service is very close and more than one bidder has made improved offers which cannot be taken into account under the existing procedures. Moreover, circumstances have changed significantly since the original bids were submitted on 14 January; not least as a consequence of the British Aerospace merger with Marconi Electronic Systems. We have therefore decided that, to ensure the best value for money to the taxpayer, we should conduct a further round of bidding.

This will allow UK shipyards the opportunity to show that they can be competitive, but we have not changed the specification for the competition. The decision will still be taken on best value for money grounds, and all bidders will be treated fairly under the European public procurement rules which still apply to the competition.

After consulting the bidders and explaining the reasons for this further round, the Ministry of Defence has invited the four competing consortiums to "Revise and Confirm" their bids by 6 July 2000. It remains the MOD's intention to place a contract later this year.

Bullying

30. **Mr. Grogan:** To ask the Secretary of State for Defence if he will make a statement about progress in combating bullying in the Army. [127286]

Mr. Amess: To ask the Secretary of State for Defence what steps he is taking to address the issue of bullying in the armed forces. [127276]

Mr. Spellar: All three Services have a clear policy, which is promulgated to all personnel, that no form of harassment, victimisation or other unacceptable social conduct will be tolerated and all allegations of ill treatment are thoroughly investigated. It is the duty of all those in a position of responsibility to protect others from physical and mental bullying and to report any incident promptly. Appropriate action is taken against the perpetrators. Potential recruits are made fully aware of this policy. The policy of zero tolerance towards ill treatment was re-emphasised when the new code of social conduct was issued to all Service personnel in January. In the last two years, all three Services have set up Confidential Helplines which can be used by any member of the Armed Forces or their families, if necessary anonymously, who believe they are being ill-treated.

Missile Defence System

31. **Mr. Flynn:** To ask the Secretary of State for Defence what recent representations he has made to the USA and NATO on the proposed new missile defence system. [127287]

Mr. Hoon: We have a continuing dialogue with the US Administration on their proposed National Missile Defence system. It also continues to be the subject of collective discussion by NATO Allies.

Defence Medical Services

32. **Laura Moffatt:** To ask the Secretary of State for Defence how many extra personnel the Government aim to recruit to the Defence Medical Services in the next three years. [127288]

Mr. Spellar: I refer my hon. Friend to the answer I gave my hon. Friend the Member for Bolton, South-East (Dr. Iddon) earlier today, *Official Report*, column 15.

Troop Deployments

33. **Charlotte Atkins:** To ask the Secretary of State for Defence what percentage of the Army is *(a)* committed to *(b)* preparing for and *(c)* recovering from military operations. [127289]

Mr. Spellar: Some 27 per cent. of the trained Army is committed to Operations. This figure includes units preparing for, deployed on, and recovering from, operations. Of these, 20 per cent. of the trained Army is currently deployed on operations. The total is down from a peak of 47 per cent. committed at the height of the Kosovo campaign in July 1999 and below that inherited from the previous administration.

34. **Mr. Ruffley:** To ask the Secretary of State for Defence how many armed forces personnel are serving overseas. [127290]

Mr. Spellar: As at 1 April 2000, 42,710 Armed Forces personnel were serving overseas.

Army Recruitment

35. **Mr. Paterson:** To ask the Secretary of State for Defence if he will make a statement on Army recruitment. [127291]

Mr. Spellar: The Army achieved 15,026 soldier enlistments during the last financial year. This was lower than the numbers enlisted in 1998–99 (15,609), but output to the Field Army in 1999–2000, which is the more important figure, was up by over 1,000 on the previous year. This is partly as a result of changes made to the selection criteria for new entrants and other changes introduced in the initial training regime. In respect of Officer recruiting, the numbers entering Sandhurst last year were 646 and output from the College was 534 against targets of 777 and 620 respectively. However, this year, the Army expects that numbers entering Sandhurst will be on target. Also the numbers of inquiries for officer careers are up on previous periods, as is the number of successful candidates at the Regular Commissions Board, which is a precursor to Sandhurst entry. Advertising for Army careers, for both soldier and officer candidates, is being more specifically targeted this year.

Aircraft Carriers

36. **Mr. Pearson:** To ask the Secretary of State for Defence what the value is of the contracts awarded so far for the design of the future generation of aircraft carriers. [127292]

Mr. Hoon: Two contracts, each worth up to £30 million, for work to investigate options for the design of the future aircraft carrier have been awarded to BAE Systems and Thomson-CSF Naval Systems.

Potential Recruits (Fitness)

38. **Fiona Mactaggart:** To ask the Secretary of State for Defence what steps he is taking to help young unemployed people who want to join the armed forces attain the necessary fitness levels. [127294]

Mr. Spellar: Fitness levels found in the average young person have been in decline for some time. On the other hand, the fitness standards required of armed forces' recruits by the end of their training have not been reduced. Consequently, in addition to tailored fitness training programmes during recruit training, the Services recognise the need to give guidance to initial applicants, who may include the young unemployed, on the issue of physical fitness to enable them to attain the high level of fitness required to pass recruit training. The Naval Service issues a pre-joining fitness programme booklet to all potential recruits. The length of the programme lasts four weeks for officers and ratings, and eight weeks for Royal Marine other ranks applicants. If an Army recruiter believes that a potential applicant should take action to improve his/her fitness, he/she is given a video and a pamphlet which describe the training that should be undertaken. Similarly, all RAF recruits are given a booklet on physical fitness training prior to commencement of Recruit Training.

Territorial Army (Balkans)

Mr. MacShane: To ask the Secretary of State for Defence what assessment he has made of the contribution of Territorial Army soldiers serving in the Balkans. [127274]

Mr. Spellar: Members of the TA have provided a vital contribution to operations in the Balkans. A total of 3,983 Territorial Army soldiers have been mobilised for duty in the Balkans since December 1995. Their role has been to provide individual reinforcements with a variety of skills to Regular Units on operational tours, and fill a number of staff appointments in the various headquarters in the Balkans.

Kosovo

Mr. Syms: To ask the Secretary of State for Defence how much his Department plans to spend on operations in Kosovo this year. [127282]

Mr. Spellar: The 2000–01 estimate of additional expenditure likely to be incurred on operations in Kosovo is approximately £220 million.

Fuel Costs

Mr. Quentin Davies: To ask the Secretary of State for Defence what the Royal Navy's budgeted fuel allocation for 2000–01 is; and what the figure was for each of the previous five years. [127996]

Mr. Spellar: The Commander-in-Chief Fleet's total fuel allocation for 2000–01, including fuel for ships, submarines, aircraft, the Royal Marines and domestic purposes, is £57 million.

The actual spend for the previous five years, again giving a total of all fuel used, was as follows:

Financial Year	*£ million*
1995–96	48.5
1996–97	44.5
1997–98	40
1998–99	31.5
1999–2000	43

Year on year variations are largely attributable to fluctuating fuel prices. In 1998–99 prices dropped very steeply, followed by sharp rises since then.

Flying Hours

Mr. Quentin Davies: To ask the Secretary of State for Defence how many flying hours were flown in *(a)* Tornado GR 1 or 4, *(b)* Tornado F3, *(c)* Jaguar and *(d)* RAF Harrier aircraft in each of the past five years; and what the planning assumption is for 2000–01. [127999]

Mr. Spellar: The information requested is in the tables.

Flying hours (Aircraft flying hours)

Year	*Tornado GR1/4*	*Tornado F3*	*Jaguar*	*RAF Harrier GR7*
1995–96	34,273	28,375	13,065	15,525
1996–97	31,511	25,634	11,916	16,003
1997–98	31,275	27,076	12,346	15,307
1998–99	28,780	22,769	12,417	15,246
1999–2000	24,934	20,870	12,388	13,811

Tasked hours planned for 2000–01

	Hours
Tornado GR1/4	28,970
Tornado F3	26,136
Jaguar	12,437
RAF Harrier GR7	15,378

Note:

Figures include OCU, OEU and 1435 Flt

Western European Union

Mr. Wilkinson: To ask the Secretary of State for Defence if he will assess the speech of the French Deputy Defence Minister to the Parliamentary Assembly of Western European Union on 8 June as part of his formulation of Her Majesty's Government's policy on the future of this body. [127473]

Mr. Hoon: The Government will take all relevant information, including the views of the other WEU member countries and associate countries into account in formulating its policy on the future of the Parliamentary Assembly of the Western European Union.

Service Personnel (Compensation)

Mr. Corbett: To ask the Secretary of State for Defence what progress has been made in the review of arrangements for compensating service personnel and their dependants, killed or injured while on service announced on 7 December 1997; and when he will publish a consultation document. [107439]

Mr. Spellar *[holding answer 28 January 2000]:* My right hon. Friend has been considering draft proposals from the Joint Compensation Review. He believes, however, that it will be possible to reach final conclusions about attributable benefits only in the context of proposals about the future of the Armed Forces Pension Scheme as a whole, which will emerge from the parallel Review of the Armed Forces Pension Scheme (AFPS). That Review is still in progress. My right hon. Friend will therefore make an announcement once he has considered the draft recommendations of the AFPS Review. The announcement will be followed by a period of public consultation.

HOME DEPARTMENT

Home Detention Curfew Scheme

Mr. Lidington: To ask the Secretary of State for the Home Department if he will list for the period between the commencement of the home detention curfew scheme and 31 May *(a)* the number of prisoners who were released on the scheme, with a breakdown of the specific offences which they committed, *(b)* the average sentence (i) received and (ii) served, and the average period spent on the scheme, in respect of each specific offence, *(c)* the number of prisoners released on the scheme, with a breakdown of the offences committed, who (1) breached the conditions of the curfew, (2) disappeared and were recaptured, (3) disappeared and remain unlawfully at large, and (4) had their licences revoked, and for what reasons, *(d)* the specific offences committed by prisoners released on the scheme while on the scheme, including all offences committed by prisoners who committed more than one offence and *(e)* a breakdown of the specific offences committed by prisoners released on the scheme who committed a further offence while on the scheme that was similar in character to that for which they were originally convicted, including all offences committed by prisoners who committed more than one offence; and if he will make a statement. [126536]

Mr. Straw *[holding answer 19 June 2000]:* As of 31 May 2000, a total of 21,798 prisoners had been released on Home Detention Curfew since the scheme commenced on 28 January 1999.

The original offences committed by prisoners released under the scheme during the period, the number of prisoners convicted of each specific offence, the average sentence received and served for those offences, and the average period spent on the scheme in respect of the prisoners convicted of each specific offence are shown in Table 1. The data are taken from the Prison Service's inmate information system based on the data recorded by each prison. The table provides as detailed a breakdown of offences as is possible from central records.

A total of 764 prisoners released on the scheme during the period breached the conditions of their curfew. A breakdown of this number showing the original offences committed in shown in Table 2.

Information on curfewees whose licences are revoked and who disappear before being recaptured is included within the information held on the number of curfewees unlawfully at large at any one time. On 31 May there were 36 curfewees who remained unlawfully at large. This represents fewer than four per cent. of the total number of revocations. In the vast majority of cases, when a curfewee's licence is revoked, he or she can expect to be apprehended quickly and returned to custody. While the priority to be given to pursuing individual cases will be an operational matter for local police forces, Home Office Circular 1/1999 made clear that Home Detention Curfew recalls should be regarded as "urgent" cases. In addition, the National Identification Service at New Scotland Yard issues "The Police Gazette" weekly to all police forces, including details of curfewees who are unlawfully at large. When curfewees are apprehended following a period unlawfully at large, they are required to serve the period of time outstanding at the point their licence was revoked.

Details of the offences originally committed by those 36 curfewees who remained unlawfully at large on 31 May 2000 can be found in Table 3.

As of 31 May 2000, 1,028 curfewees had their licences revoked, using the powers available to the Secretary of State under Sections 38A(1) and 39 of the Criminal Justice Act 1991. The reasons for revocation were as follows:

for breach of the curfew (Section 38A(1)a of the Criminal Justice Act 1991);

because the curfewee's whereabouts could no longer be electronically monitored (Section 38A(1)b of the Criminal Justice Act 1991);

because it was necessary to protect the public from serious harm (Section 38A(1)c of the Criminal Justice Act 1991); and

because the curfewee had committed an offence or breached any requirement of probation supervision (Section 39 of the Criminal Justice Act 1991). Curfewees who are charged with new offences may also be recalled on any preceding grounds depending on the circumstances of the case.

A breakdown of the original offences the 1,028 recalled curfewees committed together with a breakdown of the reasons for recall is at Table 4.

Table 5 gives a breakdown of all offences committed by prisoners placed on Home Detention Curfew while on the scheme. Where a curfewee has been charged with more than one offence, these have been shown separately.

Table 6 gives a breakdown of the specific offences committed by prisoners placed on the scheme who committed a further offence while on the scheme which was similar in character to the most serious offence for which they were originally convicted.

The scheme is designed to ensure a better transition for short-term offenders between custody and the community. Prisoners are only placed on Home Detention Curfew after a careful risk assessment, and the safety of the public is paramount at all times.

Tables 1–6 have been placed in the Library.

Communities Act 2000

Mr. Bercow: To ask the Secretary of State for the Home Department if he will list those *(a)* businesses, *(b)* individuals and *(c)* organisations he (i) has consulted and (ii) plans to consult over Communities Act 2000/c124/01, of OJ C124, vol. 43, 3 May 2000. [128104]

Mr. Charles Clarke: Prior to the adoption by the Justice and Home Affairs Council on 23 March 2000 of the document, "The Prevention and Control of Organised Crime: A European Strategy for the Beginning of the New Millennium", it was cleared by the European Communities Committee of the House of Lords on 14 March and the European Scrutiny Committee of the House of Commons on 15 March. Throughout negotiations on the document, we regularly consulted Her Majesty's Customs and Excise, the National Criminal Intelligence Service the National Crime Squad and the Association of Chief Police Officers. There are no plans for further consultations.

Europol

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on his policy concerning the extension of the *(a)* competetencies and *(b)* resources of Europol; and if it is his policy that Europol should have the authority to ask member states to initiate investigations (i) singly and (ii) co-jointly on its behalf. [128107]

Mr. Charles Clarke: The European Council, in its special meeting at Tampere on 15–16 October 1999, invited the Council of the European Union to extend the competence of Europol to money laundering in general, regardless of the type of offence from which the laundered proceeds originate. A draft amendment to the Europol Convention which would give effect to the Tampere proposal is currently under consideration by member states. We support the purposes of the amendment which would enable Europol to provide member states with more effective support in fighting money laundering which is at the heart of much organised crime. We take the view, in negotiating the budget for Europol, that it must demonstrate that it is using its resources efficiently and cost effectively in discharging its mandate. Any proposed increase to Europol's budget is subjected to detailed scrutiny, including by the United Kingdom's representative on the Europol Management Board.

The European Council at Tampere also attached importance to allowing Europol to ask member states to initiate, conduct or co-ordinate investigations, each involving a single member state, or joint investigation teams involving two or more member states, while respecting national systems of judicial control. A draft recommendation reflecting this Tampere conclusion is also under consideration by the member states. We support the purposes of the recommendation on the basis that any participation by Europol in investigations or joint investigation teams would, as also envisaged at Tampere, be in a support capacity.

EU Court Judgments

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on discussions at EU level concerning the recognition of court judgments passed in one member state being automatically recognised in other member states. [128137]

Mr. Charles Clarke: The Tampere European Council strongly endorsed the concept of mutual recognition of judicial decisions, and asked the Council and Commission to adopt a programme of measures to implement the principle of mutual recognition, by the end of this year.

The possible contents of the programme of measures have been discussed in the European Union's Article 36 Committee and in other European Union working groups in the third pillar, on the basis of the United Kingdom's proposals. The European Commission has also held consultations on enforcement of foreign sentences. The incoming French Presidency is preparing to table a draft of the programme very shortly. A copy of this document will be deposited for Scrutiny. The programme is likely to include mutual recognition of decisions concerning the freezing of assets, arrest for purposes of extradition and execution of fines, imprisonment and other sentences imposed in another member state.

The Government intend to support further work on this issue, based on the conclusions of the Tampere European Council.

European Police College

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the planned activities of the European Police College; how many and what types of police it will cater for; and what its overall purpose is. [128109]

Mr. Charles Clarke: The Government are committed to the establishment of a European Police College Network to encourage greater co-ordination and sharing of good practice between European States. We have contributed fully to discussions on the role and organisation of such a network. I refer the hon. Member to the draft Council decision which we have recently submitted for Parliamentary scrutiny. This provides details on the specific functions and responsibilities the Network is proposing to undertake.

Eurojust

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on his policy towards Eurojust. [128257]

Mr. Charles Clarke: I refer the hon. Member to the reply I gave him on 23 March 2000, *Official Report,* columns 682–83W.

Global Cultural Diversity Congress

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department what the fee was for attendance at the proposed Global Cultural Diversity Congress; and if Ministers were exempted. [128116]

Mr. Mike O'Brien: I understand from the Gurbux Singh Report that various categories of delegate attendance fees were set by Global Cultural Diversity Congress (GCDC) 2000 Ltd. and that the suggested standard delegate fee was £595. All decisions about who to exempt from fees were for GCDC 2000 Ltd.

Mr. Peter Bottomley: To ask the Secretary of State for the Home Department which Ministers had planned *(a)* to attend and *(b)* to contribute to the Global Cultural Diversity Congress. [128115]

Mr. Mike O'Brien: Invitations to attend and contribute to the congress were a matter for Global Cultural Diversity Congress 2000 Ltd.

My right hon. Friend the Home Secretary was proposing to Chair a Think Tank at the Congress and I had agreed to chair a panel debate.

Defendants

Mr. Hilary Benn: To ask the Secretary of State for the Home Department in respect of the last 12 months for which information is available, what proportion of persons appearing before *(a)* magistrates courts and *(b)* Crown courts had no previous convictions. [128023]

Mr. Charles Clarke: Information on previous convictions for persons appearing before magistrates courts or the Crown court is not available centrally. However, previous conviction data are available for persons who appeared and were subsequently convicted.

Based on a sample of over 38,000 persons convicted of a standard list offence during 1998, 40 per cent. of persons convicted at magistrates courts and 32 per cent. of persons convicted at the Crown court had no previous convictions.

Police Recruitment

Mr. Oaten: To ask the Secretary of State for the Home Department if he will extend the principle of London weighting to Hampshire to help police authorities recruit officers in areas of high property prices. [128160]

Mr. Charles Clarke: The Police Act 1996 provides that the Police Negotiating Board (PNB) shall make recommendations to the Home Secretary on matters including the pay and allowances of police officers, which include London Allowance and London Weighting. The Home Secretary shall take into consideration any such recommendation before making regulations.

A Working Party of the PNB is meeting on 11 July to discuss the impact on other forces of the increase in London Allowance which will take effect from 1 July.

Police (Colchester)

Mr. Bob Russell: To ask the Secretary of State for the Home Department what the established strength was of the Colchester Division of the Essex police force; and what was the actual number in post at *(a)* May 1995, *(b)* May 1996, *(c)* May 1997, *(d)* May 1998, *(e)* May 1999 and *(f)* May 2000. [128141]

Mr. Charles Clarke: The Chief Constable of Essex is only able to provide figures for 1997 onwards and these are set out in the table.

Colchester division budgeted strength and actual strength 1997–2000

As at 31 May	*Budgeted strength*[1]	*Actual strength*[1]
1997	190	188.2
1998	185	186.8
1999	180	180.6
2000	163	158

[1] Full-time equivalents

The reduction in the budgeted strength of the Colchester Division since 1997 is a consequence of the force's civilianisation programme, the transfer of some posts from Divisional strength to Headquarters strength, although the officers concerned remained based in Colchester, and the formation on 1 April 2000 of Major Investigation Teams. The changes are intended to make Essex police more efficient, effective, responsive to demands and to enable better targeting of resources on crime reduction.

The Colchester Division receives additional policing support from centrally provided road policing, dogs section, air support and Crime Division officers. The number of specialist department officers deployed in Colchester will vary according to demands for their services in Colchester and elsewhere in the Essex police.

Prison Industries

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what the total *(a)* expenditure of and *(b)* income from prison industries involved in commercial contracts was in the last five years. [128300]

Mr. Boateng: I refer the hon. Member to the reply I gave the right hon. Member for Maidstone and The Weald (Miss Widdecombe) on 8 May 2000, *Official Report,* column 302W.

It is not possible to break down expenditure between commercial contracts and that used for products for internal consumption.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will list the contracts held by the Prison Service for commercial work from prison industries; and if he will make a statement. [128299]

Mr. Boateng: The Prison Service has commercial contracts to supply goods and services to the organisations listed. Contracts with commercial companies to supply work for prisoners may be sourced centrally by the Prison Service's Enterprise and Supply Services, but many are entered into locally by individual establishments. Information on contracts for commercial work is not collected centrally and a comprehensive list could be obtained only at disproportionate cost.

Ministry of Defence—woodwork and clothing
Atomic Weapons Establishment—protective clothing
Komplete Safety—clothing
Royal Air Force Staff College—laundries
South West London Community NHS Trust—laundries
Tower Hamlets Healthcare—laundries
Rank Holiday Division—laundries
North Middlesex Hospital—laundries
Axis—milk supply
Zenith—milk supply
Milk Link—milk supply
Defence Evaluation and Research Agency—data transcription
Graphic Data—photographing data.

Prison Wages

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what the level is of prison wages; under what circumstances higher wages can be paid; and if he will make a statement. [128301]

Mr. Boateng: A Prison Service national framework sets the minimum level of pay for employed prisoners at £4.00. The minimum for those in training is set at £2.50. Above the prescribed minimum rates, levels of pay are set at the discretion of the Governor, and will vary depending upon the regime in place, the type of work available and links with other relevant schemes, for example incentives and earned privileges.

Remand Prisoners

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what was the average *(a)* number of remand prisoners and *(b)* proportion of the prison population consisting of remand prisoners in each of the last 10 years; and if he will make a statement. [128168]

Mr. Boateng *[holding answer 29 June 2000]:* The information requested is given in the table. This information (up to 1998) is also published in "Prison Statistics England and Wales", a copy of which is in the Library.

Average population of remand prisoners 1989–99

Year	*Average remand population*	*Total average population*	*Remands as a percentage of total average population*
1989	10,499	48,610	21.6
1990	9,904	45,636	21.7
1991	10,157	45,897	22.1
1992	10,090	45,817	22.0
1993	10,660	44,566	23.9
1994	12,357	48,794	25.3
1995	11,375	51,047	22.3
1996	11,613	55,281	21.0
1997	12,131	61,114	19.8
1998	12,567	65,298	19.2
1999	12,520	64,771	19.3

Prisons (Purposeful Activity)

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what the total amount was of public expenditure on purposeful activity in prison in each of the last five years; and if he will make a statement. [128298]

Mr. Boateng: It is not possible to isolate accurately and calculate the total cost of the wide range of disparate activities which comprise purposeful activity. Although the level of such activity is comprehensively monitored, many of the costs cannot be meaningfully separated from the overall budget of running an establishment, for example staff costs.

An indication of the investment in purposeful activity is provided by the following central allocation for specific elements of purposeful activity.

Expenditure on education[1]

	£
1995–96	36,956,087
1996–97	34,507,378
1997–98	36,174,320
1998–99	39,049,875
1999–2000	47,445,945

[1] Covers payments to education providers, payments for libraries and for education materials

Expenditure on industries and farms[1]

	£
1995–96	24,680,000
1996–97	27,080,000
1997–98	28,442,000
1998–99	28,889,000
1999–2000	26,695,000

[1] Covers expenditure on raw materials and small tools and maintenance, but not staff costs or overheads

Prisoners (Suicides)

Mr. Bob Russell: To ask the Secretary of State for the Home Department how many prisoners committed suicide in 1998; and of these suicides how many were caused by hanging. [128517]

Mr. Boateng: There were 83 self-inflicted deaths in prison custody in 1998. Of these, 80 were caused by hanging.

Police Response Times

Mr. Heald: To ask the Secretary of State for the Home Department if police response times are calculated on the same basis in each police force area in England and Wales; and if he will make a statement. [122284]

Mr. Charles Clarke *[holding answer 15 May 2000]:* No. Each police area has a different method for measuring response times. Details for 1998–99 are contained in the Audit Commission Report "Police and Fire Services Local Authority Performance Indicators 98/99".

Asylum Seekers (Sierra Leone)

Mr. Hilary Benn: To ask the Secretary of State for the Home Department how many persons from Sierra Leone have applied for asylum in the last 12 months; and how many of these applications have been granted. [128738]

Mrs. Roche: The available information is given in the table.

Asylum applications[1] *received in the United Kingdom, excluding dependants, and initial decisions*[2] *on applications, June 1999 to May 2000 by month, nationals of Sierra Leone*

Principal applicants

	Applications			*Decisions*					
	Total	*Port*	*In country*	*Total decisions*	*Grants of asylum*	*Grants of ELR*	*Total refusals*	*Grants of ELR under backlog criteria*[3,4]	*Non compliance refusals under backlog criteria*[3,5]
June 1999	95	40	55	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—
July	140	85	60	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—
August	80	50	30	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—
September	130	60	65	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—
October	95	45	50	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—
November	85	50	35	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—
December	100	75	30	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—
January 2000	75	50	30	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—
February	105	45	65	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—
March	105	40	60	[6]—	[6]—	[6]—	[6]—	[6]—	[6]—
April	75	25	45	120	*	30	10	80	—
May	105	25	80	155	20	60	30	35	10
Total to date	1,190	585	605	275	25	90	40	115	10

[1] Figures rounded to nearest 5 with * = 1 or 2.

[2] Information is of initial determination decisions, excluding the outcome of appeals or other subsequent decisions.

[3] Cases decided under pragmatic measures aimed at reducing the pre '96 act asylum backlog.

[4] May include a small number of cases where asylum has been granted.

[5] May include a small number of cases where the application has been refused on substantive grounds.

[6] Not applicable

Speed Cameras

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how much was spent on speed cameras per police force and in total in each of the last 10 years; and what the planned expenditure is in future years for which figures are available. [128388]

Mr. Charles Clarke: The information requested is not available centrally. It is the responsibility of each police force to determine how much to spend on speed cameras and other road safety measures.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will make a statement on the use of speed cameras with special reference to the European Convention on Human Rights; and if he will make a statement. [128394]

Mr. Mike O'Brien: The Government do not expect the use of speed cameras to alter after the Human Rights Act 1998 comes into force in England and Wales on 2 October.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department in how many areas the fines from speed cameras are kept by *(a)* local authorities and *(b)* police services; and if he will make a statement. [128391]

Mr. Charles Clarke: In December 1998, Her Majesty's Treasury announced that, subject to certain criteria, some fine income might be reinvested in law enforcement activity. With Her Majesty's Treasury agreement, pilot schemes involving the use of speed cameras were launched on 1 April this year. The pilots are taking place in eight police force areas: Cleveland, Essex, Lincolnshire, Northamptonshire, Nottinghamshire, South Wales, Strathclyde and Thames Valley.

Local partnerships have been formed to run each of the pilots. These consist of the police, local authorities and the courts. Fine revenue from fixed penalties is being invested into the purchase of additional speed cameras and/or the increased use of existing cameras all to an agreed programme. Surplus fine income will be returned to Her Majesty's Treasury. The success of the pilots will be judged on their road safety benefits, particularly their ability to reduce deaths and injuries.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what the average cost was of a new speed camera in the last 12 months. [128390]

Mr. Charles Clarke: Home Office type approved speed cameras vary considerably in their technology and application. An average cost is not available.

Fines

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what the average level of fine was *(a)* issued for each category of offence in each of the last five years and *(b)* where a fine was the only penalty; and if he will make a statement. [128392]

Mr. Charles Clarke: Available information for 1994 to 1998 taken from the Home Office Court Proceedings Database is given in the table.

Average level of fines given at all courts by type of offence, England and Wales, 1994–98

£

	1994		*1995*		*1996*		*1997*		*1998*	
Type of offence	*Average fine*	*Average fine where fine only penalty*	*Average fine*	*Average fine where fine only penalty*	*Average fine*	*Average fine where fine only penalty*	*Average fine*	*Average fine where fine only penalty*	*Average fine*	*Average fine where fine only penalty*
Indictable offences										
Violence against the person	170	187	176	166	173	163	173	164	170	156
Sexual offences	206	201	216	202	308	238	223	209	310	258
Burglary	145	148	140	142	138	138	142	143	150	150
Robbery	101	90	63	60	127	122	76	110	152	98
Theft and handling stolen goods	114	114	114	114	109	107	106	105	99	97
Fraud and forgery	209	233	183	198	266	277	202	195	212	232
Criminal damage	102	105	103	108	109	110	111	111	105	104
Drug offences	102	104	102	102	104	102	103	102	96	94
Other (non-motoring)	229	223	264	256	375	367	415	414	404	402
Motoring (indictable)	165	165	177	176	175	174	177	175	190	189
Total indictable offences	150	153	158	163	188	197	195	209	186	202
Summary non-motoring offences	99	98	103	103	103	103	104	104	105	105
Summary motoring offences	160	161	166	166	161	161	163	164	162	162
Total all offences	137	138	145	145	141	142	147	148	145	146

Drug Testing and Treatment Orders

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what plans he has to extend the range of offenders who could be subject to a drug testing and treatment order; and if he will make a statement. [128397]

Mr. Boateng: None: all offenders aged 16 or over convicted of an offence for which a community sentence is appropriate may be made subject to a Drug Treatment and Testing Order provided that the court is satisfied that the offender is dependent on or has a propensity to misuse drugs, that treatment may be helpful and the offender has expressed his willingness to comply with the requirements of the order.

Neighbourhood Wardens

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what the total central Government expenditure is on neighbourhood wardens; and if he will make a statement. [128387]

Mr. Charles Clarke: The Government have allocated £13.5 million over the three years for a fund to pump-prime and evaluate new and existing neighbourhood warden schemes, starting in 2000–01 and jointly funded by the Home Office and the Department of the Environment, Transport and the Regions (DETR). Additionally, the Home Office and DETR are jointly funding a new inter-departmental unit, the Neighbourhood Wardens Unit, to take forward work on neighbourhood wardens including administering the fund.

Casualties

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what the total number was of *(a)* injuries and *(b)* deaths (i) per police force area and (ii) in total arising from (A) traffic accidents and (B) assaults and other violent crimes; and if he will make a statement. [128395]

Mr. Charles Clarke: The requested details on injuries and deaths resulting from assaults and other violent crimes are not collected centrally. Recorded crime data in relation to certain offences of violence against the person are given in the table. Please note that the offences given as wounding and assault may represent attempts, conspiring, inciting, aiding, abetting, causing or permitting, and not result in an actual injury.

The British Crime Survey has estimated that, in 1997, there were 714,000 assaults with more than trivial injury ('wounding'), and 2,276,000 common assaults, ie physical assaults or attempted assault with at most slight bruising. These categories do not necessarily coincide with those from the recorded crime figures.

The Department of the Environment, Transport and the Regions has recently published the transport statistical bulletin 'Road Casualties in Great Britain: Main Results 1999', which includes the requested details in table 6. This is available in the Library.

Notifiable offences recorded by the police by police force year ending September 1999

Police force	*Homicide*	*Attempted murder and wounding or other act endangering life*	*Other wounding (including racially aggravated other wounding)*	*Assault on a constable and common assault (including racially aggravated common assault)*
Avon and Somerset	19	284	3,856	6,139
Bedfordshire	4	223	1,917	2,138
Cambridgeshire	7	238	2,244	1,875
Cheshire	9	262	2,815	1,364
Cleveland	8	108	1,461	1,047
Cumbria	3	95	2,627	991
Derbyshire	12	197	3,306	4,033
Devon and Cornwall	18	376	3,101	5,444
Dorset	4	96	1,005	1,379
Durham	8	123	1,393	1,812
Essex	17	92	3,666	2,832
Gloucestershire	9	151	1,552	1,253
Greater Manchester	60	2,318	18,223	10,247
Hampshire	18	191	5,339	4,837
Hertfordshire	1	135	1,533	920
Humberside	13	296	4,116	2,535
Kent	16	402	5,679	3,778
Lancashire	24	438	3,005	2,965
Leicestershire	16	313	4,633	3,636
Lincolnshire	7	89	1,654	1,306
London City of	—	7	202	118
Merseyside	31	694	7,631	2,384
Metropolitan Police	188	2,162	39,960	72,780
Norfolk	8	193	2,213	1,771
Northamptonshire	7	140	1,116	2,352
Northumbria	15	448	4,538	3,442
North Yorkshire	3	69	1,491	1,996
Nottinghamshire	18	239	6,775	2,955
South Yorkshire	13	421	3,043	1,930
Staffordshire	16	40	6,422	1,697
Suffolk	4	94	1,881	1,255
Surrey	1	101	2,344	1,284
Sussex	19	154	5,955	7,786
Thames Valley	21	195	5,672	3,846
Warwickshire	4	63	893	736
West Mercia	7	187	2,045	3,449
West Midlands	50	1,563	11,114	17,114
West Yorkshire	29	876	7,990	4,000
Wiltshire	5	50	1,744	2,088
Dyfed-Powys	4	104	1,841	1,180
Gwent	1	289	3,113	4,773
North Wales	6	102	1,952	2,118
South Wales	26	783	4,891	2,222
England and Wales	749	15,401	197,951	203,807

Road Fuels

Mr. Jenkin: To ask the Secretary of State for the Home Department if he will list for each *(a)* police authority and *(b)* fire authority, the amount of money spent on road fuels in the last financial year. [128380]

Mr. Charles Clarke: This information is not held centrally and could be obtained only at disproportionate cost.

Women Prisoners

Helen Jones: To ask the Secretary of State for the Home Department what research his Department has *(a)* commissioned and *(b)* undertaken on the effect on children of the imposition of custodial sentences on their mothers. [128122]

Mr. Boateng: The most recently published study of imprisoned mothers was 'Imprisoned Women and Mothers' by Caddle and Crisp. It was commissioned by the Prison Service and published in 1997 (Home Office

Research Study 162). The entire female prisoner population at the end of 1994, comprising 1,766 women, were surveyed. In-depth interviews were conducted with the 61 per cent. of that population who were either pregnant or mothers of children under 18.

In the report of a 'Review of Principles, Policies and Procedures on Mothers and Babies/Children in Prison' (Her Majesty's Prison Service July 1999) and the Prison Service's Response and Action Plan (December 1999), a number of areas of research concerning the children of women prisoners was recommended. The Prison Service is giving consideration to these recommendations. Copies of both documents were placed in the Library.

Helen Jones: To ask the Secretary of State for the Home Department what recent discussions he has had on the establishment of family visiting areas in prisons; and if he will make a statement. [128124]

Mr. Boateng: The Prison Service places enormous importance on encouraging prisoners to maintain close family ties and to making family visits to prisoners as comfortable and productive as possible. This relates not only to the specific establishment of family visiting areas but also to a range of facilities such as the provision of visitors' centres and play areas. Moreover, there is increasing emphasis on delivering initiatives to fully maximise the potential for allowing prisoners to have extended contact with families through longer visits and temporary release; and facilitating the visits of families from long distances through the provision of financial support and assistance with accommodation.

Helen Jones: To ask the Secretary of State for the Home Department what plans he has to enable women who receive custodial sentences to make arrangements for the care of their dependent children prior to the start of their sentence. [128121]

Mr. Charles Clarke: The Government have no immediate plans to make new arrangements for women or men with parental responsibilities to arrange child care prior to starting a custodial sentence. There may be opportunities while pre-sentence reports are being prepared for child care arrangements to be considered.

However, the Government do take seriously the needs of women offenders in the criminal justice system, and a working group has been established to consider a strategy on women offenders, including the range of sentences available. Also, the team undertaking the Review of the Sentencing Framework, which was announced on 16 May, will bear the needs of women offenders in mind in formulating its recommendations.

Helen Jones: To ask the Secretary of State for the Home Department what estimate he has made of the number of women prisoners who suffer from *(a)* drug and *(b)* alcohol addiction; and what proportion of these women are involved in detoxification programmes while in prison. [128123]

Mr. Boateng: The report of a study of Psychiatric Morbidity Amongst Prisoners in England and Wales, undertaken in 1997 for the Department of Health by the Office for National Statistics, indicated that in the year before entering prison, 36 per cent. of women on remand and 39 per cent. of sentenced women reported engaging in hazardous drinking. Fifty four per cent. of women on remand and 41 per cent. of sentenced women reported some degree of drug dependence.

The information sought in the second part of the question is not available in the form requested. Returns from Prison Service establishments show that in 1998–99, when almost 16,000 women were screened on reception into prison by healthcare staff, 3,091 completed drugs detoxification programmes and 413 completed alcohol detoxification programmes.

Helen Jones: To ask the Secretary of State for the Home Department when he expects the working group established to develop a strategy for the treatment of women in prison to report. [128127]

Mr. Boateng: The report of the working group and the timing of any publication is under consideration.

Anti-social Behaviour Orders

Dr. Kumar: To ask the Secretary of State for the Home Department if he will make a statement on the conclusions reached by the action group on Anti-social Behaviour Orders led by the Chair of the Youth Justice Board; and if he will make a statement. [128801]

Mr. Charles Clarke: The Anti-social Behaviour Order Action Group concluded that, in order to give increased impetus to the take-up of applications for Anti-social Behaviour Orders (ASBOs), there was a need to spread the good practice that already existed in certain areas of the country. To achieve this, the Action Group drew up practical guidance on considering and applying for ASBOs, and also set up a series of seminars as a means of consulting on the draft guidance and of providing an opportunity to hear about, and discuss, the experiences of those who had successfully obtained such orders.

Ten seminars were held in all, in each of the Government Regions in England and Wales, between early March and Easter this year. Following the successful conclusion of the seminars, the Action Group held their final meeting in May to complete their work on the draft guidance. I launched the booklet, "Anti-social Behaviour Orders: Guidance on drawing up Local ASBO Protocols", on 28 June. A copy has been placed in the Library.

I am grateful to my noble Friend Lord Warner and the Action Group for all their work. I hope that the new guidance, which complements the guidance on ASBOs issued in March 1999, will enable the police and local authorities to make effective use of this important tool for dealing with anti-social behaviour.

EDUCATION AND EMPLOYMENT

Women's Unit Consultation

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment when the policy discussion on the No. 10 website on issues raised by the consultation conducted by the Women's Unit will be launched; how long it will run; and how the information will be treated once the consultation is over. [127249]

Ms Jowell: The No. 10 website will host a policy discussion, on the issues arising from the Listening to Women Consultation, which will open on 3 July and will last between four and five weeks. It will cover issues such as work-life balance; support from Government for women's life choices; business start-ups; access to Information and Communications Technology; and the forthcoming Parental Leave and Maternity Review. A summary of the comments will be posted on the No. 10 website, along with a response statement from the Ministers for Women when the discussion period is over. The website address is www.number-10.gov.uk.

Medical Schools

Mr. Harvey: To ask the Secretary of State for Education and Employment how many funded places were made available for the training of doctors at medical schools in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* the UK in each of the last five years; and what provision has been made for places in future years. [128319]

Mr. Wicks: The number of funded places made available for the training of doctors at medical schools in the past five years are:

	England	*Scotland*	*Wales*	*Northern Ireland*	*UK total*
1995–96	3,486	874	169	170	4,699
1996–97	3,594	888	185	166	4,833
1997–98	3,749	934	200	179	5,062
1998–99	3,735	956	200	178	5,069
1999–2000	3,980	923	226	177	5,306

The Government announced in July 1998 that the annual intake of medical students in the UK would be increased over the period to 2005 by about 1,000 places. In England the Higher Education Funding Council for England has announced the allocation of a total of 1,126 additional places. The funding to the Council takes these new places into account. A further increase in the number of medical students is being considered in recognition of the rapid development of services to underpin modernisation of the National Health Service. In Scotland, Wales and Northern Ireland these matters are for the devolved Administrations.

Primary School Teachers

Dr. Kumar: To ask the Secretary of State for Education and Employment (1) what steps he has taken to increase the number of male primary school teachers; [128291]

(2) what steps he has taken to increase the recruitment of male undergraduates to primary school teacher training. [128292]

Ms Estelle Morris: The Government recognise that men are currently under-represented in primary schools and would therefore like to see more qualifying as primary teachers. The trial introduction of £6,000 training salaries for postgraduate primary training may well encourage more applications from men for 2000–01. This will be evaluated. Under-represented groups, including men in the primary sector, will also be a priority target for the new £13,000 grants to schools who accept a trainee on the employment-based Graduate Teacher Programme.

The Teacher Training Agency has asked all providers of initial teacher training to set targets and draw up Action Plans for increasing the numbers of men entering undergraduate and postgraduate courses. Over 90 per cent. have now done so. In addition, more than a quarter of the taster courses funded by the Teacher Training Agency in the period June 2000-August 2001, which are designed to give prospective trainee teachers an insight into what teaching is like, are specifically focused on recruiting men.

School-based Learning Assistants

Mr. Gareth R. Thomas: To ask the Secretary of State for Education and Employment what funding is available to supply the training needs of primary school-based learning assistants; and if he will make a statement. [128746]

Ms Estelle Morris: Between 1999–2002, we are making available to local education authorities in England a total of £350 million to meet the cost of recruiting and training the equivalent of 20,000 new teaching assistants and to support the training of more experienced teaching assistants, so that they may develop their skills and further their careers. Of the allocation which they devolve to schools, local education authorities should pass at least 80 per cent. to primary schools.

Class Sizes

Mr. Martlew: To ask the Secretary of State for Education and Employment what the average primary class size in Cumbria was in each year since 1979; and if he will make a statement. [128285]

Ms Estelle Morris: The requested information is shown in the following table.

In the Cumbria local education authority area, the number of pupils in key stage 1 classes of 31 or more pupils was 854 in January 2000, compared with 2,572 a year earlier. This means that as few as 5.3 per cent. of these pupils remain in classes of over 30 pupils. Allocations of funding in Cumbria to support reductions in infant class sizes have so far amounted to £3.7 million. This funding has helped reduce the average size of key stage 1 classes in the Parliamentary constituency of Carlisle from 27.6 in January 1997, to 25 in January 2000. Over the same time period, the average size of key stage 2 classes in the constituency has fallen from 27.4 to 26.3; and the size of the average primary class from 27.4 to 25.7.

The Government are well on target to deliver their infant class size pledge in England with some £620 million made available to support the pledge. The number of pupils in infant classes of over 30 pupils has already fallen by 300,000.

Size of classes taught by one teacher in maintained primary schools in Cumbria local education authority 1979 to 2000

Position as at January each year

	Key stage 1		*Key stage 2*	*Overall primary*[1]
	Average class size	*Number of pupils in classes of 31 or more*	*Average class size*	*Average class size*
2000[2]	23.7	854	26.4	25.2
1999	24.9	2,572	26.8	25.9
1998	25.7	3,978	26.7	26.2
1997	25.9	3,788	26.9	26.3
1996	26.3	4,476	26.2	26.0
1995	[3]—	[3]—	[3]—	26.2
1994	[3]—	[3]—	[3]—	26.3
1993	[3]—	[3]—	[3]—	25.5
1992	[3]—	[3]—	[3]—	25.4
1991	[3]—	[3]—	[3]—	25.2
1990	[3]—	[3]—	[3]—	24.8
1989	[3]—	[3]—	[3]—	24.4
1988	[3]—	[3]—	[3]—	24.1
1987	[3]—	[3]—	[3]—	23.7
1986	[3]—	[3]—	[3]—	23.8
1985	[3]—	[3]—	[3]—	23.2
1984	[3]—	[3]—	[3]—	23.0
1983	[3]—	[3]—	[3]—	23.4
1982	[3]—	[3]—	[3]—	23.9
1981	[3]—	[3]—	[3]—	24.1
1980	[3]—	[3]—	[3]—	24.7
1979	[3]—	[3]—	[3]—	25.2

[1] Includes nursery, classes and mixed key stage classes.

[2] Provisional

[3] Not available (information not collected by specific key stages)

Mrs. Curtis-Thomas: To ask the Secretary of State for Education and Employment what percentage of classes of five, six and seven-year-olds in the Crosby constituency have been reduced since 1997. [127173]

Ms Estelle Morris: Information is not available in the form requested. The Department does not identify or monitor individual classes or registration groups.

The Government are well on target to deliver their pledge to limit infant classes to 30 pupils. In Crosby parliamentary constituency, the average size of key stage 1 classes taught by one teacher in maintained primary schools went down from 28.3 pupils per class in January 1997 to 26.2 pupils per class in January 2000. Since January 1997, there were 830 fewer pupils in Crosby schools being educated in key stage 1 classes of 31 or more, which represents a reduction by two-thirds of the number of pupils being educated in such classes.

Inner-city Schools

Mr. Hesford: To ask the Secretary of State for Education and Employment what recent steps his Department has taken to improve standards in inner city schools. [128262]

Ms Estelle Morris: In order to improve standards in inner city schools, my right hon. Friend the Secretary of State for Education and Employment has introduced Excellence in Cities (EiC). This is building on the measures already introduced to raise standards in all schools such as the literacy and numeracy strategies. The programme was launched in March 1999, and initially covered secondary schools in 25 authorities. It expanded in March this year to include a further 22 authorities and a primary pilot in the original EiC authority areas. Total spending for Excellence in Cities will be some £400 million over the first three years of the programme.

As a direct result of the first phase of the programme, there are already:

Some 800 learning mentors appointed and working in schools;

49 City Learning Centres identified—the first to open in the autumn;

Over 200 learning support units established;

Some 100 clusters of schools working together to enhance opportunities for gifted and talented pupils;

42 small Education Action Zones planned, with some already on stream; and

82 Beacon Schools and 25 specialist schools approved.

Phase 2 will see comparable developments in the new EiC partnership areas.

School Places (St. Albans)

Mr. Pollard: To ask the Secretary of State for Education and Employment what steps his Department has taken to help ensure that Hertfordshire Local Education Authority is able to increase the provision of school places in St. Albans to match *(a)* current needs and *(b)* future requirements generated by new housing developments; and if he will make a statement. [128143]

Ms Estelle Morris: It is the Local Education Authority's responsibility to ensure that there are sufficient school places within its area. It is under a duty to plan and keep under review the supply of school places, in the light of such issues as proposed housing development, so as to ensure that there is sufficient provision to meet demand.

The Department has supported bids for capital funding from Hertfordshire which met the published criteria for basic need. The Local Education Authority can make further bids for capital funding if need continues to grow. Such bids will be sought from Local Education Authorities in September through the Annual Capital Guideline process.

Teacher Training

Mr. Cohen: To ask the Secretary of State for Education and Employment if he will list the schools which have been granted funding for teacher training, indicating in each case their *(a)* phase and *(b)* location. [128105]

Ms Estelle Morris: Schools that have received grant from the Teacher Training Agency through their involvement in School Centred Initial Teacher Training consortiums are set out in table A. Table B lists the additional schools that will receive grant from September 2000. Many other schools receive funding through various initial teacher training partnership arrangements. The allocation of funds in such cases is decided locally.

Table A

School	*Primary*	*Secondary*
Challney High School for Boys, Luton	No	Yes
Clacton County High School, Clacton-on-Sea	No	Yes
Charles Darwin School, Biggin Hill, Kent	No	Yes
Mill Hill County High School, London	No	Yes
Buttsbury Infant School, Billericay	Yes	No
Woodrow First School, Redditch	Yes	No

Table A

School	*Primary*	*Secondary*
Leigh City Technical College, Dartford, Kent	No	Yes
Sharnbrook Upper School and Community College, Bedfordshire	No	Yes
West Oxford County Primary School, Oxford	Yes	No
Swaffield Primary School, London	Yes	No
All Hallows RC High School, Preston	No	Yes
St. Peter's High School, Gloucester	No	Yes
Thomas Telford School, Shropshire	No	Yes
Chelmer Valley High School, Chelmsford, Essex	No	Yes
Wigmore Primary School, Luton	Yes	No
South East Essex College, Southend-on-Sea	No	Yes
St. Thomas High School, Exeter	No	Yes
Sponne School, Northampton	No	Yes
Dartford Grammar School, Kent	No	Yes
Weymouth College, Dorset	No	Yes

Table B

School	*Primary*	*Secondary*
Copnor Junior School, Portsmouth	Yes	No
Penair School, Truro, Cornwall	No	Yes
Chestnut Grove School, Balham, London	No	Yes
South Benfleet Primary School, Chelmsford	Yes	No
Holy Family Catholic Primary School, Southampton	Yes	No
Northampton School for Boys, Northampton	No	Yes
Wells Park Primary School and Training Centre, Chigwell, Essex	Yes	No
Haberdashers' Aske's Hatcham College, London	No	Yes
St. Brendan's Sixth Form College, Bristol	No	Yes
Michael Sobell Sinai Primary, Middlesex	Yes	No

Early-years Education

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what estimate he has made of the additional costs of making early-years education freely available to all three-year-olds; and if he will make a statement. [127505]

Ms Hodge *[holding answer 27 June 2000]:* I refer the hon. Member to the reply given on 1 March 2000, *Official Report*, column 314W.

Disabled Access

Mr. Boswell: To ask the Secretary of State for Education and Employment what assessment he has made of SCOPE's report on disability access entitled "Left Out"; and what action he is taking to encourage employers *(a)* to comply with the requirements of Part III of the Disability Discrimination Act 1995 and *(b)* to accept the business case for disabled access. [127597]

Ms Hodge *[holding answer 27 June 2000]:* The Government have seen a draft copy of the report on SCOPE's Left Out campaign and we will consider it after it is launched on 3 July.

The Government are taking a number of steps to encourage service providers to comply with the requirements of Part III of the Disability Discrimination Act 1995 (DDA) and accept the business case for disabled access. On 29 June 1999, we published a Code of Practice which explains the duties under Part III and gives practical guidance on implementation. On 1 October last year, to coincide with further rights under Part III coming into force, we published an information booklet called "An Introduction for Small and Medium-sized Businesses". This explains the duties businesses and organisations have under Part III.

On 1 October 2004, the final stage of rights under Part III of the DDA will come into force. From then, in addition to their current duties, service providers will have to take reasonable steps to tackle physical features which make it impossible or unreasonably difficult for disabled people to use a service. On 8 May 2000 the Government and the Disability Rights Commission (DRC) launched a joint consultation exercise on a revised version of the Part III Code, a Practical Guide for service providers and the Government's proposals for a small number of Regulations under the Act. The consultation documents have been sent to a wide range of businesses and organisations. The exercise will last for three months. The DRC will consider the views expressed in the consultation before preparing final versions of the Code and Guide.

The DRC also has a part in encouraging employers to accept the business case for disabled people. Part of the DRC's remit is to be a central source of information and advice on the DDA. Employers and service providers are a key target audience and the DRC's Helpline is currently being promoted to business via advertisements in the regional and trade press. An interactive service is available between 8.00 and 20.00, and a range of leaflets and factsheets on all parts of the DDA is available free of charge. An ordering facility is available 24 hours a day, 7 days a week.

Standards Fund

Mr. Clappison: To ask the Secretary of State for Education and Employment, pursuant to his answer of 22 June 2000, *Official Report*, column 269W, on the Standards Fund, if he will break down the way in which sums surrendered for the Standards Fund were used. [128065]

Ms Estelle Morris: The sums surrendered for the Standards Fund 2000–01 were mainly used to provide further support for LEAs and schools to achieve the objectives of the specific grants in the programme, in particular Special Educational Needs, National Grid for Learning, and Protecting and Expanding Music Services. In addition, £9 million of the surrendered amount is being used to fund the new Pupil Allowance Scheme, announced on 27 April, for secondary schools in Excellence in Cities areas who accept difficult pupils outside the normal school admission round.

Lone Parents

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment how many families *(a)* in Coventry, South, *(b)* in the West Midlands Region and *(c)* nationally will benefit from Government measures aimed at helping lone parents balance work and family life. [127245]

Ms Hodge *[holding answer 26 June 2000]:* We do not yet have information about how many families will benefit as a result of the Work-Life Balance Campaign. This is a general campaign from which everybody stands to benefit: the economy; businesses; society; families, including those headed by lone parents; and individuals.

The New Deal for Lone Parents is a specific measure designed to help those lone parents on Income Support into work. Between October 1998 when the programme was rolled out nationally and the end of March 2000, NDLP has helped 94 lone parents in the Coventry, South constituency into jobs. The figure for the West Midlands Employment Service Region is 4,021 and the figure nationally is 44,640. Taking into account the earlier phases of NDLP the figure is 50,911. The Government have recently announced an expansion to this programme to allow support to be given to more lone parents.

School Funding (Warrington, North)

Helen Jones: To ask the Secretary of State for Education and Employment if he will list the primary schools in Warrington, North constituency which have received additional money to reduce class sizes. [127319]

Ms Estelle Morris *[holding answer 26 June 2000]:* The schools in Warrington, North which have received additional funding as part of the Government's initiative to limit infant classes to 30 pupils are as set out. £620 million is available to support the initiative, and allocations so far to Warrington LEA amount to £2.8 million. This has helped to reduce the size of the average Key Stage 1 class in Warrington, North to 25.9. The figure in January 1997 was 27.5. The number of children in infant classes of 31 or more pupils in the constituency has fallen from 1,450 in January 1997, to 710 in January 2000.

Brook Acre Community Primary
Callands Primary
Croft Primary
Culcheth Community Primary
St. Andrew's CE Primary
St. Elphin's Fairfield CE VA Primary
St. Margaret's CE VA Primary
St. Paul of the Cross Catholic Primary
Twiss Green Community Primary
Westbrook Old Hall Primary
Winwick CE Primary
Woolston Community Primary.

Special Schools (Closures)

Mr. Maclean: To ask the Secretary of State for Education and Employment how many special schools were approved for closure in each year since 1992. [122229]

Jacqui Smith: This information is not held centrally. While the date on which a school actually closes is a matter of public record, the date on which approval to close it was given is much less easy to identify and it has not been possible to obtain consistent information, despite every effort having been made to do so over the past few weeks.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Energy Use

Sir Sydney Chapman: To ask the Secretary of State for the Environment, Transport and the Regions what mechanisms he uses for monitoring energy use in different sectors of the economy. [127454]

Mrs. Liddell *[holding answer 26 June 2000]:* I have been asked to reply.

The Government collect information on energy use in different sectors from a variety of sources, including returns from energy companies themselves. Further information on energy use in different sectors of the economy, including data sources, may be found in the annual Digest of UK Energy Statistics. A copy of the 1999 edition has been placed in the Library. The 2000 edition will be published on 27 July.

Figures showing energy consumption by broad sectors of the economy, on a quarterly basis, are routinely published in the Department's monthly statistical bulletin, "Energy Trends".

Fuel Poverty

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on progress made in partnership with Transco on implementing the affordable warmth programme in advance of next winter. [127573]

Ms Hewitt: I have been asked to reply.

There has been significant progress on Affordable Warmth since my right hon. Friend the Secretary of State for Trade and Industry trailed the scheme in a speech last October. The Government have worked closely with Transco in developing the scheme, and, in particular, have amended the rules on capital allowances to encourage the use of lease financing for domestic central heating equipment which is central to the scheme's operation.

The scheme was formally launched to MPs, local authorities, and the fuel poverty lobby by my right hon. Friend the Secretary of State for Trade and Industry on 8 June. Transco subsequently presented the scheme to Welsh housing providers in Cardiff on 26 June.

There are two separate aspects to the scheme—the installation of central heating and insulation in the homes of the fuel poor, and the development of training opportunities for those employed through the scheme. On the first of these, Transco have given 175 presentations about the scheme to social housing providers, and planned installations so far include Inverclyde Council (3,500 homes) and Derby City Council (600 homes). Discussions are proceeding with Leicester City Council (3,000 homes). Many more housing providers—including Blaenau Gwent—have expressed interest.

Transco estimate that at least 3,000 homes will be treated by the end of the calendar year 2000, and perhaps many more than that as the scheme gathers momentum. We expect a million homes to be improved under the scheme over the next five years. This will significantly reduce the incidence of fuel poverty.

On the training front, there are already three live projects:

in Leicester, the first Environ Energy Advocates Project course began at the end of May, with six people trained so far and 40 projected by the beginning of December:

the Fenland District Council Central Heating in Partnership Scheme (CHIPS) begins on 1 July, for completion by 1 December, with 50 people to be trained;

the Affordable Warmth team is working in conjunction with the Gas Industry Training Organisation (GINTO) on the competition to create a training framework for adults coming into the gas installation and maintenance business.

Other projects currently under discussion include:

a partnership being developed between Transco and Braunstone's New Deal Task Force, to train 200 members of the community in Affordable Warmth-related skills (10 per cent. through New Deal, 50 Gas Installation Engineers) over a three-year period;

a bid to establish a consortium capable of delivering demand-led gas industry training in the London area (as part of the GINTO adult framework competition), to which Affordable Warmth have been invited to provide some funding.

Further regeneration areas being targeted include Hull and Luton. Transco expect that the scheme will create 10,000 training opportunities, with 3,000 of those becoming fully-qualified gas fitters. It is also expected that 3,000 opportunities will be made available for people under the New Deal.

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what work he is carrying out in collaboration with National Energy Action to relieve conditions of fuel poverty in the United Kingdom. [127576]

Mr. Meacher: The Department has supported the work of National Energy Action (NEA) for many years. This year it will be providing grant funding of £736,000 towards NEA's work in England, concentrating on: support to local authorities in developing affordable warmth strategies for their area; identifying how to reach fuel poor households in rural areas; and development of referral networks among ethnic minority communities.

Drink Driving

Mr. Alexander: To ask the Secretary of State for the Environment, Transport and the Regions what recent assessment he has made of the effectiveness of media campaigns in reducing the incidence of drink driving. [124053]

Mr. Hill: Our drink drive media campaigns have aimed to stimulate media and public awareness of the message not to drink and drive. They have also provided a focus for co-ordinated complementary activity by police forces, local authorities and many others in the public and private sectors. Effectiveness is measured on an ongoing basis by:

market research which tracks, each month, advertising recall and changes in attitudes across a range of road safety issues,

behaviour change indicators such as proportions failing breath tests and, over the longer term,

casualty statistics.

The tables show the reduction in casualties and in the percentage of positive breath tests over recent years.

Fatalities and serious injuries in drink drive accidents 1979 and 1998

Year	*1979*	*1998*	*Percentage difference*
Fatalities	1,640	460	-72
Serious injuries	8,300	2520	-70

Percentage of breath tests which were positive/refused 1988–1998

Year	*Percentage positive/refused*
1988	25
1989	20
1990	17
1991	16
1992	17
1993	15
1994	14
1995	13
1996	13
1997	13
1998[1]	12

[1] Provisional

GM Crops

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions if he has *(a)* been and *(b)* asked to be provided with information on whether any of the conventional rapeseed grown in the farm-scale evaluations contains genetically modified rapeseed; and if he will place copies of the written information in his possession in that regard in the Library. [126098]

Mr. Meacher *[holding answer 15 June 2000]:* I have been advised that none of the Farm Scale Evaluation sites in England have been planted with the affected batches of Advanta Hyola rapeseeds, but I understand that the evaluation site in Scotland has been.

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to the statement on 18 May 2000, *Official Report*, column 475, when the seed purity checks were put in place; how many consignments of GM seeds have been checked to date; to what degree of purity the seeds were tested; and what were the results of the tests. [126855]

Mr. Meacher *[holding answer 19 June 2000]:* My Department has asked the Central Science Laboratory (CSL) to check for GM contamination of imports of oilseed rape and maize, as part of CSL's wider responsibilities for inspection and enforcement relating to GM releases and marketing. CSL are currently compiling data from which an appropriate inspection programme is being developed.

The programme will be in place in good time for the sowing of winter oilseed rape, which CSL will consider as its first priority.

Departmental Cars

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what is the *(a)* make, *(b)* model and *(c)* number of each make and model of car (i) owned and (ii) leased by his Department; and what is the (1) purchase price and (2) annual cost of the lease on each car. [127396]

Ms Beverley Hughes: Information about the make and model of cars owned or leased by my Department has been placed in the Library of the House. Information about purchase price and lease costs is not held centrally.

Interactive Voice Response Systems

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions how many of his Department's telephone lines used by the general public are responded to by interactive voice response systems. [127390]

Ms Beverley Hughes: None of the telephone lines of DETR(c) currently use an Interactive Voice Recognition (IVR) system.

Pursuant to my answer of 22 June 2000, *Official Report*, column 245W, I have been informed that two of the Department's Agencies—the Driver and Vehicle Licensing Agency (DVLA) and the Driving Standards Agency (DSA)—make limited IVR facilities available to callers not using touch-tone telephones. DVLA has 345 telephone lines and DSA has up to 380 lines that have this facility.

I apologise for the error in my previous answer.

Regional Planning Guidance (South East)

Mrs. Gillan: To ask the Secretary of State for the Environment, Transport and the Regions how much funding was allocated for distributing copies of the draft regional planning guidance for the South East. [127798]

Ms Beverley Hughes: The costs to date met by Government of distributing copies of draft regional planning guidance for the South East have been approximately £3,500 by my Department, and approximately £12,300 incurred by the Government Office for the South East.

Gas Safety Review

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions (1) how many responses were received to the consultation on the "Gas Safety Review: Options for Change" document; [127972]

(2) if he will list *(a)* the organisations and *(b)* the individuals responding. [127982]

Mr. Meacher: In total 664 replies to the Options for Change discussion exercise were received by HSE. These comprise 290 responses to questions raised by the main discussion document, and the associated document Key Issues for Consumers; and 374 responses to questionnaires from consumers in Glasgow and Lambeth, arising from related consultative exercises arranged jointly with local authorities.

A list of the organisations and individuals who responded has been placed in the House of Commons Library, and in HSE's Information Centres in London, Sheffield and Bootle.

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions when he expects to make an announcement concerning changes to be implemented following the "Gas Safety Review: Options for Change" document. [127983]

Mr. Meacher: The Health and Safety Commission plans to report to Ministers with findings and recommendations during the summer. In the light of that we will make an announcement.

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions when he expects the HSE to reach conclusions on the "Gas Safety Review: Options for Change" document. [127984]

Mr. Meacher: The review is being carried out on behalf of the Health and Safety Commission. HSC is likely to reach conclusions in the summer, before reporting to Ministers.

London Boroughs Central Support Protection Grant

Ms Glenda Jackson: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to increase the central support protection grant for London boroughs in order to implement the Government's priorities. [127850]

Ms Beverley Hughes: We announced during the debate on this year's Local Government Finance Settlement, on 3 February 2000, *Official Report*, column 1271, that we intend to use the same central support protection grant arrangements for 2001–02 that we used for this year. These arrangements ensure an increase of at least 1.5 per cent. in grant for London boroughs and other local authorities with education and social service responsibilities.

London Underground

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the performance of driverless trains on the London Underground in relation to attributable delays, with special reference to peak hour traffic; and for what reason not all new rolling stock is equipped for driverless operation. [128041]

Mr. Hill: All London Underground trains have drivers. However, it is true that Automatic Train Operation (ATO) gives improved consistency of performance. ATO is already used on the Victoria line and on parts of the Central line. The driver, however, can always override the system if necessary. There are plans to extend its use on the Central line later this year and ATO for other lines will be considered at times of major upgrade.

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the performance of the London Underground Central Line in 1999 in relation to attributable delays, with special reference to the age of rolling stock involved. [128040]

Mr. Hill: New rolling stock was introduced on the Central Line in 1993 and 1994, which incorporated a number of revolutionary new train system developments from which passengers are already benefiting. London Underground are working to remedy particular problems with the final trainborne element of the Automatic Train Operation (ATO) signalling system.

Climate Change

Mr. Pollard: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the Draft Programme on Climate Change on the additional costs which would fall on *(a)* air conditioning manufacturers and *(b)* consumers in the United Kingdom from a ban on the use of HFCs; and if he will make a statement on the draft programme's impact on the international competitiveness of UK air conditioning manufacturing. [128039]

Mr. Meacher: No assessment has been made of the additional costs that would fall on air conditioning manufacturers and consumers from a ban on the use of HFCs because the Government have not proposed such a ban.

The draft climate change programme includes a policy statement on HFCs that sends a clear signal to industry and users not to use HFCs where more environmentally acceptable, safe, technically feasible and cost-effective alternatives exist. At the same time we recognise that HFCs are necessary to replace ozone-depleting substances in some applications, and that HFC emissions reduction strategies should not undermine commitments to phase out ozone-depleting substances under the Montreal Protocol.

The Government have made it clear that they aim to put in place a climate change programme that safeguards and enhances UK competitiveness. We recognise the concern business has expressed about the implications of action on climate change for the UK's international competitiveness, but believe that the measures in the draft programme are consistent with that aim.

West Coast Mainline Upgrade

Mr. Pollard: To ask the Secretary of State for the Environment, Transport and the Regions what action his Department is taking to ensure that Railtrack provide the signalling infrastructure, as part of the West Coast Mainline Upgrade, to give the train operating company holding the franchise for the St. Albans Abbey to Watford Junction line the ability to operate through services to London from St. Albans Abbey station. [128142]

Mr. Hill: Trains from St. Albans Abbey can operate at present onto the main line at Watford Junction with special permission, although not for regular services. As part of the current plans for the West Coast Main Line Upgrade a new island platform, which can take eight car trains, will be constructed at Watford Junction to replace platform 11 currently used by St. Albans Abbey trains. The associated new signalling will allow trains to pass to and from the London Euston lines on a regular basis. It would then be a matter for the franchise operator to discuss with interested local stakeholders the need for and viability of through services between London Euston and St. Albans Abbey via Watford Junction.

Seat Belts

Mrs. Ray Michie: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 2 May 2000, *Official Report*, columns 3–4W, on seat belts, if he will list the Scottish local authorities participating in the public consultation exercise on draft regulations regarding the fitting of seat belts; and if he will make a statement. [127912]

Mr. Hill *[holding answer 29 June 2000]:* As the proposals concerned the national implementation of European Directive vehicle construction provisions, only those local authorities which had previously expressed a specific interest in the issue were consulted, which included no Scottish authorities.

Housing

Ms Moran: To ask the Secretary of State for the Environment, Transport and the Regions what measures he intends to take to increase housing supply on *(a)* brownfield and *(b)* urban sites. [128314]

Ms Beverley Hughes: Planning Policy Guidance note 3: Housing, issued in March, provides guidance on planning for housing. One of its main objectives is to ensure that better use is made of previously developed land and buildings for additional housing, particularly within urban areas. PPG3 has introduced a sequential approach which requires previously developed land and buildings in urban areas to be considered for development in preference to greenfield sites.

Incinerators

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions what account he takes of local objections when deciding on planning applications for building incinerators. [128811]

Ms Beverley Hughes: When my right hon. Friend decides any planning application he does so after having looked carefully at all the relevant considerations, including all representations made to him, whether in favour of the proposed development or against it.

Sir Paul Beresford: To ask the Secretary of State for the Environment, Transport and the Regions what guidance he gives on the desirability of siting waste incinerators near to principal sources of waste where the proposed site is *(a)* rural and *(b)* urban; and if he will make a statement. [128810]

Ms Beverley Hughes: Guidance to local authorities is given in Planning Policy Guidance Note 10 (Planning and Waste Management), published in September 1999. This states that the "proximity principle" is one of the key principles on which waste management decisions should be based, namely that waste should generally be managed as near as possible to its place of production, because transporting waste itself has an environmental impact. This holds good equally for rural and urban locations.

The other key principles to be followed in decisions on the siting of waste incinerators are:

consideration of the Best Practicable Environmental Option (BPEO)—the option that provides the most benefits or the least damage to the environment as a whole, at acceptable cost, in the long term as well as the short term;

regional self-sufficiency—that most waste should be treated or disposed of in the region in which it is produced;

the waste hierarchy—a theoretical framework which acts as a guide to assessing the BPEO in selecting waste management options.

A130

Mr. Burns: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to integrate the A130 into a second London orbital road; and if he will make a statement. [128617]

Mr. Hill: The A130 forms a major North-South route through Essex linking the towns of Great Dunmow and Chelmsford with South East Essex and Basildon. It carries a substantial volume of traffic, passing through communities with consequent environmental and safety problems for the residents.

The A130 Improvement, South of Chelmsford, is being constructed as a local bypass for some of these communities and to relieve them of the effects of the traffic. It is not intended that this or any length of the A130 should become part of a second London orbital road.

Montreal Convention

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has made in relation to the Montreal Convention to ensure UK passengers will be able to claim compensation for psychiatric injury caused by air accidents; and if he will make a statement. [128317]

Mr. Hill: Damages for mental injury caused by air accidents are already recoverable in the UK when associated with physical injury. In preparation for the Diplomatic Conference held in Montreal in May 1999, at which the Convention was signed, the UK supported a proposal by Sweden for a separate head of claim for mental injury. Prior to the Conference, however, that proposal was withdrawn from the draft text of the Convention. Our position was that a separate claim for mental injury could be advocated only if there was sufficient support to gain global agreement. There was not sufficient support so, in the interest of securing the best deal for the UK, it was decided to support the text of the Convention without a separate reference to mental injury. The Conference "travaux préparatoires", nevertheless, indicate that damages for mental injury can be recovered in certain states and that jurisprudence in this area is developing.

Mr. Dismore: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on progress towards ratification of the Montreal Convention. [128316]

Mr. Hill: Primary legislation in the form of a new Carriage by Air Act is required before the UK can ratify the Montreal Convention. We aim to introduce that legislation as soon as parliamentary time allows. The Convention requires ratification by 30 states before it can come into force. To date, three states have deposited instruments of ratification.

Stations (Crime)

Mr. Simon Hughes: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* property and *(b)* violent crimes were recorded by the British Transport Police at (i) railway stations and (ii) coach and bus stations in each of the last five years; and if he will make a statement. [128303]

Mr. Hill: The British Transport Police (BTP) are responsible for policing the national railway, London Underground and a number of light rail systems. They do not police coach or bus facilities.

The BTP's crime database does not allow the figures for crime locations to be extracted easily and providing the figures for railway stations alone could be obtained only at disproportionate cost. The tables include figures for property and violent crime over the last five years on the whole railway network.

Property and violent crime on whole railway network 1994–99

	1994–95	*1995–96*	*1996–97*	*1997–98*	*1998–99*
Property crime					
Criminal damage	9,892	10,502	9,127	7,261	6,543
Theft passenger property/goods	20,766	21,206	18,625	19,381	19,099
Vehicle crime	19,817	20,811	18,011	15,220	14,337
Theft railway property/burglary	8,472	7,986	7,138	6,098	6,619
Total	49,055	50,003	43,774	40,699	40,055
Violent crime					
Notifiable violent offences	1,735	1,571	1,547	1,639	1,751
Notifiable sexual offences	578	603	675	756	680
Robberies	1,846	2,431	2,273	1,836	1,874
Total	4,159	4,605	4,495	4,231	4,305

Mr. Simon Hughes: To ask the Secretary of State for the Environment, Transport and the Regions how many and what proportion of railway stations have become accredited as secure stations; what standards have to be met to achieve the accreditation; what measures he is taking to ensure more stations are so accredited; and if he will make a statement. [128302]

Mr. Hill: There are currently 61 stations accredited under the Secure Stations Scheme (out of approximately 2,800 stations in Great Britain). The Secure Stations Scheme, which was launched in April 1998, is designed to improve and standardise good security practices at all overground and underground stations. To become an accredited Secure Station, each station operator needs to work with their local British Transport Police Crime Prevention Operator to ensure that their station meets the national standards on design and management to cut down crime. The standards relate to such measures as staff training, Help Points, CCTV, lighting and information. Operators also have to conduct an independent passenger survey to see whether passengers feel safe at the station and provide evidence that crime rates are low.

We are aware that a number of stations are currently working towards accreditation and we are hopeful of having around 100 stations accredited by the end of the year. We will continue to work with the rail industry to encourage further accreditations.

Powershift Programme

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions when he will announce a decision about Safeway's application for grant funding from the Powershift programme for assistance towards the acquisition of 40 gas powered trucks; and if he will make a statement. [128374]

Mr. Meacher: Safeway's application for grant funding exceeds the £250,000 discretionary cap that may generally be offered by the Powershift programme to a single company. This cap was introduced to ensure that many organisations could benefit from Powershift grants rather than all of the programme's budget being used to support a large order for vehicles from a single company. The cap is discretionary, however, and there will be cases where larger grants can be justified because they will make a significant impact on the market for alternative fuels.

Powershift's advisory panel, comprising officials from my Department, DTI and the Energy Saving Trust, is meeting today to agree the level of grant funding to be offered to Safeway's. The Trust will announce the decision of the panel immediately following this meeting.

Rail Freight Competition

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions (1) what assessment was made by the consultants for the sSRA's recent rail freight competition of the viability of the mechanical engineering performance claims and their costs for the three projects that made the final of the competition; and if the consultants highlighted any limitations of use or cost-effectiveness of the winning products; [128373]

(2) which consultancy firm was retained by the shadow Strategic Rail Authority for its recent rail freight competition; and what were the headings of its remit. [128381]

Mr. Hill: The consultants appointed to review the proposals for the sSRA's railfreight competition were Ove Arup and Partners. Their remit was to review the five shortlisted proposals submitted by applicants for the competition and to provide an independent assessment of each proposal using the criteria published by the sSRA.

The consultant's remit did not include any requirement to make an assessment of the viability of the mechanical engineering performance claims for the five shortlisted entries. There was a requirement to review the costs proposed and whether they were realistic and robust for each project. There was also a requirement to examine the applicability of the proposed project to other supply chains. The sSRA subsequently made its own assessment and judged the proposals on value for money criteria.

Cycling

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will list the funding made available in each year since 1984–85 to each local authority for spending on schemes to encourage cycling; [128378]

(2) how much the Government spent in each year since 1984–85 on schemes to encourage cycling. [128379]

Mr. Hill: This information is not available in the form requested.

As far as local authority schemes are concerned no separate funding is made available to encourage cycling. It is for individual authorities to decide the amount spent on cycling from their overall total allocation of funding.

Between 1991–92 and 1999–2000, local highway authorities received funding for integrated transport packages and minor works, including cycling, as part of the annual local transport capital settlement. From 2000–01 onwards, authorities will receive an integrated capital block allocation each year for all local transport and maintenance purposes except schemes costing more than £5 million, which are funded separately.

The following table gives details of allocations from 1991–92 to 2000–01, from which spending on schemes to encourage cycling could be made.

£ million

Year	*Amount available*
1991–92	120
1992–93	109
1993–94	125
1994–95	70
1995–96	128
1996–97	118
1997–98	79
1998–99	85
1999–2000	160
2000–01	250

As to other expenditure the Department funds research into promoting cycling and making it safer. We issue guidance based on the results of research through our Local Transport Notes and Traffic Advisory Leaflets. In addition we are funding the marketing of the National Cycling Strategy and in 1996–97 around £2 million were provided by the Department to fund schemes in the Cycle Challenge project.

M4 Bus Lane

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what was the total cost of producing the video of the M4 bus lane entitled, "The First Three Months"; how many copies of the video were made; and how many have been distributed. [128377]

Mr. Hill: The only publication entitled "The First Three Months" was a leaflet. 10,000 were printed at a cost of £1,419.40 (including VAT). About 9,600 have been distributed since it was first made available at the Earls Court Motor Show held in October 1999.

Air Traffic Control (Software Failure)

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if the flight data software that failed at West Drayton on Saturday 17 June is no longer in use; and if he will make a statement. [128376]

Mr. Hill: The software version that was withdrawn on 17 June was subjected to analysis and the fault identified. A suitable software remedy was devised and, following thorough testing, the version was restored to the Flight Data Processing System during the quiet hours overnight on 26 to 27 June.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about the software failure at West Drayton air traffic control centre on 26 June. [128372]

Mr. Hill: The software failure that occurred at 14.49 hours GMT at the London Area and Terminal Control Centre at West Drayton on 26 June was caused by a flight plan that could not be processed. The system was out of service for only three minutes. NATS has identified the software fault and is in the process of identifying and testing a suitable software remedy. This fault is totally unrelated to the failure on 17 June which was caused by a latent design fault in the flight strip printing system.

Signals Passed at Danger

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on recent incidents of signals passed at danger by trains on lines on the approaches to Paddington Station. [128375]

Mr. Hill: The Health and Safety Executive independently investigates all serious incidents of signals passed at danger (SPADs). They are investigating a number of recent incidents in the Paddington area, and in particular an incident on 16 June when a Thames Trains Turbo passed a signal at danger at Royal Oak. HSE has ensured that the computer tapes from the signal box and from the train's on-board data recorders have been secured as evidence. HSE has also been seeking further assurances from Railtrack regarding the safe working of trains between Slough and Paddington. Following the completion of HSE's inquiries, the results of their investigations will be included in HSE's monthly "signals passed at danger" report to Ministers, copies of which are placed in the House of Commons Library.

Channel Tunnel Rail Link

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what plans London Underground has developed to cope with the increase in traffic at King's Cross-St. Pancras underground station once Phase II of the Channel Tunnel Rail Link is completed with King's Cross-St. Pancras as its terminus; and if he will place a copy of these plans in the Library. [128371]

Mr. Hill: Improvements to King's Cross-St. Pancras underground station have always been envisaged as part of the works for the Channel Tunnel Rail Link. In January 1999 my predecessor, my hon. Friend the Member for Hampstead and Highgate (Ms Jackson), announced that these improvements were to go ahead and be financed by Government as part of their contribution to the link.

The improvements include two new ticket halls and new passageways at the station which will double its existing capacity and allow it to cope with the expected influx of passengers using Eurostar when the high speed link to the Channel Tunnel opens. They will also meet the requirements of the Fennel report into the King's Cross underground station fire. Construction is due to start later this year and be completed in time for the opening of the full link (currently expected in 2007).

I will arrange for a copy of an outline plan for the new ticket halls to placed in the Library of the House.

Coulsdon Inner Relief Road

Mr. Ottaway: To ask the Secretary of State for the Environment, Transport and the Regions (1) when construction of the A23 Coulsdon Inner Relief Road will commence; [128382]

(2) if he will make a statement on his Department's powers in respect of the construction of the Coulsdon Inner Relief Road in 2001. [128295]

Mr. Hill: As from today (3 July), Transport for London is the highway and traffic authority for the A23 which is part of the GLA Road Network. The question of progressing schemes related to GLA roads is a matter for the Mayor and Transport for London.

Rail Safety

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions if he will call for a report from Railtrack on the near head-on crash on the London-Liverpool Street line to Colchester on Sunday 25 June; and if he will make a statement. [128523]

Mr. Hill: Both Railtrack and the Health and Safety Executive's (HSE)'s Railway Inspectorate are carrying out investigations. The results of HSE's investigation will be included in the monthly "signals passed at danger" report to Ministers, copies of which are placed in the House of Commons Library.

PRESIDENT OF THE COUNCIL

House of Lords Reform

Ann Keen: To ask the President of the Council if she will make a statement on her plans for a joint committee of both Houses to consider the parliamentary aspects of reform of the House of Lords, as set out in the White Paper "Modernising Parliament: Reforming the House of Lords" (Cm 4183). [129008]

Mrs. Beckett: As I confirmed on 19 June, we aim to establish a Joint Committee of both Houses to consider the Parliamentary implications of the Royal Commission on Reform of the House of Lords' proposals for the composition of the second chamber, which the Government have broadly accepted. We intend that it should begin work as soon as possible after the summer recess. We are opening discussions through the usual channels in both Houses on the membership and precise terms of reference.

CABINET OFFICE

Parliamentary Questions

Mr. Maclennan: To ask the Minister for the Cabinet Office, pursuant to "The Government's Measures of Success: Output and Performance Analyses", published by HM Treasury on 31 March 1999, pages 116 and 117, if she will state the targets she has set *(a)* for the percentage of all named day parliamentary questions to be answered substantially by the date specified by the hon. Member and *(b)* for answering ordinary written parliamentary questions within five days of the date specified by the hon. Member. [127664]

Marjorie Mowlam: We aim to answer all parliamentary questions on time and we will continue to look at ways to improve our performance.

Interactive Voice Response Systems

Mr. Ben Chapman: To ask the Minister for the Cabinet Office how many agencies of her Department use interactive voice response systems when dealing with telephone inquiries from the general public. [127115]

Mr. Ian McCartney: The Government Car and Despatch Agency, which is the only agency of the Cabinet Office, does not normally deal with members of the general public and does not use interactive voice response systems.

The Central Office of Information is a department and executive agency that reports to my right hon. Friend the Minister for the Cabinet Office. It does not itself use interactive voice response systems when dealing with inquires that it receives directly from the general public. However, as part of its Direct Marketing services it employs agents, on behalf of Government clients, who use interactive voice response systems as a backup to live handling of calls.

TREASURY

Internet Purchasing

Mr. Robertson: To ask the Chancellor of the Exchequer what plans he is making to accommodate the increased quantities of letters and parcels containing goods from overseas likely to result from internet purchasing while such letters and parcels are being assessed for VAT and import duties. [126095]

Mr. Alan Johnson: I have been asked to reply.

These are matters for the Post Office and other companies handling such packets to determine in liaison with HM Customs and Excise.

British Telecom

Barbara Follett: To ask the Chancellor of the Exchequer if he will make a statement on the Treasury's residual holding of British Telecom plc shares. [129190]

Mr. Andrew Smith: On 27 June 2000, the Treasury sold 11,096,309 ordinary shares in British Telecom plc which it had held following earlier share sales. The shares were sold, via a competitive auction conducted by ABN AMRO Rothschild on the Treasury's behalf, to Schroder Salomon Smith Barney at a price of £9.25¼ per share, generating total proceeds of £102.7 million. The Treasury now retains only a very small number of shares to meet any future appeals for bonus shares arising from the BT2 and BT3 flotations.

Foreign Taxation

Mr. Redwood: To ask the Chancellor of the Exchequer what assistance the UK authorities give to *(a)* French and *(b)* Belgian tax authorities in the recovery of tax owed by UK citizens to those authorities. [128606]

Dawn Primarolo: There are arrangements for the UK to assist the recovery of tax claims of other countries' tax authorities under EC Directive 76/308 on mutual assistance.

Working Families Tax Credit

Mrs. Ewing: To ask the Chancellor of the Exchequer how many advisers, dealing with the working families tax credit system, have been trained specifically to deal with employees who as part of their contract receive bonuses in the course of their employment; in what circumstances such bonuses are included for assessment purposes; and how this applies to military personnel. [128520]

Dawn Primarolo: Staff on processing sections and on helplines in the Tax Credits Offices in Great Britain and Northern Ireland are all trained to deal with questions about the income relevant to an application for the Working Families Tax Credit, or to refer such questions to the relevant specialists for advice. Bonuses which are paid as part of normal remuneration, and bonuses which are paid separately from normal remuneration, for example, for periods longer than the normal pay period are included for assessment purposes. This applies equally to bonuses paid to military personnel.

Dr. Kumar: To ask the Chancellor of the Exchequer how many families have benefited from the working families tax credit and by how much *(a)* nationally, *(b)* in Teesside and *(c)* in the constituency of Middlesbrough, South and Cleveland, East; and if he will make a statement. [128510]

Dawn Primarolo: The number of families in receipt of the Working Families Tax Credit (WFTC) at the end of April 2000 is provisionally estimated at 1,053,000. 17,100 of these were in Darlington, Hartlepool, Middlesbrough, Redar and Cleveland and Stockton-on-Tees unitary authorities. I refer my hon. Friend to my answer to my hon. Friend the Member for Crosby (Mrs. Curtis-Thomas) on 28 June 2000, *Official Report*, column 537W, for the number of WFTC awards in the Middlesbrough, South and Cleveland, East constituency.

The national average value of awards current at April 2000 is estimated at £73 per week. For the North East region it is estimated at £71 per week. There are too few cases in the 5 per cent. sample of awards used for these analyses to provide reliable estimates of average awards at the local authority or constituency level.

Comprehensive Spending Review

Mr. Portillo: To ask the Chancellor of the Exchequer when he will publish the Comprehensive Spending Review. [128556]

Mr. Andrew Smith: A date for the 2000 Spending Review is not yet fixed, but it will be in July.

Road Fuel

Mr. William Ross: To ask the Chancellor of the Exchequer what his estimate is of the revenue lost in each of the last five years due to road vehicles registered and kept in Northern Ireland purchasing their fuel in the Irish Republic. [128612]

Dawn Primarolo: I refer the hon. Member to the answer I gave the hon. Member for Lewes (Mr. Baker) on 20 March 2000, *Official Report*, column 442W.

PFI Contracts

Mr. Alan Williams: To ask the Chancellor of the Exchequer if he will list the PFI contracts entered into by his Department, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if his Department has a claw-back entitlement to share in savings arising from refinancing. [129059]

Mr. Andrew Smith: There is one Treasury PFI contract for the refurbishment of its main building. The answer to the specific questions are:

(a) Financial close was on 5 May 2000.

(b) Estimated capital spending by the private sector partner is £118 million.

(c) No.

(d) Yes.

Climate Change Levy

Dr. Kumar: To ask the Chancellor of the Exchequer if he will list those industry sectors and businesses given *(a)* full and *(b)* partial exemption from the climate change levy. [128631]

Mr. Timms: The Government's aim in designing the climate change levy has been to maximise its environmental effectiveness while safeguarding the competitiveness of UK business.

The Government have recognised the case for giving special treatment to energy intensive sectors because of their high energy costs and their exposure to international competition. Those eligible energy intensive sectors which enter into agreements to implement all cost-effective energy saving measures and achieve carbon or emissions targets which meet the Government's criteria will qualify for an 80 per cent. discount from the levy rates.

Sectors which have already agreed indicative energy efficiency targets are Cement; Food and Drink (as represented by the Food and Drink Federation); Glass; Non-ferrous metals; Aluminium; Paper; Chemicals; Foundries; Steel and Ceramics. A number of smaller energy intensive sectors are also involved in negotiations for a sector agreement. Details of the final agreements will be published later in the year.

The Government have also recognised the unique position of horticulture as an energy intensive sector, exposed to international competition but not eligible for a negotiated agreement and benefiting from special treatment in other EU states. Budget 2000 announced a special package of measures for the horticulture sector: targeted support from the climate change levy energy efficiency fund; extending the list of investments qualifying for enhanced capital allowances to include thermal screens; and a temporary 50 per cent. discount on the levy for a period of up to five years while energy efficiency measures take effect.

The Government believe, in line with the view expressed by Lord Marshall, that all businesses should have the incentive to save energy at the margin. For this reason there are no total sectoral exemptions from the levy.

National Insurance

Dr. Lynne Jones: To ask the Chancellor of the Exchequer what plans he has to inform women who have retained the right to pay the reduced rate of National Insurance contributions of the effect this will have on their future benefit entitlement. [128598]

Dawn Primarolo: A publicity exercise will be undertaken later this year. It will be aimed at all women who hold a valid election to pay National Insurance contributions at the reduced rate.

Dr. Lynne Jones: To ask the Chancellor of the Exchequer if women who have not revoked their right to pay reduced rate National Insurance contributions *(a)* are entitled to receive credits on submission of medical certificates if they are too ill to work and *(b)* can pay voluntary Class 3 contributions for retirement pension for recent gaps in their national contribution record. [128600]

Dawn Primarolo: Women with a valid election to pay National Insurance contributions at the married womens' reduced rate are not entitled to receive National Insurance credits and they cannot pay voluntary Class 3 contributions.

Married Couple's Allowance

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what was the cost of administering the married couple's allowance per recipient married couple in financial year 1999–2000; what estimate he has made of administering the married couple's allowance per recipient married couple for those born before 6 April 1935 in financial year 2000–01; what estimate he has made of administering the married couple's allowance per recipient married couple for those aged over 75 in financial year 2000–01; and if he will make a statement. [128601]

Dawn Primarolo: The administration of the married couple's allowance is part of the Inland Revenue's routine work and is not separately identified in running costs.

Children's Tax Credit

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer how many taxpayers he estimates will receive less than the full amount of Children's Tax Credit due to having a taxable income less than the maximum amount of Children's Tax Credit in the next three years; and if he will make a statement. [128602]

Dawn Primarolo: The Children's Tax Credit (CTC) will benefit about 5 million families and will take out about half a million of them out of tax altogether. CTC is one of a range of measures to focus resources on families with children and reduce child poverty. We have also increased child benefit to record levels and have introduced the Working Families Tax Credit, which has already benefited over 1 million low income families.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the number of taxpayers who will receive Children's Tax Credit at less than the full rate in the next three years; and if he will make a statement. [128603]

Dawn Primarolo: The Children's Tax Credit (CTC) will benefit about 5 million families. So that it is focused on low to middle income families, if there is higher rate taxpayer in the family, the credit (£442) is gradually withdrawn at the rate of £1 of credit for each £15 of income. CTC is one of a range of measures to focus resources on families with children and reduce child poverty. We have also increased child benefit to record levels and have introduced the Working Families Tax Credit, which has already benefited over 1 million low income families.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the cost of administering the taper element to the Children's Tax Credit in the financial year 2000–01; and if he will make a statement. [128604]

Dawn Primarolo: The administration of the taper element of the Children's Tax Credit is part of the Inland Revenue's routine work and is not separately identified in running costs.

Mr. Ottaway: To ask the Chancellor of the Exchequer how many staff in the Inland Revenue were employed in administering the *(a)* married couple's allowance and *(b)* additional personal allowance in each of the last five years; and how many he expects will be employed in administering the Children's Tax Credit in (i) the current year and (ii) each of the following three years. [128610]

Dawn Primarolo: The administration of the married couple's allowance, additional personal allowance and Children's Tax Credit is part of the Inland Revenue's routine work and is not separately identified in running costs. Staff are not exclusively employed on administering any of these allowances.

Pensioners

Mr. Soley: To ask the Chancellor of the Exchequer at what level of income *(a)* single pensioners and *(b)* pensioner couples started paying income tax in financial years (i) 1996–97, (ii) 1997–98, (iii) 1998–99 and (iv) 1999–2000. [128359]

Dawn Primarolo: An individual's income tax liability depends on the levels of income of different types that he or she receives and the tax reliefs due. A husband and wife are each taxed on their individual income.

The personal and married couple's allowances available to individuals aged 65 and over in each of those years are set out in the table:

£

	1996–97	*1997–98*	*1998–99*	*1999–2000*
For those aged 65–74				
Personal allowance	4,910	5,220	5,410	5,720
Married couple's allowance[3]	[1]3,115	[1]3,185	[1]3,305	[2]5,125
For those aged 75 and over				
Personal allowance	5,090	5,400	5,600	5,980
Married couple's allowance[4]	[1]3,155	[1]3,225	[1]3,345	[2]5,195
Income limit	15,200	15,600	16,200	16,800

[1] Relief available at 15 per cent.

[2] Relief available at 10 per cent.

[3] This allowance is given if one of the spouses is aged 65–74 for the year in question.

[4] This allowance is given if one of the spouses is aged 75 or over for the year in question.

Note:

The age-related element of the personal allowance is reduced by £1 for every £2 of income over the income limit until the personal allowance for someone under 65 is reached. The age-related element of the married couple's allowance is reduced in the same way until the allowance for those aged under 65 is reached.

Sanitary Protection Products

Mr. Beggs: To ask the Chancellor of the Exchequer what discussions he has had with retailers on the rates of VAT charged on *(a)* sanitary protection products and *(b)* incontinence pads. [128492]

Dawn Primarolo: The VAT rate on sanitary protection products is being reduced to 5 per cent. from 1 January 2001. Customs are consulting a number of retailers, manufacturers, wholesalers and their representatives, many of which sell both products, about the implementation of this change. There is also open consultation via the internet.

Tobacco

Mr. Robertson: To ask the Chancellor of the Exchequer what the total revenue to the Exchequer was from all tobacco products for the last five year period for which figures are available; and what estimate he has made of the tax take from these sources over the next three years. [R] [128496]

Dawn Primarolo: The receipts from all tobacco products for the last five years are published in the National Statistics publication "Financial Statistics".

A forecast of receipts from all tobacco products was published in "The Financial Statement and Budget Report" in March 2000.

Savings (Taxation)

Mr. Denzil Davies: To ask the Chancellor of the Exchequer when he expects an agreement to be reached by the Council of Ministers on the substantive content of the Directive on the taxation of savings. [128445]

Dawn Primarolo: The European Council has endorsed the report on the tax package by the ECOFIN Council and agreed on its principles and guidelines. This is an excellent agreement for Britain and for Europe; and it shows once again how the strategy of positive engagement in Europe both protects and indeed enhances the country's national interest. ECOFIN's report of 20 June on the Tax Package has been deposited in the Libraries of both Houses.

Environment

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the annual amount of public subsidies which encourage the use of environmentally damaging goods and services, as defined by the 3 report of the British Government Panel on Sustainable Development 1997. [128097]

Mr. Andrew Smith: At present there is too much uncertainty as to the values appropriate in many specific instances for any meaningful calculation of the total of such implicit subsidies to be possible.

Single Currency

Mr. Bercow: To ask the Chancellor of the Exchequer how much money has been spent by the European Union on the changeover to the euro to date; and what has been the cost of the information campaign. [128112]

Miss Melanie Johnson: Information on changeover planning in the first wave is contained in the Second Outline National Changeover Plan, published on 9 March 2000.

Public Service Agreements

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if public service agreement targets will be set for each indicator in the publication "Quality of Life Counts". [128099]

Mr. Andrew Smith: The indicators in "Quality of Life Counts" will be an important benchmark against which progress in key areas of sustainable development can be assessed. The Government will publish new Public Service Agreements as part of the outcome of the 2000 Spending Review in July. These PSAs will include targets for improvement in many of the areas contributing to progress against the indicators in "Quality of Life Counts". Some of the wider indicators may be more appropriately related to departmental aims and objectives.

Pensioners (Taxation)

Mr. Peter Bottomley: To ask the Chancellor of the Exchequer if he will estimate *(a)* the pre-tax income and *(b)* the taxable income needed by a married couple aged 65 with full basic state retirement pension and extra pension paid to one person (i) with and (ii) without an individual's tax allowance of dividend income, which would be required to incur an income tax liability of £5,000 in (A) this financial year, (B) 2001–02 and (C) in each of the last four financial years. [128114]

Dawn Primarolo: An individual's income tax liability depends on the levels of income of different types that he or she receives and the tax reliefs due. A husband and wife are each taxed on their individual income.

Dividends paid on or after 6 April 1999 are taxed at 10 per cent. below the basic rate limit and carry a tax credit of 10 per cent. which meets that liability. From 1996–97 to that date, they were taxed at the lower rate of 20 per cent., with a 20 per cent. tax credit.

Written Answers to Questions

Tuesday 4 July 2000

SOLICITOR-GENERAL

"The Judge Over Your Shoulder"

Mr. Dismore: To ask the Solicitor-General what the date was of publication of the last edition of "The Judge Over Your Shoulder"; what plans he has to update it; if he will place a copy of the most up to date edition in the Library; and if he will make a statement. [128929]

The Solicitor-General: A third edition of "The Judge Over Your Shoulder" was published in March 2000. There are two versions: one essentially for administrators, and the other for lawyers.

I am arranging for a copy of each version to be placed in the Library. They are also on the Treasury Solicitor's internet website.

Staff Secondments

Mr. Mitchell: To ask the Solicitor-General which companies or partnerships have seconded staff to the Law Officers' Departments since May 1997; how many staff have been seconded; and who pays for seconded staff. [128470]

The Solicitor-General: Secondments and attachments are part of the Interchange initiative, which promotes the exchange of people and good practice between the civil service and other organisations. Before an Interchange can occur, all parties must be satisfied that no conflict of interest arises.

Since May 1997, there have been no secondments of staff from outside the civil service to either the Legal Secretariat to the Law Officers or the Treasury Solicitor's Department.

Since May 1997, there have been four staff on secondment to the Serious Fraud Office. Two of the secondments had begun before May 1997. KPMG, Hacker Young, Pannell Kerr Foster (all accountancy firms) and Allen and Overy (a firm of solicitors) each sent one of their staff on secondment. The Serious Fraud Office bore all the cost of the staff member seconded from Allen and Overy and in the other cases made a major contribution to the cost.

One person has been seconded to the Crown Prosecution Service from the Royal Bank of Scotland for a period of three weeks. The Royal Bank of Scotland bore the cost of this secondment.

PRIME MINISTER

Social Exclusion Unit

Mr. Field: To ask the Prime Minister if he will make it his policy to appoint persons with earnings below half average earnings as *(a)* members and *(b)* advisers to the Social Exclusion Unit. [128050]

The Prime Minister: The Social Exclusion Unit is staffed by a mixture of civil servants and external secondees. They come from a number of Government Departments and organisations with experience of tackling social exclusion. The members of the Unit range from New Dealers to an assistant Director of a local authority. Their previous earnings are not a factor in their appointment.

Advisers to the Unit are on secondment, and are not paid for by the Unit. They are appointed for their expertise and experience.

Bilderberg Conference

Mr. Bercow: To ask the Prime Minister which Ministers attended the session of the Bilderberg Conference in Sintra entitled, How Durable is the Current Rosy Complexion of European Politics; and what *(a)* written and *(b)* oral report of the Bilderberg Conference was submitted to him. [128134]

The Prime Minister: So far as I am aware, no Minister attended this conference.

Kosovo

Mr. Bercow: To ask the Prime Minister what recent estimate he has made of the number of war crime murders committed in Kosovo, broken down by ethnic origin of victims *(a)* before NATO intervention, *(b)* after NATO air strikes commenced and *(c)* after the insertion of KFOR. [128108]

The Prime Minister: The Office of the High Commissioner for Human Rights and the International Criminal Tribunal for Former-Yugoslavia estimate that 10,000 Kosovar Albanians were killed in Kosovo between June 1998 and 12 June 1999. We broadly share this assessment. Of these we estimate 500 were killed before 20 March 1999. KFOR states 430 murders were committed in Kosovo between 12 June and 31 December 1999 across all ethnic communities. There are no official figures for this year, but estimates suggest six murders per week are committed in Kosovo.

Voluntary Sector (Islington)

Mr. Corbyn: To ask the Prime Minister what representations the Social Exclusion Unit has received on the effects of local authority cuts on the voluntary sector in Islington; and if he will make a statement. [127893]

The Prime Minister *[holding answer 28 June 2000]:* The Social Exclusion Unit has to date received no direct representations about the effects of local authority cuts on the voluntary sector in Islington.

Vladimir Gusinsky

Mr. Maude: To ask the Prime Minister what representations he made to President Putin over the arrest of Vladimir Gusinsky. [128289]

The Prime Minister: We are following Mr. Gusinsky's case closely and have raised it with the Russian authorities on a number of occasions, to establish more details and to make them aware of the concerns the case has raised in the UK over media freedoms. We have also made it clear that if there is a case to answer it is important the due legal process is observed and that the judicial process is seen to be wholly independent.

Intelligence and Security Services

Mr. Blizzard: To ask the Prime Minister when the annual report of the Commissioner appointed under the Intelligence Services Act 1994 will be laid before the House; and if he will make a statement. [129290]

The Prime Minister: A copy of Lord Justice Stuart-Smith's annual report for 1999 has been laid before the House today in accordance with section 8(6) of the Intelligence Services Act 1994. The confidential annex to the report has been excluded from that copy in accordance with section 8(7) of the 1994 Act.

Lord Justice Stuart-Smith has served as Commissioner under the Intelligence Services Act since the role was created in 1994. This is his last report. I am very grateful to him for all his work as Commissioner.

Mr. Sawford: To ask the Prime Minister when the annual report of the Commissioner appointed under the Security Service Act 1989 will be laid before the House; and if he will make a statement. [129291]

The Prime Minister: A copy of Lord Justice Stuart-Smith's annual report for 1999 has been laid before the House today in accordance with section 4(6) of the Security Service Act 1989. The confidential annex to the report has been excluded from that copy in accordance with section 4(7) of the 1989 Act and in line with the Commissioner's recommendation.

Lord Justice Stuart-Smith has served as Commissioner under the Security Service Act since the role was created in 1989. This is his last report. I am very grateful to him for all his work as Commissioner.

Interception of Communications

Mr. Wyatt: To ask the Prime Minister when the annual report of the Commissioner appointed under section 8(1) of the Interception of Communications Act 1985 will be laid before the House; and if he will make a statement. [129292]

The Prime Minister: A copy of Lord Nolan's report for 1999 has been laid before the House today in accordance with section 8(7) of the Interception of Communications Act 1985. The confidential annex to the report has been excluded from that copy in accordance with section 8(8) of the 1985 Act and in accordance with the Commissioner's recommendations.

Lord Nolan has served as Commissioner under the Interception of Communications Act since April 1994. This is his last report. I am very grateful to him for all his work as Commissioner.

AGRICULTURE, FISHERIES AND FOOD

Hatching Eggs

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the decision by the European Commission to decrease the export refunds for hatching eggs. [126821]

Mr. Nick Brown *[holding answer 19 June 2000]:* The small change to the export refund for hatching eggs introduced in May was in response to a reduction in the euro/dollar exchange rate. To ignore such currency movements when considering export subsidies would be a breach of WTO requirements and would not represent effective use of EU funds.

GM Seed

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what advice he has received on the lowest percentage of GM contamination that can be practically tested for in ostensibly GM-free seed supplies. [126861]

Mr. Nick Brown *[holding answer 19 June 2000]:* I am aware of possible analytical techniques which could be employed for detecting the presence of GM material in non-GM seeds, but have not received specific advice on the lowest level of GM contamination which can be reliably identified in non-GM seed. This question is being considered in the context of the on-going discussions taking place within the EC and the OECD on the methods of detection of GM seeds in non-GM seed.

Beef on the Bone

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what advice his Department gave on the prosecution of Christopher Bowman for selling beef on the bone. [126909]

Mr. Nick Brown *[holding answer 20 June 2000]:* The prosecution of Mr. Bowman was conducted by North Yorkshire County Council. The role of my Department in the case, therefore, was simply to supply evidence not advice.

Meat Marketing

Mr. Alasdair Morgan: To ask the Minister of Agriculture, Fisheries and Food what percentage of EU funds provided for the promotion and marketing of high-quality beef and veal was spent in Scotland in 1999–2000. [127696]

Ms Quin: In 1999–2000, the UK's allocation of EU funds for the promotion of quality beef and veal was £968,000. Of this, £168,000 (17 per cent.) was spent on promoting and marketing quality beef and veal in Scotland.

Factortame Case

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food how he intends to meet expenditure relating to payments of claims following judgment against the UK in the Factortame case. [129296]

Mr. Nick Brown: Parliamentary approval to expenditure arising from the Factortame case is being sought in the Main Estimate for the Ministry of Agriculture, Fisheries and Food (Class X, Vote 2). Pending that approval, urgent expenditure estimated at £9.735 million is being met by repayable advances from the Contingencies Fund.

Day-old Chicks

Mr. Paice: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 3 February 2000, *Official Report*, column 721W, on day-old chicks, if he will list each of the countries within and outside the EU from which day-old chicks were imported in 1999, and the numbers imported from each country. [113186]

Ms Quin *[pursuant to her reply, 8 March 2000, c. 721–22W]*: The figures for the number of day-old chicks imported into the United Kingdom from the European Union (EU) in 1999, contained several inaccuracies. The table should read as follows:

Thousand

1999	*Number of chicks imported*
EU countries	
Austria	9
Belgium	45
Germany	100
Denmark	411
France	3,103
Republic of Ireland	1,464
Netherlands	58
Total	5,190
Non-EU countries	
USA	174
Canada	18
Total	192

Note:
These figures are provisional and subject to amendment

CHURCH COMMISSIONERS

JC2000

Mr. Rowe: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what plans the Church of England has for monitoring the schools that participated in JC2000. [128076]

Mr. Stuart Bell: There is no formal church mechanism for monitoring schools which have taken part in JC2000, but I am very glad that thousands of schools did join in.

The hon. Member is to be congratulated on the success of JC2000 which, as a member of the Committee, I am delighted to be associated with. JC2000 has been one of the most significant pieces of Christian input into the Millennium celebrations across the country. The pupils and teachers involved clearly enjoyed the project and I have no doubt that taking part has affected many young people's understanding of the Christian nature of this Millennium year.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Index of Local Deprivation

Mr. Coleman: To ask the Secretary of State for the Environment, Transport and the Regions if he will release the full underlying data set to be used in compiling the new Index of Local Deprivation. [127560]

Ms Beverley Hughes: The current review of the Index of Local Deprivation is on-going. This final index will include local authority district level scores and ranks. The scores and ranks at the ward level will be published at the same time and will be available for each domain of deprivation. The summary report will contain details about where to obtain, sometimes at a charge, the underlying data used to construct the 33 indicators.

Mr. Coleman: To ask the Secretary of State for the Environment, Transport and the Regions if he plans to make an announcement about the new Index of Local Deprivation before 30 July. [127562]

Ms Beverley Hughes: An announcement will be made to the House about the new Index of Deprivation as soon as the Government have completed their consideration of the responses to the consultation.

Mr. Coleman: To ask the Secretary of State for the Environment, Transport and the Regions if his Department will establish a comprehensive academic peer review of the new Index of Local Deprivation specifically to consider the methodological basis of the proposals. [127561]

Ms Beverley Hughes: The 1999 Review of the Index of Local Deprivation is being carried out by the University of Oxford. In addition to the review being overseen by an inter-department steering committee, the University of Oxford has consulted an advisory panel (with over 40 members) throughout the review. The advisory panel has consisted of a large number of peer academics both inside and outside of the University of Oxford, as well as local authority officials, research professionals and others.

The University of Oxford has also facilitated extensive consultation throughout the 1999 Review. Respondents to the consultation have included other government departments, local authorities, research organisations, academics and other organisations.

London Underground

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions what recent assessment he has made of the accuracy of London Underground's statistics on attributable delays; and if he will make a statement. [128042]

Mr. Hill: I am assured that the methodology and data used by London Underground Ltd. (LUL) to measure attributable delays are reliable. Attribution is undertaken by experienced operating representatives with the corroboration of their engineering counterparts. LUL have a vested interest in getting attribution right since analysis of such information is a vital tool in identifying causes of delays and monitoring the success of remedial action taken to prevent them.

Motorcycles

Ms Roseanna Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions how many motorcycles are registered in each *(a)* constituency and *(b)* local authority area. [128031]

Mr. Hill: The DETR receives data on the number of licensed vehicles from the Driver and Vehicle Licensing Agency every quarter. The data are comprehensive enough to enable detailed geographical breakdowns, and data for each local authority area are attached. Sufficient information is not available to produce the data for constituencies.

All vehicles with a motor cycle, scooter or moped body type classification are included. The most recent published data are for end of December 1998. Data for 1999 will be published in Vehicle Licensing Statistics on July 20.

Motor cycles, scooters and mopeds licensed as at 31 December 1998

	Thousand
The North	
Cumbria	8.1
Darlington UA	1.2
Durham	4.7
Hartlepool UA	0.7
Middlesbrough UA	1.0
Northumberland	3.6
Redcar and Cleveland UA	1.6
Stockton-on-Tees UA	1.9
Tyne and Wear	7.0
Yorkshire and The Humber	
East Riding of Yorkshire UA	6.1
Kingston upon Hull UA	3.7
North East Lincolnshire UA	2.4
North Lincolnshire UA	3.7
North Yorkshire	10.1
South Yorkshire	12.8
West Yorkshire	21.5
York UA	4.1
East Midlands	
Derby UA	3.2
Derbyshire	12.7
Leicester City UA	2.0
Leicestershire	11.3
Lincolnshire	12.9
Northamptonshire	10.5
Nottingham	2.4
Nottinghamshire	11.5
Rutland UA	0.7
East Anglia	
Cambridgeshire	10.9
Norfolk	18.0
Peterborough	2.5
Suffolk	15.5
The South East	
Bedfordshire	6.3
Bracknell Forest	1.9
Brighton and Hove UA	2.6
Buckinghamshire	7.7
East Sussex	8.0
Essex	22.6
Hampshire	26.5
Hertfordshire	17.3
Isle of Wight UA	3.3
Kent	23.0
Luton UA	1.8
Medway	4.0
Milton Keynes UA	3.0
Oxfordshire	12.1
Portsmouth UA	2.7
Reading	1.9
Slough	1.2
Southampton UA	3.3
Southend-on-Sea	2.2
Surrey	19.9
Thurrock	2.1
West Berkshire	2.9
West Sussex	12.5
Windsor and Maidenhead	1.9
Wokingham	2.9
Greater London	
Barking and Dagenham	1.7
Barnet	3.0
Bexley	4.2
Brent	2.1
Bromley	5.1
Camden	2.2
City of London	0.1
City of Westminster	2.1
Croydon	4.6
Ealing	3.4
Enfield	2.8
Greenwich	2.3
Hackney	1.8
Hammersmith and Fulham	2.5
Haringey	2.0
Harrow	1.8
Havering	3.2
Hillingdon	3.2
Hounslow	3.0
Islington	2.0
Kensington and Chelsea	2.3
Kingston upon Thames	2.6
Lambeth	3.3
Lewisham	2.9
Merton	2.6
Newham	1.4
Redbridge	2.4
Richmond upon Thames	3.2
Southwark	2.8
Sutton	3.3
Tower Hamlets	1.7
Waltham Forest	2.5
Wandsworth	4.3
The South West	
Bath and North East Somerset UA	3.3
Bournemouth UA	2.8
Bristol UA	6.3
Cornwall and Isles of Scilly	10.6
Devon	14.7
Dorset	9.1
Gloucestershire	12.3
North Somerset UA	3.6
Plymouth	4.3
Poole UA	3.1
Somerset	11.0
South Gloucestershire UA	5.7
Swindon UA	4.2
Torbay	2.4
Wiltshire	9.4

Motor cycles, scooters and mopeds licensed as at 31 December 1998

	Thousand
West Midlands	
Herefordshire	3.4
Shropshire	4.7
Staffordshire	13.6
Stoke on Trent UA	2.6
Telford and Wrekin	2.1
Warwickshire	9.3
West Midlands	23.4
Worcestershire	10.0
The North West	
Blackburn with Darwen	1.2
Blackpool	1.7
Cheshire	11.5
Greater Manchester	21.1
Halton	1.4
Lancashire	15.8
Merseyside	11.5
Warrington	2.8
Scotland	
Aberdeen City UA	2.3
Aberdeenshire UA	2.9
Angus UA	1.2
Argyll and Bute UA	0.8
City of Dundee UA	0.7
City of Edinburgh UA	3.3
City of Glasgow UA	1.6
Clackmannanshire UA	0.4
Comhairle Nan Eilean Siar UA	0.2
Dumfries and Galloway UA	1.8
East Ayrshire UA	0.7
East Dunbartonshire UA	0.6
East Lothian UA	0.8
East Renfrewshire UA	0.5
Falkirk UA	1.0
Fife UA	2.9
Highland UA	2.6
Inverclyde UA	0.4
Midlothian UA	0.7
Moray UA	1.1
North Ayrshire UA	0.9
North Lanarkshire UA	1.0
Orkney Islands UA	0.3
Perth and Kinross UA	1.3
Renfrewshire UA	0.8
Shetland Islands UA	0.3
South Ayrshire UA	0.8
South Lanarkshire UA	1.4
Stirling UA	0.6
The Scottish Borders UA	1.0
West Dunbartonshire UA	0.4
West Lothian UA	1.0
Wales	
Blaenau Gwent UA	0.6
Bridgend UA	1.3
Caerphilly UA	1.4
Cardiff UA	1.9
Carmarthenshire UA	2.1
Ceredigion UA	0.8
Conwy UA	1.4
Denbighshire UA	1.0
Flintshire UA	2.1
Gwynedd UA	1.3
Isle of Anglesey UA	0.9
Merthyr Tydfil UA	0.3
Monmouthshire UA	1.4
Neath Port Talbot UA	1.5
Newport UA	1.3
Pembrokeshire UA	1.5
Powys UA	1.8
Rhondda, Cynon, Taff UA	1.7
Swansea UA	1.9
The Vale of Glamorgan UA	1.4
Torfaen UA	1.0
Wrexham UA	1.7
Local Authority unknown	18.3

Environment Council

Mr. Hood: To ask the Secretary of State for the Environment, Transport and the Regions what was the outcome of the Environment Council held in Luxembourg on 22 and 23 June; and if he will make a statement. [128030]

Mr. Meacher: I represented the UK at the Environment Council in Luxembourg on 22 June 2000, accompanied by Sarah Boyack, Scottish Executive Minister for Environment and Transport. Political agreement was reached on two proposals, along with one set of Council Conclusions.

Agreement was reached on two important air quality measures which will deliver significant reductions in transboundary pollutants contributing to problems of acidification and ground level ozone (summer-time smog) throughout the European Union. The first, the National Emissions Ceilings Directive, sets national emission ceilings for 2010 on four air pollutants (sulphur dioxide, oxides of nitrogen, volatile organic compounds and ammonia). I agreed to ceilings of 585, 1,167, 1,200 and 297 thousand tonnes respectively for each of the pollutants. A second common position, on an amendment of the 1988 Large Combustion Plants Directive, sets stricter limit values for emissions of oxides of nitrogen, sulphur dioxide and dust from new plant. For existing (pre-1988) plant, limit values will need to be applied from 2008, or equivalent overall reductions achieved through a National Emissions Plan. However, plant with less than 20,000 hours operating life remaining on 1 January 2008 may be exempted. This agreement will see a reduction in acidifying emissions, while flexibility for industry, particularly the power sector, is safeguarded.

In advance of the Sixth Conference of Parties to the Framework Convention on Climate Change, due to take place at The Hague in November, Council Conclusions were agreed setting out the EU position on some of the key issues. Ministers agreed that eligibility for the Clean Development Mechanism should be on the basis of a positive list of safe environmentally sound projects, which excluded nuclear, and that the use of carbon sinks such as forests should not be extended, unless concerns about their scale, scientific and other uncertainties were addressed. The Conclusions also welcomed a Commission communication on a proposed European Climate Change Programme, and its Green Paper on Emissions Trading.

The Presidency gave brief progress reports on proposals to promote sustainable urban development and to establish a priority list of dangerous substances of European significance whose release to the aquatic environment should be controlled. The Presidency also summarised the environmental legislation adopted under the co-decision procedure during the last six months, and highlighted the increasing importance of this procedure in the Presidency' work. Final outcomes were agreed on six dossiers: a Decision to monitor the CO_2 emissions from new passenger cars; a Regulation controlling substances that deplete the ozone layer; a Directive amending Directive 74/150/EEC limiting gaseous and particulate pollutants by agricultural tractors; a Directive limiting noise emission by equipment used outdoors; a Directive on end of life vehicles; and the third EU LIFE Regulation.

The Commission reported on the progress of a new Community strategy for chemicals, expected by the end of 2000 and a draft new framework for environmental state aids, on which there was a brief exchange of views between Member States. The Commission also gave a report on the progress towards completing risk assessments for brominated flame retardants, based on work carried out by the UK.

The Commission presented two recently published proposals: one for a Directive on renewable energy, the other for a Directive ensuring proper treatment and disposal of waste from electrical and electronic equipment. Presentations were also given to Council on forthcoming proposals to integrate environmental consideration into public procurement rules and to update the 1991 Directive on batteries and accumulators containing dangerous substances.

On a Danish point under Any Other Business, the Commission noted that it would be meeting an umbrella grouping of NGOs on 12 July to discuss their participation in the EU standardisation process. The Council also noted an Austrian intervention calling for a ban of tributyltin (TBT) in products with which human beings come into contact, following traces of TBT and other organotin compounds being found in nappies in Germany.

SERPLAN

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions what discussions took place between his Department's *(a)* Ministers and *(b)* officials and members of SERPLAN prior to the vote by SERPLAN on house-building in the South-East on 12 June; and if he will list the members of SERPLAN involved in each case. [128163]

Mr. Raynsford: My hon. Friend the Parliamentary Under-Secretary of State and I held a meeting with members of SERPLAN on 24 May 2000. 22 planning authorities from across the region attended. Throughout the consultation there have been a number of meetings with a wide range of interest groups including economic partnerships and environmental groups, some of which would have included members of SERPLAN.

Abandoned Vehicles

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what steps he will be taking to monitor the *(a)* number of abandoned vehicles on public highways and private property and *(b)* cost to individual local authorities of removing abandoned vehicles; and if he will make a statement. [128465]

Mr. Hill: There are no plans at present to maintain official records of such cases. The existing arrangements with local authorities will be reviewed as we develop proposals for implementing the proposed European End-of-Life Vehicles Directive in the UK.

Tenant Compacts

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made on the establishment of tenant compacts; and if he will make a statement. [128340]

Mr. Raynsford: Local housing authorities are expected to introduce tenant participation compacts from 1 April 2000. I have myself witnessed the signing of these compacts in recent months. We have recently commissioned a major policy evaluation programme of research to look at how best value in housing and compacts are being introduced and developed across the country. The project is expected to run for three to five years; the initial findings will feed into policy development on these issues and will be available next year.

SSA (Lincoln)

Gillian Merron: To ask the Secretary of State for the Environment, Transport and the Regions (1) by what date he requires the population data for Lincoln, in order to calculate the standard spending assessment for the coming three financial years; and if he will make a statement; [128366]

(2) what progress the Office for National Statistics has made in assessing the impact of internal migration on the population in Lincoln, with special reference to the requirements of the standard spending assessment for the coming three years. [128338]

Ms Beverley Hughes: The method of revenue grant distribution in future years depends on the outcome of the review of revenue grant distribution now taking place. A Green Paper will be published later this summer setting out options for revenue grant distribution. This follows open and lengthy discussions between representatives of local and central government.

Grants for 2001–02 will be based on the existing standard spending assessment (SSA) system. We announced in the White Paper "Modern Local Government—In Touch With The People", that during the review we intended to keep up to date the data on which grants are based. This would mean that grants for 2001–02 would use the Registrar General's estimates of population at 30 June 1999. These data should be available by 3 October 2000, the deadline for most data for use in the 2000–01 SSA calculations.

The Registrar General continually looks for ways of improving his population estimates. I understand that his estimates for 30 June 1999, due to be published in August, will incorporate improvements to the internal migration component of the estimates that have been discussed with local government and other experts. The estimates will include new migration estimates for the previous year based on the new data source. This increases the population estimate for Lincoln for mid-1998 by over 200. I am aware that this matter and others have been the subject of recent correspondence between the council and the Office for National Statistics. The council had been concerned that the improvements would not be made until information from the 2001 census was available. The Registrar General does not intend to wait until then.

Houses in Multiple Occupation

Miss Geraldine Smith: To ask the Secretary of State for the Environment, Transport and the Regions what recent representations he has received from Lancaster City Council about amending the compulsory licensing scheme for houses in multiple occupation operating in Morecambe. [128355]

Mr. Raynsford: None, though we are aware that the City Council have been considering various aspects of their current registration scheme.

Miss Geraldine Smith: To ask the Secretary of State for the Environment, Transport and the Regions how many houses in multiple occupation there are in Morecambe and Lunesdale. [128356]

Mr. Raynsford: Based on the information given to my Department by Lancaster City Council in July 1999, there are 1,800 houses in multiple occupation in the local authority area.

Social Housing

Miss Geraldine Smith: To ask the Secretary of State for the Environment, Transport and the Regions how much additional funding has been allocated by the Government to Lancaster City Council for improving the quality of social housing since 1 May 1997. [128354]

Mr. Raynsford: The capital allocations for housing investment made to Lancaster City Council since 1997–98 are given in the table. The additional resources we have made available for housing investment were mainly distributed through the Capital Receipts Initiative in the years up to 1999–2000. In 2000–01 the extra resources were included in the Housing Investment Programme (HIP) allocation following the introduction of the single housing capital pot.

£000

Year	*HIP*	*CRI*	*Total*
1997–98	1,814	279	2,093
1998–99	2,002	1,014	3,016
1999–2000	2,238	1,101	3,339
2000–01	3,942	—	3,942

Climate Change

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what progress has been made in consultation with industry to implement the three proposals to reduce or minimise HFC use, as set out at paragraph 67, page 79, of the draft UK climate change programme. [128450]

Mr. Meacher: The consultation on the draft climate change programme ended on 2 June and we are currently analysing the responses made. Once this exercise has been completed we will begin to develop these proposals further in consultation with industry.

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from industry in respect of the new policy on reduced dependence on HFC use, as set out in paragraphs 17 to 20 in the draft UK Climate Change Programme. [128449]

Mr. Meacher: The Government have received over 100 responses to the consultation on the draft climate change programme on HFCs. These responses are currently being analysed and the final climate change programme, which will be published later this year, will take account of the issues raised during the consultation.

Housing Corporation

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions if he will increase the Housing Corporation's approved development spending for rural areas. [128894]

Mr. Raynsford: Decisions on the future level of the Housing Corporation's approved development programme spending will depend on the outcome of this year's spending review. The Government's future policy on rural housing will be set out in the forthcoming Rural White Paper.

Raptors

Mr. William Ross: To ask the Secretary of State for the Environment, Transport and the Regions what his estimate is of the number of raptors of each species *(a)* breeding and *(b)* resident in England. [128825]

Mr. Meacher *[holding answer 3 July 2000]:* A Raptor Working Group was set up in 1995 to consider issues arising from perceived conflicts between the recovery of some bird of prey populations and their impact on game birds and moorland management and on racing pigeons. Earlier this year, the group submitted its final report, which includes estimates of raptor population sizes. The figures are taken from the report and show the best estimates of sizes of breeding population for birds of prey in England using data and information, where possible, from published sources. The total number of birds of prey will be greater than these estimates in the post-breeding season owing to the number of fledged young and other non-breeding individuals.

Copies of the report have been deposited in the House Library.

Species	*Units of estimation*	*England*	*Date of estimate*
Honey Buzzard	Pairs	[1]12–34	[1]1997
Red Kite	Pairs	[1]57–61	[1]1997
White-tailed Eagle	Pairs	No breeding population	[1]1997
Marsh Harrier	Females	[1]127–145	[1]1997
Hen Harrier	Territorial pairs	[2]19	[2]1998
Montagu's Harrier	Females	[1]9–12	[1]1997
Goshawk	Pairs	[1]120	[1]1997, [3][4]1994, [5]1993

Species	*Units of estimation*	*England*	*Date of estimate*
Sparrowhawk	Pairs	[6]22,000	[6]1988–91
Buzzard	Pairs	[6]4,000–6,000	[6]1988–91, [7]1983
Golden Eagle	Pairs	[8]1	[8]1992
Osprey	Pairs	No breeding population	[1]1997
Kestrel	Pairs	[6]35,500	[6]1988–91
Merlin	Pairs	[9]401	[9]1993–94, [10]1993, [11]1992–95
Hobby	Pairs	[6]500–900	[1]1997, [4]1994, [6]1988–91
Peregrine	Pairs	[12]283	[12]1991

[1] Ogilvie, MA & the Rare Breeding Birds Panel 1999b Rare breeding birds in the United Kingdom in 1997. *British Birds 92*: 389–428.

[2] Sim, IMW, Gibbons, DW, Bainbridge, I & Mattingley, W 1999 *Status of the hen harrier* Circus cyaneus *in the UK and the Isle of Man in 1998*. Draft report to Raptor Working Group.

[3] Petty, SJ 1996 History of the northern goshawk *Accipiter gentilis* in Britain. In: *The introduction and naturalisation of birds*, ed. by JS Holmes and JR Simons, 95–102. London, HMSO.

[4] Ogilvie, MA & the Rare Breeding Birds Panel 1996. Rare breeding birds in the United Kingdom in 1994. *British Birds 89*: 387–417.

[5] Shrubb, M. 1994. *Welsh Bird Report No. 7 1993*. Glamorgan, The Welsh Ornithological Society.

[6] Gibbons, DW, Reid, JB & Chapman, RA 1993 *The new atlas of breeding birds in Britain and Ireland: 1988–1991*. London, T & AD Poyser.

[7] Taylor, K, Hudson, R & Horne, G 1988. Buzzard breeding distribution and abundance in Britain and Northern Ireland in 1983. *Bird Study 35*: 109–118.

[8] Green, RE 1996 The status of the golden eagle in Britain in 1992. *Bird Study 43*: 20–27.

[9] Rebecca, G & Bainbridge, IP 1998. The breeding status of the merlin *Falco columbarius* in Britain in 1993–94. *Bird Study 45*: 172–187.

[10] Williams, IT & Parr, S 1995. Breeding merlins *Falco columbarius* in Wales 1993. *Welsh Birds* 1: 14–20.

[11] RSPB/Irish Raptor Study Group survey data.

[12] Crick, HQP & Ratcliffe, DA 1995. The peregrine *Falco peregrinus* breeding population of the United Kingdom in 1991. *Bird Study 42*: 1–19.

South Downs National Park

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the provisional timetable for the establishment of a South Downs National Park. [129115]

Mr. Meacher: The Countryside Agency is responsible for designating National Parks, subject to the confirmation of a designation order in each case by the Secretary of State. The agency currently estimates that a designation order for a National Park in the South Downs might be submitted to the Secretary of State in spring 2002. This timetable reflects the significant tasks to be addressed, including the identification of a boundary and making recommendations on the most effective administrative arrangements. The agency will be consulting local interests extensively on these matters.

Advantage West Midlands

Mr. Luff: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the Chief Executive of Advantage West Midlands. [129037]

Ms Beverley Hughes: I understand that, with effect from Friday 30 June, the contract of Advantage West Midlands' Chief Executive, Tony Cassidy, was ended by mutual consent.

Advantage West Midlands will now seek to recruit a replacement. I am informed that in the meantime, the post will be filled on a temporary basis by John Edwards, regeneration director of Advantage West Midlands, and previously Chief Executive of the Rural Development Commission.

Correspondence

Mrs. Roe: To ask the Secretary of State for the Environment, Transport and the Regions when the hon. Member for Broxbourne will receive a reply to her letters of *(a)* 8 March, *(b)* 6 April, *(c)* 5 May, *(d)* 1 June and *(e)* 29 June relating to her constituent Miss Haley Cresswell. [128918]

Mr. Raynsford: My reply was sent on 29 June. I am sorry the hon. Member had to wait so long for this reply. The correspondence raised issues of wider concern.

Private Finance Initiative

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what monitoring his Department undertakes of Private Finance Initiative contracts undertaken by local government; and if he will make a statement. [129205]

Ms Beverley Hughes: Following endorsement by the inter-departmental Project Review Group, progress on prospective schemes is monitored to ensure that the final contract conforms with the approved business case. Following contract signature, the Department will be notified of when service payments commence. Payments and grant paid to the local authority are then monitored and subsequently audited by the Audit Commission. It is important that lessons are learnt from existing contracts. All authorities are required to share non-commercial documentation with other local authorities procuring similar projects, and lessons are used in the production of standardised contract documentation and other best-practice guidance.

Combined Heat and Power

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about the Government's response to the consultation on proposals for a Quality Assurance programme for combined heat and power. [129295]

Mr. Meacher: I announced the key decisions on the proposals following consultation in my statement to the House on 17 May. I have today placed the Government's full response to the consultation in the Library of the

House. It will also be available on the DETR and CHPQA websites, and printed copies of the response are being sent to all those who commented on the CHPQA proposals.

I am grateful to those who responded to the consultation, and for the valuable contribution from CHP users and suppliers and other interested parties. CHPQA has been designed to assure and improve the quality of CHP and stimulate CHP growth.

FOREIGN AND COMMONWEALTH AFFAIRS

Arms Dealing

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on actions taken following the finding of a cache of arms in Antwerp in February 1999, in respect of the UK companies involved; what prosecutions have occurred; and what measures have been enforced to prevent repetition of similar arms dealing. [128111]

Mr. Hain: As my right hon. Friend the Prime Minister set out in answer to a similar question from the hon. Gentleman on 14 July 1999, *Official Report*, columns 239–40W, we have no information on the seizure of an arms consignment in February 1999 in Antwerp. But we are aware that a shipment of goods originating in Germany, destined for Eritrea, was seized by Belgian Customs authorities in Antwerp in August 1998. The matter remains with the Belgian courts. No charges have been brought as yet.

A resumption of fighting between Ethiopia and Eritrea on 12 May led to the adoption of UN Resolution 1298 on 18 May, co-sponsored by the UK, imposing on both countries a mandatory arms embargo and a ban on the provision of related technical assistance or training.

Step Change Project

Mr. Stephen O'Brien: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to [illegible] answer of 8 June 2000, *Official Report*, column 308W, on the Step Change Project, if he will list the membership of the Ministerial Group for European Co-ordination and make a statement on MINECOR's activities. [128779]

Mr. Vaz *[holding answer 3 July 2000]:* The Ministerial Group for European Co-ordination works to achieve greater co-ordination of the presentation of Her Majesty's Government's European policies in the UK and overseas, and monitors the Government's efforts to develop closer co-operation with the EU partners/applicants.

A list of current members of MINECOR has been deposited in the Library. The devolved administrations are also represented at MINECOR.

Keith Vaz: Chair
Lord Falconer
Melanie Johnson
Helen Liddell
Tessa Jowell
Joyce Quin
Lord Whitty
Angela Eagle
Alan Howarth
George Foulkes
Baroness Symons
Gisela Stuart
Barbara Roche
Adam Ingram
David Lock
Jack McConnell
Rhodri Morgan
Paul Murphy
Brian Wilson
Tony McNulty
Baroness Ramsey
Denis Haughey.

North Moluccas

Rev. Martin Smyth: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent reports he has received concerning attacks by Jihad warriors on the village of Duma, North Moluccas and on the number of casualties which resulted. [128856]

Mr. Battle: We understand that between 100 and 158 people were killed and over 200 injured in the raid on the village of Duma on 19 June. The media reported that large numbers of armed extremists attacked the village, shooting at random and burning over 300 homes. The Regional Military Commander subsequently ordered the security forces to secure the area. On 26 June, President Wahid declared a state of civil emergency in Maluku; since then the situation appears to be calmer.

Qualified Majority Voting

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 5 June 2000, *Official Report*, column 43W, on QMV, if he will place the UK Government's written contribution to the meeting on 2 May in the Library. [128169]

Mr. Vaz *[holding answer 3 July 2000]:* I refer the hon. Member to the answer I gave him on 12 June 2000, *Official Report*, column 441W.

EU Co-operation

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will make a statement on the Government's policy in respect of reinforced co-operation on EU matters; [128120]

(2) what position the United Kingdom has taken in the IGC discussions on the issue of extending qualified majority voting to EU participation in the work of the WTO as set out in document CONFER 4780/00. [128129]

Mr. Vaz *[holding answer 3 July 2000]:* The Government's position is clearly set out in the White Paper "IGC: Reform for Enlargement".

Intergovernmental Conference

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what position the United Kingdom has taken in the IGC discussions on the issue of creating new specific legal bases for the areas covered by Article 308, as set out in the document CONFER 4780/00. [128130]

Mr. Vaz *[holding answer 3 July 2000]:* As the Government have made clear, this IGC is about reform for enlargement of the EU. In this context, we are sceptical about the need to look at specific legal bases for areas covered under Article 308.

Kosovo

Miss Begg: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the supply of demining equipment to non-Governmental organisations in Kosovo. [129387]

Mr. Vaz: We have approved the export to the Federal Republic of Yugoslavia (FRY) of protective body armour to Danish Church Aid and European Landmine Solutions, organisations engaged in humanitarian demining activities on behalf of the United Nations Interim Administration in Kosovo (UNMIK).

These goods are on the Military List. UN Security Council Resolution (UNSCR) 1160 (1998) prohibits the supply of arms and related material to the FRY. However UNSCR 1244 (1999), provides for the sale or supply or arms or related material for use by the international civil and security presence in Kosovo. We have notified the UN FRY Sanctions Committee of this export and they have raised no objection. The export of this equipment underlines UK support both for the peaceful reconstruction of Kosovo and the work of the UN Mines Action Programme.

WALES

Dairy Industry

Mr. Barry Jones: To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary concerning difficulties in the dairy industry; and if he will make a statement. [126971]

Mr. Paul Murphy: I meet the First Secretary on a weekly basis and we discuss a wide range of issues including the dairy industry. Recently we have welcomed the removal of dairy hygiene charges in England and Wales, and at the Prime Minister's Agriculture Summit at the end of March some £2.3 million extra agri-monetary compensation was awarded to Welsh dairy farmers.

Interactive Voice Response Systems

Mr. Ben Chapman: To ask the Secretary of State for Wales how many departmental telephone lines used by the general public are responded to by interactive voice response systems. [127403]

Mr. Paul Murphy: My Department does not use interactive voice response systems on any of its telephone lines.

Nuclear Submarines (Berths)

Mr. Llew Smith: To ask the Secretary of State for Wales what recent consultations he has had with the Ministry of Defence over the use of Welsh ports as emergency Z-berths for nuclear submarines. [127577]

Mr. Paul Murphy: The Ministry of Defence does not have, nor does it plan to have, any emergency Z-berths in Welsh ports.

Fisheries

Mr. William Ross: To ask the Secretary of State for Wales what is the number of angler-caught *(a)* salmon, *(b)* grilse and *(c)* sea trout caught in Wales in each of the last five years; and what his estimate is of the number of each of these categories of fish taken by seals in Welsh waters in each of these years. [128855]

Mr. Paul Murphy: *[holding answer 3 July 2000]:* In Wales in the last five years the number of angler-caught *(a)* salmon, *(b)* grilse and *(c)* sea trout were:

Declared rod catch of sea trout from Welsh rivers, 1995–99

	Number
1995	10,754
1996	13,123
1997	13,914
1998	24,401
1999	24,629

Estimated number of grilse and MSW (multi sea wintering) salmon (corrected for under-reporting at a 10 per cent. increase) in Welsh rod catch, 1995–99

	Salmon (MSW)	*Grilse*
1995	1,491	3,070
1996	2,287	3,728
1997	1,119	2,865
1998	895	3,863
1999	1,065	2,339

An estimated 40 per cent. of salmon and 50 per cent. of sea trout are returned (1999 figures) by Welsh anglers. Official statistics and estimates of fish taken by seals are not maintained.

Responsibility for fisheries was transferred to the National Assembly for Wales from 1 July 1999 within the 12 nautical miles of fishing water surrounding the coast, as defined by the Government of Wales Act 1998.

New Deal

Mr. Brady: To ask the Secretary of State for Wales how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage this represents of total staff. [129094]

Mr. Paul Murphy: My Department has 42 full-time staff and one part-timer. One member of staff has been recruited from the New Deal, representing 2.35 per cent. of total staff.

EDUCATION AND EMPLOYMENT

Early Years Education

Mr. Allan: To ask the Secretary of State for Education and Employment if he will list for *(a)* England and *(b)* each local education authority the number of additional free early years education places that would be required to meet the Government's target of free places being available for 66 per cent. of three-year-olds by 2002. [126810]

Ms Hodge *[holding answer 21 June 2000]:* 190,000 additional new free early years education places for three-year-olds will be made available using the £390 million allocated by the Government. This will allow us to meet the national target of providing 66 per cent. of all three-year-olds in England with a free place.

We are currently seeking to target those children in most social need. To this end different targets have been set with local authorities to reflect their position on the Government's Index of Local Deprivation.

Based upon 1998 participation levels, the table shows the estimated number of new places which would be required in each local education authority area to take the number of free places available in that authority to the national target level of 66 per cent. It also shows our estimate of the percentage of three-year-olds in each area who will have a free place by April 2001.

LEA name	*New places required to reach national target of 66 per cent.*	*Percentage of children expected to have free places by April 2001*
Barking and Dagenham	0	81.9
Barnet	695	51.0
Barnsley	502	79.3
Bath and North-East Somerset	899	18.9
Bedfordshire	1,986	27.4
Bexley	669	44.9
Birmingham	2,611	88.5
Blackburn with Darwen	557	80.7
Blackpool	850	77.9
Bolton	246	79.7
Bournemouth	851	41.9
Bracknell Forest	984	11.8
Bradford	0	83.3
Brent	494	81.7
Brighton and Hove	907	71.3
Bristol	588	70.5
Bromley	2,022	16.0
Buckinghamshire	3,392	13.2
Bury	602	44.2
Calderdale	416	64.6
Cambridgeshire	3.504	18.7
Camden	518	80.7
Cheshire	2.953	31.3
City of London	2	64.0
Cornwall	2.575	48.7
Coventry	639	81.3
Croydon	1,276	57.4
Cumbria	1,091	48.5
Darlington	0	89.0
Derby	466	72.8
Derbyshire	2.420	40.5
Devon	3.807	17.2
Doncaster	67	80.7
Dorset	2.456	12.3
Dudley	274	60.9
Durham	0	76.9
Ealing	0	79.7
East Riding of Yorkshire	1,546	29.6
East Sussex	3,025	13.0
Enfield	1,235	67.4
Essex	8,740	12.4
Gateshead	266	80.7
Gloucestershire	4.355	12.0
Greenwich	245	84.2
Hackney	739	86.4
Halton	335	80.2
Hammersmith and Fulham	297	80.5
Hampshire	9.174	5.8
Haringey	149	83.5
Harrow	1.195	30.1
Hartlepool	0	100.0
Havering	1.158	22.0
Herefordshire	1,056	16.4
Hertfordshire	3.782	39.4
Hillingdon	1.596	37.5
Hounslow	293	76.1
Isle of Wight	695	50.8
Isles of Scilly	13	95.0
Islington	574	82.9
Kensington and Chelsea	601	71.5
Kent	8,884	12.3
Kingston upon Hull	0	82.9
Kingston upon Thames	265	52.9
Kirklees	799	71.7
Knowsley	0	97.3
Lambeth	868	84.9
Lancashire	4,979	44.1
Leeds	27	79.2
Leicester	635	83.1
Leicestershire	4,740	5.8
Lewisham	946	82.9
Lincolnshire	2,886	26.9
Liverpool	0	90.0
Luton	1,059	70.1
Manchester	0	89.9
Medway	1,756	31.9
Merton	0	68.6
Middlesbrough	0	100.0
Milton Keynes	1,676	12.1
Newcastle upon Tyne	225	83.9
Newham	686	88.1
Norfolk	4,000	22.7
North-East Lincolnshire	408	76.5
North Lincolnshire	866	48.6
North Somerset	1,512	8.5
North Tyneside	0	81.8
North Yorkshire	1,774	34.6
Northamptonshire	3,006	31.3
Northumberland	0	68.1
Nottingham	246	84.6
Nottinghamshire	2.126	44.3
Oldham	560	82.5
Oxfordshire	4,581	13.3
Peterborough	1.258	40.7
Plymouth	1,327	63.9
Poole	1,043	7.3
Portsmouth	1,071	64.9
Reading	613	43.7
Redbridge	1.221	56.0
Redcar and Cleveland	0	100.0
Richmond upon Thames	771	30.5
Rochdale	427	82.4
Rotherham	802	78.0
Rutland	223	12.3
Salford	0	82.7
Sandwell	0	88.0
Sefton	227	73.7
Sheffield	1,535	82.0
Shropshire	1,618	16.8
Slough	487	51.8
Solihull	158	61.1
Somerset	3.185	10.9
South Gloucestershire	1.704	12.4
South Tyneside	0	80.5
Southampton	1,369	73.8
Southend-on-Sea	1,044	44.8
Southwark	221	85.4
St. Helens	443	78.5
Staffordshire	3.672	30.2
Stockport	831	44.4
Stockton-on-Tees	0	100.0

LEA name	*New places required to reach national target of 66 per cent.*	*Percentage of children expected to have free places by April 2001*
Stoke-on-Trent	34	79.0
Suffolk	4,857	13.7
Sunderland	0	83.2
Surrey	6,053	19.8
Sutton	1,264	13.2
Swindon	1,217	19.1
Tameside	258	77.7
Telford and Wrekin	901	66.6
Thurrock	913	46.8
Torbay	533	50.3
Tower Hamlets	0	85.9
Trafford	98	64.4
Wakefield	153	76.4
Walsall	0	91.1
Waltham Forest	1,058	80.7
Wandsworth	1,083	78.8
Warrington	792	36.3
Warwickshire	2,508	25.8
West Berkshire	982	14.5
West Sussex	4,529	12.3
Westminster	692	76.0
Wigan	1,326	66.3
Wiltshire	3,265	9.5
Windsor and Maidenhead	815	19.8
Wirral	963	77.7
Wokingham	1,122	7.9
Wolverhampton	0	83.9
Worcestershire	2,930	23.0
York	625	38.0

European Schools (Dyslexic Pupils)

Mr. Bercow: To ask the Secretary of State for Education and Employment if he will make a statement on his policy towards European schools following UK teaching practices in respect of dyslexic pupils; which body is responsible for the establishment of curricula and teaching practice in European schools; and to which EU institution that body is responsible. [128110]

Jacqui Smith: The European schools have their own policy and procedures for the integration of pupils with special educational needs, including dyslexic pupils. Decisions on policy and curricular matters are for the European Schools Board of Governors, a body established by international treaty, on which the Governments of all 15 EU member states are represented.

Child Care Schemes

Mr. Willis: To ask the Secretary of State for Education and Employment how many child care schemes have been started up using New Opportunities Funds; how many of these schemes continued to operate after the first 12 months; and if he will make a statement. [128081]

Ms Hodge: By June 2000, awards totalling some £32 million were made to 1,017 individual schemes and to 172 consortia. Each consortium covers from three to more than 40 individual schemes.

The first schemes received their grant in July 1999, and did not begin to function for at least a further month. No scheme has therefore been running for 12 months. NOF has reserved funds for projects that need additional funding, provided they meet certain criteria.

Sustaining schemes in the long term is of paramount importance. Drawing on the experience of the early stages of the programme, I am soon to meet NOF's Chairman Baroness Pitkeathly to consider how the programme can be developed to ensure that schemes can be sustained over time.

School Security

Mr. Kidney: To ask the Secretary of State for Education and Employment what financial support is available for measures to improve school security. [128268]

Jacqui Smith: My Department currently provides an annual grant, through the Standards Fund programme, to all local education authorities in England specifically to support measures to improve security in maintained schools in their areas. The Government grant available is £16.5 million, with local education authorities contributing an additional £5.5 million, making a total of £22 million per year.

For 2000–01, Staffordshire local education authority received £290,050 from central Government to support school security measures.

New Deal

Miss Geraldine Smith: To ask the Secretary of State for Education and Employment what assessment he has made of the impact of the New Deal for Young People on levels of long-term unemployment among young people in Morecambe and Lunesdale. [128342]

Ms Jowell: The New Deal for Young people is aimed at people aged 18 to 24 who have been claiming unemployment benefits for six months or more.

Claimant unemployment among this group has fallen by 70 per cent. in the three years since April 1997 and by 56 per cent. since April 1998 when the New Deal was introduced. Part of this fall is due to the delivery of a strong and stable economy, but the New Deal for Young People has helped unemployment to fall even faster. The fall of 56 per cent. since the New Deal was introduced compares with a fall of 18 per cent. in total unemployment, 23 per cent. in total youth (18–24) unemployment and 26 per cent. in the total number unemployed for six months or more. The effect of the New Deal is confirmed by independent research from the National Institute of Economic and Social Research.

In Morecambe and Lunesdale the falls in unemployment among the New Deal client group have also been substantially faster than for other groups. In the Morecambe and Lunesdale constituency in the two years since April 1998, claimant unemployment among those aged 18–24 unemployed for six months or more has fallen by 59 per cent. from 220 to 91. This compares with a fall of 16 per cent. in total unemployment, 25 per cent. in total youth (18–24) unemployment, and 32 per cent. in the total number unemployed for six months or more.

Mr. Brady: To ask the Secretary of State for Education and Employment how many people who have been participants in *(a)* the New Deal for 18 to 24 year olds, *(b)* the New Deal for those aged 25 and over and *(c)* the New Deal for older workers have subsequently enrolled on the New Deal for a second time. [128818]

Ms Jowell *[holding answer 3 July 2000]:* Latest figures to the end of April 2000 show that 45,930 starts on the New Deal for Young People and 61,720 starts on the New Deal for long-term unemployed adults aged 25 or over were made by people who had previously been on the New Deal. The New Deal 50+ started nationally in April this year and therefore it is too soon for anyone to have re-entered the New Deal. We do not see New Deal as a short term investment and we welcome back those who need the further help that the New Deal offers.

Behaviour Support

Dr. Kumar: To ask the Secretary of State for Education and Employment what plans he has to provide financial support for primary schools with children in need of behaviour support. [128290]

Jacqui Smith *[holding answer 3 July 2000]:* My right hon. Friend the Secretary of State announced in April that nearly £8 million will be spent this financial year on extending the Learning Support Unit initiative to cover the primary sector. The intention is that, by the end of the year, 60 pilot units will be running in first phase Excellence In Cities areas. The units will be school-based centres for pupils at risk of exclusion due to behavioural problems, providing them with separate teaching and support programmes tailored to their particular needs.

Additionally, £140 million is available from the Social Inclusion: Pupil Support Standards Fund Grant to help schools and local education authorities tackle poor behaviour and truancy; and a further £6 million has been allocated from the SEN Standards Fund to support projects in 46 local education authorities focusing on early identification and action for primary-age children with behavioural difficulties.

Learning and Skills Councils

Mr. Geraint Davies: To ask the Secretary of State for Education and Employment what further progress has been made in appointing the chairmen of the local Learning and Skills Councils. [129007]

Mr. Wicks: Following the appointment last week of the chairs of 21 local Learning and Skills Councils, my right hon. Friend the Secretary of State for Education and Employment has today appointed a further 11 chairs. They are as follows:

	Newly appointed Chairs
West Midlands	
Birmingham and Solihull	John Towers
The Black Country	Luke Borwick
Shropshire	Andrew Pinder
Staffordshire	Anne Williams
Coventry and Warwickshire	Ursula Russell
Hereford and Worcestershire	Chris Swan
North West	
Lancashire	Alan Dick
Greater Manchester	Anthony Goldstone OBE
Cheshire/Warrington	Brian Fleet
Cumbria	Robert Cairns
Merseyside/Halton	Jim Michie

A list of all the successful candidates has been placed in the Libraries of the House. A list of the remaining appointments will be placed in the Libraries in due course.

The local chairs bring with them a wealth of experience, not least from business, which will be a positive force for success in shaping the work of the Learning and Skills Council.

Sport in Schools

Mr. Hoyle: To ask the Secretary of State for Education and Employment what discussions his Department has held with the Department of Culture, Media and Sport on extending the number of hours spent on sport in schools. [128823]

Jacqui Smith: We have set a very clear aspiration that all schools should provide two hours of physical activity a week, both within and outside lesson time. We are now working consistently with the Department for Culture, Media and Sport to inspire schools and partners in the sport sector to deliver this through the Sports Strategy. The Implementation Group, which my hon. Friend the Minister for Sport and I have established to drive forward the strategy, is meeting regularly and will report in December 2000.

Private Finance Initiative

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment if he will estimate the cost of advisers to the public sector for private finance initiative projects in schools, as a proportion of the value of the contracts. [128588]

Jacqui Smith: The Department is not directly responsible for the procurement of schools PFI contracts, and therefore does not hold comprehensive information about the costs of external advice. The Department provides financial assistance towards such costs, which is supplemented by project sponsors from their own resources. Experience to date shows that the cost of external advisers for schools PFI projects varies according to the size of scheme and the internal expertise available to project sponsors. External fee costs for large projects involving many schools are typically 1 per cent. or less of total contract costs.

Astra Training Services

Mr. Todd: To ask the Secretary of State for Education and Employment how many former Astra Training Services employees have obtained employment following the implementation of the preferential training arrangements. [128871]

Mr. Wicks: No preferential training arrangements have been introduced for former Astra Training Services Ltd. employees. There is an ongoing commitment that former Astra staff will have a guaranteed interview for any externally advertised vacancies that arise within the Department for Education and Employment, including the Employment Service, for which they have the minimum competences being sought. In that regard, individuals who want to be considered for such vacancies have access to my Department's Learning and Development Centres to update their knowledge of the Department and its competence-based recruitment arrangements. However, no central record is kept of their success in gaining employment either in the Department, the wider civil service, or elsewhere.

Deaf Children

Mr. Boswell: To ask the Secretary of State for Education and Employment what appraisal he has made of the implications of universal hearing screening for neonates for the delivery of services by local education authorities to deaf children under the age of two years. [128325]

Jacqui Smith: Following advice from the National Screening Committee, my hon. Friend the Minister for Public Health agreed that a pilot programme of neonatal hearing screening should be launched later this year. An announcement was made at the annual conference of the National Deaf Children's Society on Friday 23 June.

Pilot programmes will be set up in 20 areas around the country to assess the full implications of introducing a universal neonatal hearing screening programme, including any consequential requirements for education services. This Department will work closely with the Department of Health to ensure that the impact on education services is fully assessed.

DEFENCE

SIFF Programme

Mr. Hunter: To ask the Secretary of State for Defence against what criteria proposals for his Department's forthcoming Successor Identification Friend or Foe programme will be assessed; and when he expects to make a decision on this project. [128256]

Mr. Spellar: Successor Identification Friend or Foe (SIFF) is a complex programme, involving some 40 sea, land and air platform types with total equipment requirements likely to number in the order of 1,000 transponders and 600 interrogators; each set of equipment has to be functionally and physically integrated with the host platform.

Owing to the number and diversity of the platform types, it is not practical to adopt a single prime contractor strategy for management of the whole SIFF programme. As part of the deliverables from the Assessment Phase, "Demonstration and Manufacture" tenders have been submitted by two competing potential suppliers, BAE SYSTEMS and Raytheon Systems Ltd. for supply of equipment and integration with many of the platform types, and by individual platform design authorities for integration with the remainder of the platforms. Evaluation of these tenders is an extensive task, aimed at ensuring that the decision on the choice of equipment supplier and the phasing of the work to be undertaken by the platform design authorities is made on the best overall balance of operational and value-for-money grounds. All relevant assessment criteria, including commercial, technical, logistics, cost and programme management aspects, will be taken into account in this process and I hope that we will be in a position to announce a decision on the programme during the summer.

HMS Tireless

Mr. Streeter: To ask the Secretary of State for Defence for what reason and for what period the crew of HMS Tireless was accommodated in hotels overseas; what has been the cost per night per person; and if he will make a statement. [128267]

Mr. Spellar: HMS Tireless arrived in Gibraltar on 19 May with a propulsion defect. 58 members of the 130-man crew were returned to the UK; the remaining crew are the minimum required for safe upkeep of the vessel. As facilities on board are extremely limited and not conducive to prolonged use alongside, it is normal practice to accommodate submarine personnel ashore if a submarine is alongside for more than three days. Hotel accommodation is being used on a short-term basis as there is currently no suitable service accommodation available. The cost per night including allowances is as follows: Officers £117.60, Senior Rates £92.60 and Junior Rates £75.10/80.10. RFA Fort Rosalie will arrive in Gibraltar by 6 July and she will provide accommodation for all personnel from Tireless for the duration of the repair work.

War Widows

Mrs. Lait: To ask the Secretary of State for Defence when he expects to publish the review of pensions for war widows. [128472]

Mr. Spellar: My Department is carrying out a major review of the Armed Forces Pension Scheme. This review is looking at all aspects of pensions for members of the armed forces and their dependants, including widows' pensions, and the question of paying widows' pension for life. My right hon. Friend the Secretary of State continues to hope to make an announcement about the review during the summer. War widows' pensions are the responsibility of the DSS War Pensions Agency.

MOD Assets

Mr. Kidney: To ask the Secretary of State for Defence when he last agreed guidelines with HM Treasury for greater commercial utilisation of MOD property and assets; and what proportion of its commercial returns may be retained by the MOD under such guidelines. [128270]

Mr. Spellar: The commercial exploitation of Ministry of Defence assets is conducted in accordance with Treasury guidelines, which are circulated to Departments from time to time, most recently in a Policy and Guidance Note, "Selling Government Services Into Wider Markets", issued in July 1998. As a general rule, the guidelines give each Department generating receipts the right to retain these commercial returns in their entirety.

Anti-submarine Exercises

Mr. Quentin Davies: To ask the Secretary of State for Defence what anti-submarine warfare exercises involving more than two vessels have been carried out by the Royal Navy in the past year; which ships and submarines took part; and where the exercises were held. [128766]

Mr. Spellar: Ships regularly conduct anti-submarine warfare training on an opportunity basis and it is not possible to detail every exercise or training opportunity. The following pre-planned exercises were undertaken where one of the principal objectives was Anti-Submarine Warfare (ASW) operational capability.

Event	*Time*	*Units involved*	*Location*
Submarine Command Course	June 1999	HMS Sovereign HMS Sheffield	Scottish Exercise Areas
Area Capability Training	June 1999	HMS Monmouth HMS Sovereign	West of UK and Minches
Joint Maritime Course (JMC 992)	June 1999	HMS Illustrious HMS Monmouth HMS Sheffield	West of UK and Minches
NATO Exercise 'Northern Light'	September 1999	HMS Trenchant HMS Turbulent HMS Coventry HMS Campbeltown HMS Cumberland HMS Gloucester HMS Illustrious HMS Manchester HMS Montrose HMS Sheffield	Bay of Biscay
Area Capability Training	October-November 1999	HMS Iron Duke HMS Montrose HMS Norfolk HMS Superb	West of UK and Minches
Joint Maritime Course (JMC 001)	February-March 2000	HMS Splendid HMS Grafton HMS Westminster	West of UK and Minches
American Undersea Testing and Evaluation Centre	April 2000	HMS Superb HMS Norfolk	Tongue of the Ocean, Bahamas
NATO Exercise 'Linked Seas'	May 2000	HMS Campbeltown HMS Glasgow HMS Gloucester HMS Liverpool HMS Northumberland HMS Westminster HMS Sovereign	Bay of Biscay
Submarine Command Course	May-June 2000	HMS Sovereign HMS Norfolk HMS Northumberland HMS Cumberland	Scottish Exercise Areas and Northern Fleet Exercise Areas
Area Capability Training	June 2000	HMS Sovereign HMS Norfolk HMS Northumberland	West of UK and Minches
Joint Maritime Course (JMC 002)	June 2000	HMS Cumberland HMS Iron Duke HMS Invincible HMS Norfolk HMS Northumberland HMS Somerset	West of UK and Minches
Flag Officer Sea Training	Weekly	All ships undergoing Basic or pre-Deployment Operational Sea Training conduct, on average, 12 hours of ASW training per week	South Coast Exercise Areas

Sea Eagle Missile

Mr. Quentin Davies: To ask the Secretary of State for Defence for what reasons the Sea Eagle has been withdrawn from service. [128767]

Mr. Spellar: Work undertaken in the Strategic Defence Review showed that we needed less capability in the field of open ocean anti-surface ship warfare. To this end, it was decided to withdraw the Sea Eagle missile from both the Tornado GRIB and the Sea Harrier, as part of a coherent programme of reduced investment in this area of our maritime capability. Instead, our future investment will be in heavier weapons with larger ranges, such as Harpoon.

Royal Artillery Day, Larkhill

Mr. Key: To ask the Secretary of State for Defence what representations were made to his Department and to the Royal Artillery by the Royal Society for the Protection of Birds about Royal Artillery Day at Larkhill; and if he will make a statement. [128474]

Mr. Spellar *[holding answer 3 July 2000]:* No representations have been received from the Royal Society for the Protection of Birds. There have, however, been detailed negotiations with English Nature over the firing arrangements for the Royal Artillery Day at Larkhill in order to minimise disturbance to nesting sites for stone curlews. English Nature consider that the arrangements in place do not present a significant risk of disturbance, especially as the nesting plots in question have been vacated with no sign of return. English Nature have expressed their thanks for the Ministry of Defence's efforts on this issue.

Parliamentary Questions

Mrs. Lait: To ask the Secretary of State for Defence when the hon. Member for Beckenham will receive an answer to her question tabled for answer on 17 May on the Love Bug computer virus. [128545]

Mr. Spellar *[holding answer 3 July 2000]:* I have replied today.

Chinook Crash

Mr. Arbuthnot: To ask the Secretary of State for Defence, pursuant to the statement by the Parliamentary Under-Secretary of State for Defence in Westminster Hall on 27 June 2000, on the Chinook crash, that the pilots could and should have either turned away immediately or slowed down and climbed to a safe altitude, on what evidence he relied to establish, to the standard of proof required by the RAF, that at the relevant time *(a)* Flight Lieutenant Cook and *(b)* Flight Lieutenant Tapper could have turned away or slowed down and climbed to a safe altitude. [128555]

Mr. Spellar: The RAF Board of Inquiry found nothing that would have prevented the pilots from maintaining safe flight in accordance with Visual Flight Rules or Instrument Flight Rules.

Bosnia

Mr. Swayne: To ask the Secretary of State for Defence if he will place in the Library a copy of the local Bosnian police report on the fatal accident on Monday 7 July involving Foden Thompson Carmichael FWD EW79AA, near Mrkonjic Grad. [127474]

Mr. Spellar: A brief report by the local Bosnian police was completed on 7 July 1997. It consists of a summary of the accident and notification that the Military Police took control of the investigation. It has been translated from the original Serbo-Croat; however, permission is required from the originator of the report for its release. My officials are now in consultation with the appropriate Bosnian authorities seeking release of the documents to a third party. I will write to the hon. Member when a decision has been reached.

Lemming UGV

Mr. Hancock: To ask the Secretary of State for Defence what evaluation his Department has made of the Lemming UGV; what plans it has to purchase this surveillance system; and if he will make a statement. [127179]

Mr. Spellar: My Department is aware of the Lemming Unmanned Ground Vehicle through its information exchange links with the US. No UK evaluation of the Lemming has been made and there are no present plans to purchase this system.

Robotic Surveillance System

Mr. Hancock: To ask the Secretary of State for Defence what plans his Department has to acquire an updated robotic surveillance system; and if he will make a statement. [127178]

Mr. Spellar: There are no current plans to acquire a land-based robotic surveillance system. Research is, however, being conducted into the potential of robotics to meet possible future requirements.

Queen's Birthday Parade

Mr. Gordon Prentice: To ask the Secretary of State for Defence what plans he has to issue lightweight summer uniforms to the service personnel taking part in the Queen's birthday parade in circumstances where the temperature is forecast to be well in excess of the seasonal norm. [127229]

Mr. Spellar: The Army ceremonial Full Dress uniform which is worn by all troops on the Queen's Birthday Parade, and by the Royal Colonels, is designed for a temperate climate. Army Bands do, however, wear their Full Dress uniform in hot climates abroad, such as Cyprus. A lightweight version could not be justified financially for the very few occasions when such a uniform might be deemed appropriate.

Farnborough Airshow

Mr. Simon Thomas: To ask the Secretary of State for Defence what support his Department is giving to the organisers of this year's Farnborough Airshow; and what assistance his Department is providing to enable overseas visitors to attend the show. [127876]

Mr. Spellar: In support of the Government's commitment to a strong UK defence industry, my Department undertakes a broad range of activities in support of The Society of British Aerospace Companies' organisation of this prestigious show to help ensure its continued position as one of the world's premier aerospace exhibitions. Normal marketing support to UK exhibitors is provided by the Defence Export Services Organisation, and other assistance ranges from providing the exhibition site, airfield support services and facilities, through to helping the organisers ensure the maximum exposure of UK products to potential customers by supporting official inward missions.

Radiation Detectors

Mrs. Ewing: To ask the Secretary of State for Defence if the IPM-7 type radiation detectors at Faslane base meet the standard required for the function they are put to; what standard his Department requires of BRDL at Rosyth; and what differences there are between the operations at Rosyth and Faslane. [128027]

Mr. Spellar: The IPM-7 type radiation detectors are calibrated at least once a year in accordance with legislative requirements. The monitoring arrangements used at Rosyth are legally the responsibility of the Chief Executive of the dockyard company and are not under the control of the MOD.

It is not possible to make comparisons between Faslane and Rosyth as all nuclear safety matters relating to Rosyth Royal Dockyard are a matter for Babcock Rosyth Defence Ltd., the owners of the dockyard. It is a condition of their contract with the MOD that they must comply with all nuclear safety regulations.

Mrs. Ewing: To ask the Secretary of State for Defence how often the Electra ratemeter and BP7 probes are given a functional response check; and how often they are calibrated at each site where they are in use. [128032]

Mr. Spellar: At Her Majesty's Naval Bases Devonport and Clyde, the Electra ratemeter and BP7 probes undergo various daily function checks and are calibrated at least once a year in accordance with legislative requirements.

Mrs. Ewing: To ask the Secretary of State for Defence what differences exist in the checks for radioactive contamination between personnel working *(a)* on reactor compartments and *(b)* in an active processing facility and nuclear repair workshops. [128033]

Mr. Spellar: All service and civilian staff working in reactor compartments at Her Majesty's Naval Base Faslane are checked fully for contamination on completion of their work using an Electra ratemeter with BP7 probe. This supplements routine contamination monitoring of work areas. Additionally, those working in the Active Processing Facility and Nuclear Repair Workshop are monitored using IPM-7 type portal radiation detectors.

Mrs. Ewing: To ask the Secretary of State for Defence when the Mk10 probe came into service; how many are in use and at what locations; and what plans he has to replace them. [128028]

Mr. Spellar: The Mk10 ratemeter came into service in 1976. There are approximately 65 Mk10 ratemeters currently available for use at the naval bases and on board submarines. The Mk10 ratemeters are programmed for replacement in the financial year 2002–03.

Computer Viruses

Mrs. Lait: To ask the Secretary of State for Defence at what precise time his Department became aware of the computer virus known as the Love Bug. [122589]

Mr. Spellar: The Ministry of Defence first became aware of the computer virus known as the Love Bug at approximately 9.30 am on 4 May 2000.

NORTHERN IRELAND

New Deal

Mr. Brady: To ask the Secretary of State for Northern Ireland how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage this represents of total staff. [129089]

Mr. Mandelson: The NIO currently has 11 New Deal employees, representing 0.8 per cent. of total staff. NIO's target under the scheme is to appoint 15 New Deal employees, representing 1 per cent. of total staff. To meet its target the Department has an on-going recruitment competition from which it will appoint a further four New Deal employees.

Diplock Courts

Mr. Winnick: To ask the Secretary of State for Northern Ireland what progress has been made in the review of the Diplock court arrangements. [129297]

Mr. Ingram: The review of the Diplock arrangements has now been completed and a report presented to the Secretary of State. I have today placed copies of the Review Group's report in the Library of the House.

TRADE AND INDUSTRY

Respiratory Diseases

Mr. Ennis: To ask the Secretary of State for Trade and Industry how many posthumous claims have been received from the dependants of former miners suffering from chronic bronchitis and emphysema; how many of these claims have so far been processed; and what estimate he has made of when all such claims will have been dealt with. [124949]

Mrs. Liddell *[holding answer 19 June 2000]:* To date we have received 36,889 claims for respiratory diseases from the widows and families of deceased former miners.

Where the condition caused or materially contributed to the miner's death, we have been paying bereavement awards to widows on the production of the death certificate since last year. To date we have paid some £30 million in over 2,700 cases. In addition, we are processing claims from widows and dependants through the full medical assessment process as we receive the necessary claims forms from solicitors. This process has been agreed with the solicitors representing the miners and is designed to calculate the compensation that would have been due to the deceased miner, but is now due to the widow and dependants. So far we have completed nearly 300 such assessments for deceased claims, but we expect this number to increase significantly over the coming weeks as the relevant medical records are obtained.

We anticipate that all existing claims will be completed in two to three years' time. This compares with 15 to 20 years if individual cases were dealt with the conventional way through the Courts.

Energy Policy

Mr. Gibb: To ask the Secretary of State for Trade and Industry what increase in non-fossil fuel resources and/or reduction in energy demand would be needed to compensate for the expected closure of almost all existing UK nuclear plant by 2020. [127480]

Mrs. Liddell: Nuclear output in 1999 is estimated to have been about 88TWh, forming some 28 per cent. of the total net supply from major power producers. In the DTI's recent Working Paper on energy projections, nuclear output was projected to fall to around 27TWh in 2020, representing a reduction of 61TWh from the 1999 level. If non-fossil sources were to substitute for the 61TWh of output entirely, this would require an increase in output from non-fossil sources of 500 per cent. from current levels or an increase of 67 per cent. from the projected level in 2020. To compensate for the 61TWh of output through reductions in electricity use, including losses, would require electricity demand in 2020 to be some 17 per cent. less than projected.

Internet

Dr. Cable: To ask the Secretary of State for Trade and Industry what regulatory procedures are in place to ensure the competitive balance of the internet. [128498]

Ms Hewitt: Many activities in the internet sector can be subject to regulation by OFTEL under telecoms regulations. One of OFTEL's key objectives in the area of internet markets is to ensure that the UK regulatory framework is appropriate to encourage the development of the internet so that the UK can be a world leader in e-commerce. Further, qualifying mergers are considered under the EC Merger Regulation, or the Fair Trading Act 1973, as appropriate, taking into account the impact of the merger on all relevant markets.

999 Calls

Dr. Cable: To ask the Secretary of State for Trade and Industry how he ensures that OFTEL meets its responsibilities to ensure that 999 calls receive priority over other telephone calls and are correctly routed; and if he will publish OFTEL data on the performance of the three companies which handle 999 calls in their call centres. [128499]

Ms Hewitt: OFTEL actively participates in the Home Office's 999 Liaison Committee which provides a forum for the emergency authorities and telecommunications companies to identify and resolve issues regarding the emergency calls service.

All Public Telecommunications Operators are required under their licences to provide a free 999/112 emergency calls service. Each Operator makes arrangements with BT, Cable & Wireless or Kingston Communications for the answering of such calls and their onward connection to the individual emergency services. The Operators licences also require that they take all reasonably practicable steps to maintain, to the greatest extent possible, the availability and integrity of their networks and the services that run over them, with particular regard to the needs of the Emergency Services. 999 calls receive absolute priority over all other calls and there are several in-built safeguards to ensure that these calls are routed and answered with the highest reliability.

OFTEL monitors the performance of the emergency calls service and receives reports from BT and other operators of all occasions when access to the 999 service is temporarily lost. Major incidents are investigated by OFTEL, which may recommend remedial actions.

The performance of the emergency calls service is published by OFTEL each year. The results for 1999 were as follows:

British Telecom took 22.3 million 999 calls of which it answered 95.7 per cent. within 5 seconds and 99.5 per cent. within 15 seconds;

Cable and Wireless took 4.4 million 999 calls of which it answered 92.1 per cent. within 5 seconds and 95.9 per cent. within 15 seconds;

Kingston Communications handled 0.23 million 999 calls of which it answered 99.97 per cent. within 15 seconds.

OFTEL intend to publish this year's information on their website.

Electricity Pylons

Miss McIntosh: To ask the Secretary of State for Trade and Industry (1) how much compensation the National Grid Company will pay to landowners on whose land trees must be felled or lopped along the proposed route of pylons from Lackenby to Shipton; [128369]

(2) what discussions he has had with the National Grid Company on the felling and lopping of trees along the route of the proposed pylons from Lackenby via Picton to Shipton by Bellingborough; and if he will make a statement; [128368]

(3) what *(a)* notification and *(b)* information he has received from the National Grid Company of the specific location of trees to be felled or lopped along the proposed route of pylons from Lackenby to Shipton; [128370]

(4) what consultations the National Grid Company has held with the affected landowners who will be subject to trees being felled or lopped along the proposed pylons route from Lackenby to Shipton. [128367]

Mrs. Liddell: On 7 December 1999, the National Grid Company applied to my right hon. Friend the Secretary of State for Trade and Industry for determination under a planning condition requiring a replacement tree planting scheme to be agreed before the North Yorks power line could be implemented. The Department is currently considering the matter in the light of the views of the Company, the relevant local planning authority and the affected landowners who have responded to the Department's consultation. My right hon. Friend's responsibility is to approve or not approve a tree planting scheme. The purpose of the scheme is to mitigate the impact of the consented development. The question of compensation is not a matter for my right hon. Friend.

Gas and Electricity Industries

Mr. Rooney: To ask the Secretary of State for Trade and Industry what progress has been made in developing the future regulatory and consumer representation arrangements for the gas and electricity industries; and if he will make a statement. [129299]

Mrs. Liddell: The Utilities Bill currently before Parliament will result in substantial benefits to consumers. In order to provide a sound basis for the implementation of those aspects of the new legislation for which it will have responsibility, the Office of Gas and Electricity Markets plans to undertake preparatory work right away. My Department also needs to undertake some preparatory work on appointments to the new Gas and Electricity Markets Authority and Gas and Electricity Consumer Council, which will be established once the Utilities Bill get Royal Assent. However, while candidates designate will be identified by the recruitment process, no appointments will be made until the Utilities Bill has received Royal Assent.

Parliamentary approval to these activities will be sought in Estimates for the OFGEM Vote (Class IX, Vote 10) and DTI Vote (Class IX, Vote 1). Pending that approval, urgent preparatory expenditure estimated at £1 million for OFGEM and £0.3 million for DTI will be met by repayable advances from the Contingencies Fund.

Mr. Stunell: To ask the Secretary of State for Trade and Industry, pursuant to his oral answer of 15 June 2000, *Official Report*, column 1102, on electricity trading arrangements, if he will publish the names and qualifications of the Embedded Generation Working Group, its terms of reference and work programming; and if he will make a statement. [128848]

Mrs. Liddell: The names, positions and contact details for the joint industry-government working group on embedded generation network access are published on the DTI website at: www.dti.gov.uk/energy/egwg/ along with its terms of reference, work programming, and minutes of past plenary meetings. This group focuses on network access issues. The position of such generators in respect of the new electricity trading arrangements (NETA) is handled separately.

Within the NETA process, a number of expert groups have been established, including the Specials Expert Group, the work of which includes the position of licence exempt generators under NETA. The terms of reference of the expert groups was published in paper DISG 21/04 which is available on the Ofgem website. They are

> "to assist the Business Requirements and Review Team in reviewing Programme products assessing Change Requests and providing guidance and advice to the Programme. In all these instances, the basis of the activity will be to seek to ensure that the deliverables from the Programme are compliant with stakeholder requirements".

The Specials Expert Group has developed a range of proposals to assist licence exempt generators to manage their commercial position in the NETA market, and that work continues. The membership of the Group is: Tony Bramley (Tanaris Energy); Graham Meeks (ETSU); David Smol (ILEX); Louise Elder (NGC); Robert Hockland (Scottish and Southern); Peter Clubb (ALEC); Stephen Andrews (ILEX); Andrew Wood (NFPA); Afrose Miah (PowerGen); Wyn Jones (Alcan); Liz Aveyard (Corus); Bob Brown (Norweb); Andrew MacDonald (Concert Energy); Steve Garrett (Slough Heat and Power); and Maurice Smith (Campbell Carr).

Post Offices

Judy Mallaber: To ask the Secretary of State for Trade and Industry (1) how many post offices have closed in *(a)* Derbyshire and *(b)* each Derbyshire parliamentary constituency since 1979; [129010]

(2) how many post offices were closed in *(a)* Derbyshire and *(b)* each Derbyshire parliamentary constituency between 1979 and 1997. [129009]

Mr. Alan Johnson: I understand from the Post Office that it does not hold historical data by county or parliamentary constituency for the numbers of post offices which have closed or opened.

Judy Mallaber: To ask the Secretary of State for Trade and Industry how many post offices there are in *(a)* Derbyshire and *(b)* Amber Valley constituency. [129003]

Mr. Alan Johnson: I understand from the Post Office that as at October 1999, the latest date for which such information is available, there were 37 post offices in the Amber Valley constituency and 337 in the county of Derbyshire.

Export Licence Application No. 9764

Mr. Key: To ask the Secretary of State for Trade and Industry when he will announce his decision on export licence application No. 9764 to Turkey. [128927]

Dr. Howells: The application is currently under consideration in conjunction with other Government departments. A decision on the licence application will be reached as quickly as possible consistent with the need to give full consideration to the issue involved.

Cannabis

Mr. Fabian Hamilton: To ask the Secretary of State for Trade and Industry if he will make a statement on the progress of tests currently being carried out to assess the medical benefits of cannabis. [127540]

Ms Hewitt: The Medical Research Council is supporting a clinical trial to look at the efficacy of cannabis extracts in the treatment of spasticity in multiple sclerosis patients. The trial was announced in December 1999 and is being run by Dr. John Zajicek (Derriford Hospital, Plymouth) and the MRC Clinical Trials Unit.

The trial is making good progress; local ethical committee approval has been obtained in principle and an application has been made to the Medicines Control Agency for the appropriate licence. The cannabinoids will be given exclusively in capsule form. Recruitment of patients is planned to start later in the summer. The results will be available in about 2.5 years, after formal scientific assessment of the results has taken place.

Energy (Office Buildings)

Sir Sydney Chapman: To ask the Secretary of State for the Environment, Transport and the Regions what is his estimate of the increase in energy consumption in commercial buildings, including the office sector, in the last 15 years for which figures are available. [127452]

Mrs. Liddell *[pursuant to the reply, 26 June 2000, c. 375W]:* The original reply was incorrect, and should have been as follows.

Energy consumption by commercial and other services (including agriculture and public administration) increased by 22 per cent. between 1984 and 1999.

HEALTH

Smoking

15. **Mr. Barron:** To ask the Secretary of State for Health if he will make a statement on the protection of young people from the dangers of tobacco smoking. [127524]

Mr. Hutton: As part of its comprehensive programme of action to tackle smoking, the Government are taking a number of measures which will protect children against the dangers of tobacco. We will shortly announce measures to strengthen enforcement of legislation on under-age sales of cigarettes, encouragement of proof-of-age cards and a targeted education campaign aimed at young people.

Surgical Procedures

16. **Mr. Ian Bruce:** To ask the Secretary of State for Health what change there has been in the number of surgical procedures carried out by independent healthcare providers on behalf of the NHS in the last three years. [127525]

Ms Stuart: This information is not collected centrally. However, in the last three years the total spent outside the National Health Service on all in-patient and day cases (surgical and medical) has risen from £86 million to £103 million, an increase of around £17 million. This remains around 1 per cent. of the total NHS spend on the same cases in the same period.

Children (Faltering Growth)

17. **Ms Dari Taylor:** To ask the Secretary of State for Health if he will introduce new guidelines to help young children with faltering growth, taking account of recent research published by the Children's Society. [127526]

Yvette Cooper: The research undertaken by the Children's Society provides an overview of current practices and the effectiveness of interventions. It gives useful information for professionals working with children. The Department, in providing grant aid, has supported the society in establishing the Feeding Matters programme. Sharing the successful outcomes of these programmes and projects such as Sure Start will enable more families to receive this support.

Primary Care Groups and Trusts

18. **Miss McIntosh:** To ask the Secretary of State for Health what recent representations he has received on the delivery of patient care through primary care trusts; and if he will make a statement. [127527]

Mr. Denham: I and my officials have regular meetings with a range of national and local stakeholders to discuss such issues.

35. **Mr. Ruffley:** To ask the Secretary of State for Health what recent representations he has received regarding the operation of primary care groups. [127545]

Mr. Denham: My officials and I have regular meetings with a range of national and local stakeholders to discuss such issues.

NHS Doctors

19. **Mr. Burgon:** To ask the Secretary of State for Health if he will make a statement on the number of doctors working in the NHS *(a)* currently and *(b)* between 1992 and 1997. [127528]

Mr. Denham: There are currently over 90,000 doctors working in the National Health Service; 4,000 more than there were in 1997. Money we made available from the first Comprehensive Spending Review will enable the NHS to take on up to 7,000 more doctors by March 2002.

Census Forms (Trent)

20. **Mr. David Taylor:** To ask the Secretary of State for Health what conclusions he has drawn from interim analysis of the national health service census forms returned by residents of the Trent region. [127529]

Mr. Denham: Of almost 29,000 suggestions made by members of the public within the Trent region, it can be concluded that their main concerns are the need for more capacity (27 per cent.), "doing things differently" (18 per cent.) and waiting (16 per cent.). These are consistent with the top three concerns expressed by the public nationally.

Intermediate Care (Worcestershire)

21. **Mr. Luff:** To ask the Secretary of State for Health what recent assessment he has made of the adequacy of intermediate care in Worcestershire. [127530]

Yvette Cooper: Worcestershire Health Authority has substantially increased its spending on intermediate care in the current financial year. During the last 12 months a number of services have been developed and implemented within Worcestershire which have enabled patients to be cared for in clinically appropriate environments which meet their individual needs.

MRSA

22. **Mr. Flynn:** To ask the Secretary of State for Health what steps he has taken to reduce deaths from methicillin resistant staphylococcus aureus. [127531]

Mr. Denham: Tackling hospital-acquired infection, including MRSA, underpins the priorities identified in the National Priorities Guidance. We have developed and issued national standards for infection control that place responsibility on Chief Executives of National Health Service trusts to deliver locally. Progress on compliance with these standards will be independently reviewed and monitored by both the Audit Commission and the Commission for Health Improvement.

Scientific Staff

23. **Mr. Cousins:** To ask the Secretary of State for Health what steps he is taking to increase recruitment and retention of scientific staff in the NHS. [127532]

Mr. Denham: The National Advisory Group for Scientists and Technicians has been charged with developing plans to improve work force planning, education, training and career development among that group of staff. The Department of Health is also developing a specific strategy for improving recruitment and retention, liaising closely with employers, professional bodies and trade unions to raise the profile of the work of scientists.

Cottage Hospitals

24. **Mr. Fabricant:** To ask the Secretary of State for Health if he will make a statement on the future of cottage hospitals in South Staffordshire. [127533]

Yvette Cooper: South Staffordshire Health Authority has undertaken a wide ranging strategic review of services. Following this period of informal consultation, specific proposals will be presented for formal public consultation. It would therefore not be possible for me to comment at this time on the future provision of services at specific sites in South Staffordshire.

Multiple Sclerosis

25. **Mr. Gordon Prentice:** To ask the Secretary of State for Health if he will ensure that, following diagnosis, persons with MS have access to a named consultant neurologist to help them manage their condition. [127534]

Mr. Hutton: Multiple sclerosis can be very difficult to diagnose. The usual treatment path is for a patient to be referred to a consultant neurologist by their general practitioner. Once the relationship is established between the patient and the consultant, it would be normal for the patient, whenever it is clinically necessary, to continue seeing that consultant for the management of their condition.

Cataract Services

26. **Mr. McCabe:** To ask the Secretary of State for Health if he will make a statement on cataract services in the NHS. [127535]

Mr. Denham: We intend to improve access to treatment for people who need cataract surgery. We are investing £20 million over two years to modernise cataract services. This will ensure quicker and more efficient services for patients and increase the number of cataract operations performed to 250,000 by the year 2003.

Telecommunications Masts

27. **Ms Perham:** To ask the Secretary of State for Health what recent assessment he has made of the risk to health of people living near telecommunications masts. [127536]

Yvette Cooper: The recently published report of the Independent Expert Group on Mobile Phones (the Stewart Group) concluded that the balance of evidence indicates that there is no general risk to health to people living near base stations, but that gaps in knowledge are sufficient to justify a precautionary approach.

NHS Funding

28. **Mr. Bill O'Brien:** To ask the Secretary of State for Health what is the planned level of capital investment in the NHS over the next two years; and if he will make a statement. [127537]

Mr. Denham: The planned level of Capital Investment in the National Health Service, including the Private Finance Initiative, is £1.942 billion in 1999–2000 and £2.736 billion in 2000–01.

34. **Mr. Andrew George:** To ask the Secretary of State for Health what assessment he has made of the ability of the health authority funding formula to reflect health service needs in each area. [127544]

Mr. Denham: The current formula includes a wide range of health and socio-economic indicators associated with the need for healthcare.

There have, however, been growing concerns about how well the formula matches cash to health need. The healthcare needs of populations must be the driving force in determining where cash goes. We have therefore asked the Advisory Committee on Resource Allocation to oversee a wide-ranging review of the formula.

Mr. Cohen: To ask the Secretary of State for Health if he will list *(a)* the sums required and *(b)* the percentage increase in funding required to achieve financial balance in each NHS health authority area by 2000–01; and what percentage of the additional NHS funding recently announced is required to achieve financial balance in each case. [128554]

Mr. Denham: Health authorities do not spend money on achieving financial balance. In consultation with local stakeholders they use their allocations to commission services for their local populations. In planning their spending they are required to live within the resources available.

Dental Services

29. **Mr. Ben Chapman:** To ask the Secretary of State for Health if he will make a statement on the provision of NHS dental services. [127538]

Mr. Hutton: We are aware of the problems in accessing National Health Service dentistry in some parts of the country and have taken steps to address them. Improving access to services will be an integral part of the Government's plans to modernise NHS dentistry, which will be published in conjunction with the National Plan for the New NHS.

Walk-in Centres

30. **Mr. Bradshaw:** To ask the Secretary of State for Health what progress has been made towards establishing the planned new NHS walk-in centres. [127539]

Mr. Denham: 36 National Health Service Walk-in Centre pilots were approved last year. 21 have opened to date, with the remaining sites to open by December 2000. NHS walk-in centres will improve access to and convenience of services for patients.

Patient Choice

31. **Mr. Leigh:** To ask the Secretary of State for Health if he will make a statement about patient choice in the NHS. [127541]

Mr. Denham: The rights of patients are one of the issues being considered in the preparation of the National Plan.

Consultants

32. **Mr. Efford:** To ask the Secretary of State for Health what plans he has to monitor the performance levels of NHS consultants. [127542]

Mr. Denham: We are currently negotiating a new contract for National Health Service consultants and have agreed with the British Medical Association the key areas to be negotiated over the next few months. That will include the introduction of employer-based appraisal for all consultants which, coupled with tighter job planning mechanisms, will provide NHS managers with a more effective framework to manage the performance and time of their consultants.

Alcohol Strategy

36. **Mr. Hopkins:** To ask the Secretary of State for Health when he will publish the consultation paper on a national alcohol strategy; and if he will make a statement. [127546]

Yvette Cooper: We plan to publish a consultation paper later this year, which will allow a period for comment prior to the publication of the strategy.

Health Inequalities (London)

37. **Mr. Love:** To ask the Secretary of State for Health what steps are being taken to reduce health inequalities in London. [127547]

Yvette Cooper: Action to reduce inequalities in health is a major priority, as are addressing black and minority ethnic health, regenerating deprived areas and improving transport. The reduction in health inequalities is a shared priority for local health and social services.

A London health strategy has been developed over the last year by a partnership with representatives from business, local government, environment, leisure and housing organisations, the National Health Service, academic institutions and voluntary and community groups.

The London health strategy will reduce inequalities in health and this work will complement the implementation of major government initiatives to tackle inequalities and focus them on the particular problems being faced in London.

National Plan (Beds)

Dr. Palmer: To ask the Secretary of State for Health what progress he is making on providing for additional beds under the national plan; and if he will make a statement. [127543]

Mr. Denham: We will be publishing the national plan in July.

Freeman Hospital, Newcastle

Mr. Martlew: To ask the Secretary of State for Health what the maximum waiting times are for a consultant appointment at the Freeman Hospital in Newcastle; and if he will make a statement. [127804]

Mr. Denham: Latest published data for the quarter ending 31 March 2000 show that 75 per cent. of patients referred by their general practitioner to the Newcastle upon Tyne Hospitals National Health Service Trust are seen within 13 weeks for first out-patient appointments and 95 per cent. are seen within 26 weeks. Lengthy waits being experienced for orthopaedic surgery are being addressed by the appointment of a new consultant.

Prescription Drugs

Mr. Gordon Prentice: To ask the Secretary of State for Health if he will list the 10 most expensive drugs, in terms of treatment per patient per year, prescribed by the NHS and the number of patients involved in each case in the last year for which figures are available. [127862]

Ms Stuart: It is not possible to provide information in the form requested because individual patients require different treatment regimes, nor is information collected on the numbers of patients receiving medicines.

However, as a general rule the most expensive treatments per patient per year are those used to treat very rare diseases or rare complications of diseases, e.g. Gaucher's Disease or complication of haemophilia.

Nursing Vacancies (Advertising)

Mrs. Curtis-Thomas: To ask the Secretary of State for Health how much was spent on advertising for nursing vacancies in newspapers and journals by each hospital trust in England and Wales in 1998–99. [128083]

Ms Stuart: Information on how much is spent on advertising in newspapers and journals by each hospital trust in England and Wales for nursing vacancies is not held centrally.

Organ Transplants

Mr. Swayne: To ask the Secretary of State for Health what plans he has to introduce legislation to secure a greater supply of organs for transplant; and if he will make a statement. [128113]

Mr. Denham: We have no plans at this time to introduce legislation to change the way in which organs are donated for transplant.

Our current publicity campaign, which was launched in 1998, is on-going and encourages people to join the National Health Service Organ Donor Register, carry the donor card and, most importantly, discuss their wishes with their friends and family.

Medical Services (Cleveland)

Dr. Kumar: To ask the Secretary of State for Health (1) how many doctors have joined the NHS in each year since 1990 and how many have joined in total since May 1997 *(a)* nationally, *(b)* in Teesside and *(c)* in the constituency of Middlesbrough, South and Cleveland, East; and if he will make a statement; [128511]

(2) how many nurses have joined the NHS in each year since 1990; how many joined in total since May 1997 *(a)* nationally, *(b)* in Teesside and *(c)* in the constituency of Middlesbrough, South and Cleveland, East; and if he will make a statement. [128514]

Mr. Denham: The information requested is shown in the table. Information is not collected for the constituency of Middlesbrough, South and Cleveland, East.

Number of NHS Doctors[1] in Tees Health Authority and England, 1990–99

Headcount

	Tees HA[2]	*England*
1990	881	101,243
1991[3]	949	102,568
1992[3]	999	103,925
1993[3]	1,109	105,740
1994[3]	1,151	106,685

Number of NHS Doctors[1] *in Tees Health Authority and England, 1990–99*

Headcount

	Tees HA[2]	*England*
1995	1,217	109,869
1996	1,294	112,206
1997	1,382	115,439
1998	1,408	117,927
1999	1,452	120,347

[1] Includes all hospital medical staff (except Clinical Assistants and Hospital Practitioners, most of whom also work as GMPs); all General Medical Practitioners (except retainers); Public Health Medicine and Community Health Service Medical staff. Excludes locum doctors.

[2] GMP data relate to Cleveland FPC for 1990, Cleveland FHSA for 1991 to 1995 and Tees HA from 1996 onwards.

[3] Figures for 1991 to 1994 may not be fully comparable with other data due to under-recording of fundholding practice staff by FHSAs.

Figures are rounded to the nearest 10.

Sources:

Department of Health medical and dental workforce census at 30 September each year

Department of Health General and Personal Medical Services Statistics at 1 October each year

NHS Hospital and Community Health Services (HCHS): nursing, midwifery and health visiting staff and practice nurses, in England and Tees Regional Health Authority, as at 30 September each year

Whole time equivalents

	England	*Tees HA*
1990	403,100	n/a
1991	400,980	n/a
1992	387,910	n/a
1993	371,060	n/a
1994	357,780	n/a
1995	340,190	4,130
1996	342,480	4,400
1997	340,700	4,460
1998	342,550	4,760
1999	349,270	4,870

n/a = not applicable

Notes:

1. Figures are rounded to the nearest 10.
2. Figures exclude learners and agency staff.
3. A new classification of the non-medical workforce was introduced in 1995. Information based on this classification is not directly comparable with earlier years.

Source:

Department of Health Non-Medical Workforce Census

Junior Doctors

Dr. Kumar: To ask the Secretary of State for Health if he will make a statement on the impact of the European Working Time Directive on junior doctors; and how many junior doctors are working in excess of the directive-recommended hours. [128802]

Mr. Denham: We welcome the agreement reached between the Council and the European Parliament to extend the Working Time Directive to junior doctors. The transition period of up to twelve years for implementing the Directive will allow junior doctors' working hours to be reduced in a planned and sustained way while, at the same time, protecting patient services and safeguarding our ambitious and much-needed programme of modernisation for the National Health Service.

The transition period requires, in its initial phase, that no junior doctor should work more than 56 hours a week by 2007. NHS trusts' figures for March 2000 show that 64 per cent. of junior doctors in England meet the full range of hours and rest period targets set out in the juniors' New Deal, including the requirement that they do not work more than 56 hours a week. The 56 hour limit will be incorporated into all junior doctor contracts from August 2003.

Appointments

Mr. Brady: To ask the Secretary of State for Health what action he has taken to end the practice of seeking references from hon. Members on shortlisted applicants for appointment to *(a)* NHS trusts, *(b)* health authorities and *(c)* primary care trusts, since the publication of the Fritchie report. [129030]

Ms Stuart: A response to Dame Rennie Fritchie's report on appointments to National Health Service boards will be made shortly. This will address the recommendation that comments should no longer be sought from hon. Members on shortlisted candidates for chair appointments.

Mr. Brady: To ask the Secretary of State for Health how many *(a)* shortlisted applicants for and *(b)* appointments as (i) chairman and (ii) non-executive director of primary care trusts have declared political activity for (A) the Labour Party, (B) the Conservative Party and (C) the Liberal Democrat Party. [129029]

Ms Stuart: The information requested as at 3 July 2000 is given in the table.

	Labour	*Conservative*	*Liberal Democrat*	*Ind./No political activity*
Non-executives				
Short-listed candidates	39	12	4	95
Appointed candidates	15	8	2	53
Success rate (per cent.)	38.5	66	50	55.8
Chairs				
Short-listed candidates	11	5	2	21
Appointed candidates	5	2	2	13
Success rate (per cent.)	45	40	100	62

Access to Health Care

Mr. Casale: To ask the Secretary of State for Health what action he is taking to reduce regional variations in access to health care. [127517]

Mr. Denham: We are setting standards through the National Institute for Clinical Excellence and the National Service Frameworks. We are ensuring local delivery through clinical governance and monitoring delivery through the performance assessment framework and the Commission for Health Improvement. We are working with relevant parties, utilising the record increases in National Health Service funding announced in the Budget to improve NHS performance.

Community Care Services

Ms Roseanna Cunningham: To ask the Secretary of State for Health if he will estimate the cost for *(a)* Scotland and *(b)* the UK of abolishing charging for essential non-residential community care services. [128132]

Mr. Hutton: In 1998–99, councils in England raised £295 million in sales, fees and charges from all clients of all ages for non-residential services. The responsibility for information relating to Scotland is a matter for the devolved Administration.

Prescription Fraud

Mr. Field: To ask the Secretary of State for Health what assessment he has made of the level of accuracy of his Department's most recent measurement of prescription fraud. [128913]

Ms Stuart: The measurement exercise was designed so as to ensure that the variation in the results due to sampling should be no more than 1 per cent. (So that for an estimate of x per cent. the true value would have a 95 per cent. confidence interval of x plus 1 per cent. and x minus 1 per cent. or better). In fact the final estimate of the fraud/in error rate had 95 per cent. confidence limits of plus or minus 0.6 per cent.

A sample of forms dispensed by community pharmacists and appliance contractors to people claiming exemption from payment for prescription charges was selected using robust statistical techniques. The selected prescription forms were then subjected to a stringent investigative process to establish whether the patient who had made the claim had done so correctly, in error or fraudulently. Each case was investigated and examined individually and, where necessary, patients were contacted to establish the reasons for inconsistencies in the information given by them. The National Audit Office have examined the methodology used to arrive at the estimates and found that it was sound.

Buddying Schemes

Mrs. Gillan: To ask the Secretary of State for Health if he will list the buddying schemes for people with disabilities in England which are run by *(a)* community health trusts, *(b)* social services departments and *(c)* voluntary organisations; and if he will make a statement. [128836]

Mr. Hutton: The information requested is not collected centrally. It is for health authority and local authority commissioners to decide whether to commission buddying services locally.

Mrs. Gillan: To ask the Secretary of State for Health what funding is available from his Department to finance buddying schemes for people with disabilities; and if he will make a statement. [128835]

Mr. Hutton: The Department provides grants to voluntary organisations through the scheme administered under Section 64 of the Health Services and Public Health Act 1968. Some of these grants may, from time to time, be used to fund buddying schemes.

Mrs. Gillan: To ask the Secretary of State for Health if he will estimate the total funding available from *(a)* central Government and *(b)* voluntary organisations for the running of buddying schemes for people with disabilities in England; and if he will make a statement. [128837]

Mr. Hutton: No Section 64 grants are currently provided specifically to fund buddying schemes. Information about funding from voluntary organisations is not available centrally.

NICE

Mr. Lidington: To ask the Secretary of State for Health (1) if he will ask the National Institute for Clinical Excellence to hear oral evidence from multiple sclerosis patients; [129116]

(2) what guidance he has given to the National Institute for Clinical Excellence about taking evidence from patients. [129117]

Mr. Denham: The National Institute for Clinical Excellence (NICE) determines its own processes, within broad guidance from Ministers set out in a "Memorandum of Understanding" of August 1999. We have asked NICE to follow a transparent and well-structured process for its appraisals, giving appropriate interested parties the opportunity to submit evidence, to comment on draft conclusions, and to appeal to a panel independent of those involved in the original judgment. For their appraisal of beta interferon NICE have sought evidence from patient representative organisations and we anticipate that NICE will be well aware from this of the views of individual multiple sclerosis patients.

Correspondence

Mrs. Roe: To ask the Secretary of State for Health when the hon. Member for Broxbourne will receive a reply to her letters of *(a)* 3 March, *(b)* 6 April, *(c)* 5 May, *(d)* 1 June and *(e)* 29 June relating to her constituent Mrs. K. Costas. [128917]

Mr. Denham: I replied to the hon. Member on 3 July.

Mrs. Roe: To ask the Secretary of State for Health when the hon. Member for Broxbourne will receive a reply to her letters of *(a)* 6 April, *(b)* 5 May, *(c)* 1 June and *(d)* 29 June relating to her constituent, Mr. John Huggett. [128915]

Mr. Denham: I replied to the hon. Member on 3 July.

Single Currency

Mr. Swayne: To ask the Secretary of State for Health what costs the NHS has incurred as a consequence of the National Changeover Plan. [128914]

Mr. Denham: The National Health Service is carrying out a measure of pre-planning for the possible introduction of the euro as set out in the second Outline National Changeover Plan published on 9 March 2000. The costs of this on-going exercise are contained within normal running costs and cannot be separately identified.

Healthy Living Centres

Mrs. Anne Campbell: To ask the Secretary of State for Health if he will make a statement on the role of healthy living centres in the Government's public health strategy. [127513]

Yvette Cooper: The New Opportunities Fund is responsible for funding the healthy living centre initiative. Healthy living centre applicants need to demonstrate that their projects will support national and local health strategies. Healthy living centres will have a key role to play in reducing inequalities and supporting the work of other statutory and voluntary agencies locally. Healthy living centres funded through this initiative will promote good health in its broadest sense.

CULTURE, MEDIA AND SPORT

Millennium Dome

Mr. Redwood: To ask the Secretary of State for Culture, Media and Sport what cost savings are planned for the rest of the year at the Dome. [123984]

Janet Anderson *[holding answer 5 June 2000]:* NMEC is achieving £20 million cost savings over the project's remaining lifetime which will bring the project back to its original cash ceiling budget of £758 million. In addition, NMEC is continuing to focus on cost efficiency and cost savings and aims to deliver more.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will publish the basis on which the estimated closure costs of the Dome have been calculated. [126872]

Janet Anderson *[holding answer 19 June 2000]:* The closure costs of the Millennium Dome will be subject to the nature of the proposal from the winning bidder in the Legacy competition. Any non-planned closure costs would be determined by the nature and quantum of contractual liabilities at that point in time, including staff termination payments, supplier and contractor payments and legal bills.

Mr. Baker: To ask the Secretary of State for Culture, Media and Sport what proportion of sponsorship payments due to the new Millennium Experience Company in respect of the Dome had been received on time by 31 May. [126649]

Janet Anderson *[holding answer 19 June 2000]:* All sponsor contracts are individually tailored for each sponsorship, including phasing of sponsorship payments. At 31 May, all contractual sponsorship payments had been made. At that stage the contract with Boots was nearing finalisation and the company had paid amounts in advance of signature. The Boots contract has now been signed and all due payments have been made.

Mr. Mitchell: To ask the Secretary of State for Culture, Media and Sport if he will estimate the cost of making admission to the Dome free from 1 July to the end of the year. [127485]

Janet Anderson: On the basis of ticket income foregone against the planned visitor volume, the cost of free entry from 1 July would be about £40 million.

Mr. Jon Owen Jones: To ask the Secretary of State for Culture, Media and Sport what type of information on ticket sales to the Millennium Dome has been released to the Select Committee on Culture, Media and Sport on a commercial-in-confidence basis which has not been made publicly available. [125529]

Mr. Chris Smith: No information on ticket sales has been made available to the Select Committee on a commercial-in-confidence basis which has not been made publicly available. Information on visitor figures is regularly posted on the Dome's website (www.Dome2000.co.uk).

New Millennium Experience Company

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what assessment the New Millennium Experience Company has made of its ability to meet its published commercial income target. [125027]

Janet Anderson *[holding answer 8 June 2000]:* NMEC has already made it clear that the original business plan assumptions were over-optimistic and its revised business plan, on the basis of 6 million revenue-generating visitors, forecasts commercial income (tickets, merchandise, food, corporate hospitality and events) of £86.1 million. Part of the difference between the original and current forecasts is mitigated by the revenue contingency factored into the original budget. The remaining difference formed part of the NMEC's applications for additional Lottery grant in January 2000 and May 2000. Despite the revision of the business assumptions the Dome is the most successful paying visitor attraction in the UK, achieving 3 million visitors in six months, and is the second most successful in Europe.

Mr. Jon Owen Jones: To ask the Secretary of State for Culture, Media and Sport when he will answer the questions from the hon. Member for Cardiff, Central on the NMEC, tabled for answer on 9 June. [128620]

Janet Anderson: I answered my hon. Friend's questions (125528, 125530 and 125531) on the NMEC on 29 June 2000, *Official Report*, columns 618–19W. I am answering question No. 125529 today.

Flaxmill Project

Mr. Paul Marsden: To ask the Secretary of State for Culture, Media and Sport for how long the English Heritage grant will be available for the Flaxmill project in Shrewsbury; and if he will make a statement. [125945]

Mr. Alan Howarth: The English Heritage grant will be available as long as it is needed to get this important project off the ground. English Heritage grants are normally time limited and conditional on works starting within six months, and being completed within two years, of the date of offer. However, in this case English Heritage have agreed to hold their grants offer open in the hope that their funding partners will be able to find their share of the funds needed to secure the future of this Grade I listed building at risk.

Listed Churches

Mrs. Virginia Bottomley: To ask the Secretary of State for Culture, Media and Sport how much Lottery money, and how many grants, have been allocated to restoration of listed churches in each year since 1995; and what plans he has to increase the resources available for the restoration and maintenance of listed churches. [128515]

Mr. Chris Smith: We have contacted the Heritage Lottery Fund and English Heritage to request the information required, and I will write to the right hon. Member as soon as it is available, placing copies of my letter in the Library of the House.

National Lottery

Miss Geraldine Smith: To ask the Secretary of State for Culture, Media and Sport what steps is he taking to ensure that small community-based projects have increased access to Lottery funding. [128351]

Kate Hoey: My right hon. Friend the Secretary of State has encouraged the distributing bodies to continue and enhance the cross-distributor small grants programme, Awards for All, which distributes grants of £500-£5,000 to community-based groups for arts, sports, heritage, charitable and other community activities. The average size of a Lottery grant today is £40,000, down from a peak of more than £250,000 in 1995–96, which means that many more groups are able to benefit from Lottery funds.

Miss Geraldine Smith: To ask the Secretary of State for Culture, Media and Sport how much money the National Lottery raised in the last 12 months for which figures are available; and what was the average weekly figure for that period. [128358]

Kate Hoey: In the 12 months to the end of May 2000, the National Lottery raised a total of £1.789 billion for good causes (including money earned on the balance of the National Lottery distribution fund). This equates to an average of £34 million per week.

Miss Geraldine Smith: To ask the Secretary of State for Culture, Media and Sport what steps his Department is taking to ensure equitable distribution of Lottery funding throughout the United Kingdom. [128347]

Kate Hoey: The Government are committed to ensuring that Lottery funding is distributed fairly both geographically and across all groups of society. This is reflected in the changes made to Lottery distribution through the National Lottery Act, 1998, and through the revised Policy Directions which my right hon. Friend the Secretary of State issued in summer 1998. My Department and the Lottery distributors have set up an action team to help ensure that areas of low take-up fare better from the Lottery in future.

Miss Geraldine Smith: To ask the Secretary of State for Culture, Media and Sport what steps he takes to monitor the extent to which Lottery funds are equitably distributed throughout the United Kingdom. [128349]

Kate Hoey: My Department monitors the Lottery awards given to each constituency. The policy directions issued to each distributor require them to take account of the need to ensure that all parts of the country have access to funding.

Miss Geraldine Smith: To ask the Secretary of State for Culture, Media and Sport if he will list the projects for which Lottery funding has been applied for to date. [128345]

Kate Hoey: Applications for Lottery funds are made in confidence and therefore no complete list of projects that have applied for Lottery funds is available. A list of successful applications is available on my Department's website at www.lottery.culture.gov.uk.

Miss Geraldine Smith: To ask the Secretary of State for Culture, Media and Sport what steps he is taking to ensure that seaside towns receive Lottery funding for regeneration projects. [128344]

Kate Hoey: The National Lottery funds numerous projects which bring widespread benefits to seaside towns. Research jointly commissioned by my Department and the Lottery distributors into Lottery funding in the coalfields and other areas does however suggest that resort and retirement towns have made relatively fewer applications and have received less per capita than the national average. We have set up an action team to take forward recommendations in this research and will explore ways of ensuring that all areas, including seaside towns, receive their fair share in future.

Miss Geraldine Smith: To ask the Secretary of State for Culture, Media and Sport what is the maximum percentage of funding a project can attract in Lottery funding. [128444]

Kate Hoey: Each National Lottery distributor sets its own levels of expected partnership funding. In doing so they seek an element of partnership funding commensurate with the ability of different kinds of applicants, or applicants in particular areas, to obtain such support. In some instances this may result in 100 per cent. National Lottery funding. Volunteer time and other contributions in kind may be considered as providing partnership support.

Miss Geraldine Smith: To ask the Secretary of State for Culture, Media and Sport what steps he takes to advertise funding opportunities through the Lottery to voluntary and community groups. [128350]

Kate Hoey: My Department has published and distributed leaflets drawing attention to the Lottery funding available. Similar information is available on the DCMS website www.culture.gov.uk. My Department is also working with the distributing bodies, local authorities and others to improve the flow of information to voluntary and community groups.

Miss Geraldine Smith: To ask the Secretary of State for Culture, Media and Sport what the total value of Lottery ticket sales is in the Morecambe and Lunesdale constituency since the Lottery began. [128357]

Kate Hoey: In the first five years of the Lottery's operation (that is, up to 13 November 1999), ticket sales in the Morecambe and Lunesdale constituency were £31,646,302. No more recent breakdown of Lottery ticket sales by constituency is available.

World Cup 2006

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what recent discussions he has had with the FA, the Premier League and Sport England regarding his continued support for the bid to host the World Cup in 2006; and if he will make a statement. [128799]

Mr. Chris Smith *[holding answer 3 July 2000]:* I have discussed the bid for the 2006 World Cup with the Football Association and with the Prime Minister's Special Envoy over the last week. Despite recent events at the European Football Championships, the bid will not be withdrawn. The Government agree with the FA that the England bid is of the highest technical quality, and will continue to offer its full support.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport when he expects accounts of England 2006 to be published; and if he will make a statement. [128800]

Mr. Chris Smith *[holding answer 3 July 2000]:* The 2006 World Cup bid is a bid by the Football Association. Reference to the costs of the bid are made in the FA's accounts for the years ended 31 December 1998 and 1999, and are expected to appear in the accounts for the year ended 31 December 2000. Any decision to publish full accounts for the bid is for the FA to make.

Sport England allocated £3 million towards the cost of the bid, which is expected to total an estimated £9 million by the time that the FIFA Executive Council announces its decision on 7 July. Although it is not a Lottery condition to require published accounts, Sport England closely monitors how the Lottery grant is spent.

Young Athletes (International Competitions)

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the contribution of private companies in the United Kingdom in providing financial support to young athletes competing for Great Britain in international competitions; and if he will make a statement. [128384]

Kate Hoey *[holding answer 3 July 2000]:* I will write to my hon. Friend as soon as I have the information, which is not readily available within my Department.

Dr. Kumar: To ask the Secretary of State for Culture, Media and Sport what financial support is available to young athletes competing for Great Britain in international competitions; what percentage of such financial support is provided by private companies through sponsorship; and if he will make a statement. [128383]

Kate Hoey *[holding answer 3 July 2000]:* I will write to my hon. Friend as soon as I have the information and place a copy of my letter in the Library of the House.

Free Television Licences

Mr. Rooney: To ask the Secretary of State for Culture, Media and Sport when he will amend the BBC Agreement to enable the Department of Social Security to make certain payments to the BBC in recognition of the fact that, from 1 November, people aged 75 or over will become entitled to free television licences. [129384]

Mr. Chris Smith: The amendment to the BBC Agreement [Command 4797] has been laid before the House of Commons today. Copies have been placed in the Libraries of both Houses and in the Vote Office.

Annual Reports

Mr. Rendel: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 27 June 2000, *Official Report*, column 442W, what the cost of producing the annual report of his Department was in each of the two most recent years in which they were published, excluding the cost of buying back copies for free distribution from The Stationery Office. [129184]

Mr. Chris Smith: The costs incurred producing the Departmental Annual Report in each of the two most recent years, excluding the cost of buying back copies for free distribution from the Stationery Office were:

	£000
1999	46.6
2000	47.9

SOCIAL SECURITY

Vaccine Damage Payment Scheme

Mr. Ian Stewart: To ask the Secretary of State for Social Security when the Government will publish its review of the 1979 vaccine damage payment scheme. [128036]

Mr. Bayley: I refer my hon. Friend to the statement made by my right hon. Friend the Secretary of State on 27 June 2000, *Official Report*, column 719.

Housing Benefit

Miss Geraldine Smith: To ask the Secretary of State for Social Security how many people claim Housing Benefit in Morecambe and Lunesdale constituency. [128352]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the table.

Housing Benefit claims and recipients for Lancaster city council which includes the constituency of Morecambe and Lunesdale 1998–99

	Number
New and renewal claims to Housing Benefit—April 1998 to March 1999	18,000
Housing Benefit recipients—August 1999	8,650

Notes:

1. Numbers in receipt of Housing Benefit for Lancaster city council have been rounded to the nearest 10 cases.

2. The numbers of claims to Housing Benefit have been rounded to two significant figures.

3. The Department collects data by local authority.

Sources:

For claims—Housing Benefit and Council Tax Benefit Management Information System Quarterly Administrative Returns April 1998—March 1999.

For recipients—Housing Benefit and Council Tax Benefit Management Information System Quarterly Caseload Stock Counts Returns August 1999.

Miss Geraldine Smith: To ask the Secretary of State for Social Security what the average rent limit in England is for the payment of Housing Benefit. [128353]

Angela Eagle: The information is not available.

Housing Benefit Fraud

Miss Geraldine Smith: To ask the Secretary of State for Social Security what recent steps his Department has taken to tackle Housing Benefit fraud. [128458]

Angela Eagle: "Safeguarding Social Security" published in March 1999 makes it clear that we want a benefit system which is secure from start to finish. We are committed to taking tough action against Housing Benefit fraud. We have already reformed the anti-fraud financial incentive scheme for local authorities to ensure they continue to be rewarded for detecting cases of genuine benefit fraud and non-residency, but also have the opportunity to earn rewards for successfully prosecuting fraud cases and for adopting the Department's Verification Framework. The Verification Framework helps to secure the administration of Housing Benefit through a series of additional checks, carried out throughout the life of a benefit claim, and [illegible] local authorities have been paid or accepted funds to implement the Verification Framework.

The Benefit Fraud Inspectorate is conducting inspections of local authorities; to date 58 reports have been published. Last month the Benefit Fraud Inspectorate issued new good practice guidance to improve service delivery and help tackle fraud and error. We have made it abundantly clear to all authorities that when inspections show persistent failings we will use our powers to direct authorities on the standards they are to meet and the timescales for achieving them.

272 local authorities are currently using the Royal Mail "do not redirect" scheme which prevents benefit claimants from using postal redirection arrangements to make false claims to benefit from multiple addresses. To reduce the scope for fraud and error and to streamline the administration of Housing Benefit we have installed Remote Access Terminals to give authorities direct 'on line' access to a range of relevant information on other DSS benefit systems. 388 authorities currently operate at least one terminal and we plan to install terminals in a further 16 authorities by the end of September 2000.

We are also introducing electronic transfer of data to speed up the transfer of information from the Benefits Agency to local authorities and further reduce the scope for fraud and error. So far 191 local authorities have the equipment installed; by this Autumn we expect nearly all local authorities to be using this technology.

Miss Geraldine Smith: To ask the Secretary of State for Social Security what the estimated cost of Housing Benefit fraud was in 1999–2000 in *(a)* England and *(b)* Morecambe and Lunesdale. [128443]

Angela Eagle: The information is not available in the form requested. Such information as is available is as follows. The latest estimates are derived from the National Housing Benefit Accuracy Review 1997–98 which estimated losses of £490 million in England with a margin of error of approximately ±35 per cent. (£330 million–£670 million).

Note:

It is not possible to provide estimates at individual constituency level.

Mr. Field: To ask the Secretary of State for Social Security what action he is taking to measure Housing Benefit fraud in those local authorities not included in the revised area benefit reviews; how many local authorities will be covered by such actions; when such actions will be completed; and to what level of accuracy he estimates such measurements will be made. [128912]

Angela Eagle: Fraud measurement is being extended to all local authorities for Standard Housing Benefit from 2001. The first results will be available from March 2002.

On the basis of the size and structure of the sample of Housing Benefit cases currently being examined in the Area Benefit Reviews programme, it is predicted that the margin of error around the estimate of the value of losses due to fraud and error will be between ±10 per cent. and ±20 per cent.

Mr. Willetts: To ask the Secretary of State for Social Security how many cases of suspected Housing Benefit fraud there were in *(a)* 1997, *(b)* 1998 and *(c)* 1999; how many of these cases went to court; and how many of them resulted in a successful prosecution. [128910]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the table.

The table shows the number of cases where Housing Benefit (HB) fraud has been established on the balance of probabilities by local authorities, the number of cases which were referred by local authorities to lawyers for prosecution action and the total number of successful prosecutions. It does not include cases involving benefit fraud where Housing Benefit is one among several benefits being claimed and the Benefits Agency have investigated the case.

Number of cases suspected of HB/CTB fraud and prosecutions in 1997–98 to 1998–99: Great Britain

Thousand

	Total number of cases	
	1997–98	*1998–99*
Cases where fraud established and weekly benefit savings claimed	220	160
Total number of cases referred for prosecution	1.3	1.9
Total number of successful prosecutions	0.7	0.8

Notes:

1. Includes all cases where fraud is suspected including those that are not live, or involve a landlord, or organised fraud
2. Figures are rounded to two significant figures
3. The Department also tackles HB/CTB fraud as a by-product of investigating Income Support (IS) fraud. The above table contains all cases where fraud was established and weekly benefit savings were claimed by Local Authorities. All cases discovered by the Department are not included. Therefore, the total number of cases where HB/CTB fraud was established is much higher than stated above.

Source:

Administrative Returns 1995–96 to 1998–99.

Staff Secondments

Mr. Don Foster: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Harrogate and Knaresborough (Mr. Willis), of 9 February 2000, *Official Report*, column 213W, on secondments, if he will give the names, grades and job titles of the staff seconded to his Department from each organisation mentioned, stating in each case the name of the section they were seconded to and a summary of the work that they were involved with. [128247]

Mr. Rooker *[holding answer 29 June 2000]:* Of the four people listed, the staff member from the Guardian Media Group plc was seconded to the Department as a Grade 7 policy adviser on the Welfare Reform Unit where he helped in the development of thinking on welfare reform and its subsequent presentation.

The secondee from Sacker and Partners was a trainee solicitor who worked in the Office of the Solicitor providing advice on legal aspects of pensions and also the European Community.

The secondee from CSL Management Services came into the Department as an administrative officer in the Chatham Local Benefits Office where he worked on the Area Benefit Review Team co-ordinating activity on housing benefit.

The Business Development Manager from Oracle was seconded into the Department as a senior manager in the Modern Service Team advising on electronic Government issues and project approval.

For reasons of confidentiality names of individuals have not been given.

Pensions

Mrs. Lait: To ask the Secretary of State for Social Security when he *(a)* received and *(b)* will publish the Faculty and Institute of Actuaries' report on the minimum funding requirement; [128471]

Mr. Willetts: To ask the Secretary of State for Social Security if he has received the report from the Institute of Actuaries on the Minimum Funding Requirement; and when it will be published. [128529]

Mr. Rooker: We received the report from the Faculty and Institute of Actuaries on the review of the minimum funding requirement at the end of May. We are considering it and we will be issuing a consultation paper on any proposals for change. We plan to publish the actuaries' report alongside the consultation document.

Mothers (Income)

Ms Harman: To ask the Secretary of State for Social Security what the average weekly income is of mothers with children aged three. [129002]

Angela Eagle: The majority of mothers live in families with a partner, and the latest estimate for the gross income of families with children aged three is £521 a week.

Notes:

1. Figures quoted are derived from the Family Resources Survey and are therefore subject to sampling error.

2. The individual income refers to the income accruing to women in their own right and includes earnings, income from self-employment, investments and occupational pensions/annuities, benefit income and income from miscellaneous other sources. This estimate is from the Women's Individual Income 1996–97 dataset and is at 1996–7 survey prices.

3. Family income has been provided because the majority of mothers live with a partner and it is generally assumed that there is a certain amount of sharing of income within families. This estimate is based on 1997–8 data and is set at April 1999 prices.

4. The net cost of council tax is deducted from family income but not from women's individual income.

Child Poverty

Mr. Loughton: To ask the Secretary of State for Social Security if he will list the figures for the *(a)* GDP per head and *(b)* highest family income for those children termed as living in poverty in the UK according to the recent UNICEF report in each of the last 21 years. [129026]

Mr. Bayley: The information is not available in the format requested. Such information as is available is in the table.

Over the period 1979 to 1997 GDP per head grew by 40 per cent. whereas the highest equivalised household income of a child in poverty grew by only 30 per cent.

£ per annum

Year	*GDP per head*[1]	*Highest equivalised household income of a child in poverty (as defined by UNICEF)*[2]
1979	9,176	5,147
1980	8,961	n/a
1981	8,843	4,765
1982	9,008	n/a
1983	9,335	n/a
1984	9,539	n/a
1985	9,871	n/a
1986	10,257	n/a
1987	10,683	5,631
1988	11,207	5,799
1989	11,408	5,813
1990	11,440	5,820
1991	11,221	6,094
1992	11,188	6,423
1993	11,411	6,521
1994	11,870	6,378
1995	12,158	6,388
1996	12,428	6,602
1997	12,819	6,756
1998	13,070	n/a
1999	n/a	n/a

[1] Constant 1995 prices

[2] April 1999 prices

Notes:

1. GDP per head is for the UK, taken from ONS series YBGS—Gross domestic product at market prices, shown in 1995 prices.
2. The highest household income for those children living in poverty (as defined by UNICEF) is 50 per cent. of median equivalised household income before housing costs shown for Great Britain, using data from the Households Below Average Income (HBAI) Series. These figures are based on the Family Expenditure Survey (FES) from 1979 to 1993, and on the Family Resources Survey (FRS) from 1994–95 onwards. These are not consistent with the UK estimates contained in the UNICEF Innocent Report Card "A League Table of Child Poverty in Rich Nations", which are based on different data and methods of estimation.
3. Estimates from the FES relate to the UK while those from the FRS relate to GB. In addition, the estimates derived from the two surveys use slightly different definitions of income: FRS results therefore are not precisely comparable with those from the FES but are considered to be broadly comparable. Self-employed households have been excluded from the analysis.
4. Estimates from the Family Expenditure Survey from 1987 to 1993 are based on a two year rolling average method, and refer to combined years—for example, in the table 1987 is 1987 + 1998.
5. Estimates from the Family Resources Survey are based on data for financial years from 1994–95 onwards. For example, 1994 refers to the financial year 1994–95.
6. Estimates of 50 per cent. of median income before housing costs are based on survey data, and so will be subject to the normal problems associated with survey data including sampling variation and measurement error.
7. Figures for GDP per head and median equivalised household income are not directly comparable, as GDP per head is not equivalised, and they are shown in different price bases.
8. Figures are rounded to the nearest £1.

Wrongful Imprisonment

Mr. Goggins: To ask the Secretary of State for Social Security if he will protect the benefit position of individuals who were wrongly imprisoned as a result of a conviction that was subsequently overturned. [129385]

Mr. Rooker: In future individuals who have been wrongly convicted will be able to receive National Insurance credits covering the period of wrongful imprisonment. This will protect their entitlement to the State Pension and Incapacity Benefit for that period and ensure that they are not disadvantaged.

Benefit Fraud Inspectorate

Mr. Goggins: To ask the Secretary of State for Social Security when he will publish the reports of the Benefit Fraud Inspectorate in respect of Hart district council and Lancaster city council. [129386]

Mr. Rooker: Benefit Fraud Inspectorate reports have been published today in respect of Hart district council and Lancaster city council and copies of these reports have been placed in the Library.

Both reports contain recommendations to address weaknesses and help the councils to improve their administration and counter fraud activity for Housing and Council Tax Benefits.

Inspectors report a commitment by Lancaster city council to tackling fraud but considered there was a need to support this commitment in operational terms. The BFI raises a number of concerns including a need for Lancaster city council to address urgently its inadequate management information systems and limited management checking regime.

In their report on Hart district council inspectors found some good working practices, but weaknesses were identified in a number of key areas. There were several areas where the council had failed to make sure benefit payments were free from fraud and error and where they failed to comply with the law.

The report on Hart district council notes a need for the council to tighten verification procedures so, as a minimum, they match the standards outlined in the Verification Framework. Inspectors found the council's counter-fraud activity to be ineffective and although high level counter-fraud policies had been developed, these had not been underpinned with detailed operational measures. The BFI also reports that these policies did not have the commitment of staff or management to implement them.

The Secretary of State is now considering both these reports and will be asking both councils for their proposals in response to the findings and recommendations of the BFI.

Winter Fuel Payments

Mr. Willetts: To ask the Secretary of State for Social Security (1) what estimate he has made of the total cost of administering the extended Winter Fuel Payment scheme for men; [128526]

(2) how many men have been sent letters relating to the extended Winter Fuel Payment scheme; [128527]

(3) how many completed forms relating to the extended Winter Fuel Payment scheme for men have been received by his Department; [128528]

(4) how many phone calls relating to the extended Winter Fuel Payment scheme for men have been dealt with by the Winter Fuel Payments Helpline. [128530]

Angela Eagle: The estimated cost of administering the extended Winter Fuel Payment scheme is in the order of £25 million; this includes additional costs associated with handling this years retrospective payments.

During April we wrote to around 20,000 people, who had already registered their details. From 5 May, over a five-week period, a mailshot took place to all those identified as being eligible under the new arrangements. Over this period we wrote to around 1.7 million people.

The number of completed claim forms received to date is 1,067,119, which include 6,119 that have been downloaded from the internet. As well as the men aged between 60–64 who may now be eligible, this figure includes claim forms from women aged 60 or over who have not previously received a winter fuel payment as they were not in receipt of the State Retirement Pension or one of the other qualifying benefits.

To date a total of 217,615 calls have been made to the Winter Fuel Helpline.

Mrs. Ewing: To ask the Secretary of State for Social Security if he will estimate the cost of extending Winter Fuel Payments to all disabled people in *(a)* Scotland and *(b)* the UK who receive Income Support. [128170]

Angela Eagle: The information is not available in the format requested. Such information as is available is as follows.

The annual cost of extending Winter Fuel Payments to people in Scotland who are in receipt of Income Support with a disability premium, is estimated to be £20 million in 2000–01. The equivalent cost for the whole of Great Britain is estimated to be £140 million.

Notes:

1. Information for Northern Ireland is the responsibility of my right hon. Friend, the Secretary of State for Northern Ireland.

2. Estimates exclude those in receipt of a disability premium who are in residential care or nursing homes.

3. Estimates include those in receipt of income-based Jobseeker's Allowance with a disability premium.

4. Figures include an adjustment to take into account reduced payments to people aged 60 or over not in receipt of Income Support who live in the same household as a claimant of Income Support with a disability premium.

5. Figures have been rounded to the nearest £10 million.

Invalid Care Allowance

Mr. Swinney: To ask the Secretary of State for Social Security how much it would cost in Scotland and the UK *(a)* to allow carers over the age of 65 years to claim Invalid Care Allowance and *(b)* to introduce a (i) five per cent. and (ii) 10 per cent. increase for Invalid Care Allowance after two years of caring in (A) Scotland and (B) the UK. [128175]

Mr. Bayley: Information is not available in the format requested. Such information as is available is in the tables.

Estimated cost of extending new claims entitlement to Invalid Care Allowance (ICA) for those aged 65 or over, 2001–02

£ million

	Estimated cost
Scotland	5
Great Britain	30

Notes:

1. Costs rounded to nearest five million, cash prices.
2. Estimates are based on Family Resources Survey 1997–98 and 1998–99, and caseload forecasts.
3. As estimates based on survey data the above will be subject to sampling error. The limitations of modelling entitlement from available survey data on the number of hours that individuals spend providing care mean that the above estimates should be treated with caution—there is evidence of under-reporting of hours spent providing care.
4. It is assumed that all normal ICA entitlement rules remain in place after any abolition of the upper age limit for new claims. Costs include the effects on Income Support (IS) carer premium and consequent effects on Housing Benefit/Council Tax Benefit.
5. Costing does not include any behavioural effects that might arise as consequence of change or IS floaters on.
6. Proportion of extra expenditure in Scotland assumed to be in line with proportion of those with disability benefits potentially qualifying for ICA in Scotland.
7. Costs are provided for GB and Scotland only. Information on benefits in Northern Ireland is a matter for my right hon. Friend the Secretary of State for Northern Ireland.

Estimated cost of 5 per cent., 10 per cent. increase in ICA after two years spent providing care, 2001–02

£ million

	5 per cent. increase to ICA	*10 per cent. increase to ICA*
Scotland	2	4
GB	20	40

Notes:

1. Costs rounded to nearest five million for GB, one million for Scotland.
2. Costs include offsetting IRB effects.
3. Two years spent providing care interpreted as two years on ICA, percentage increase taken as applying to dependant increases as well as basic ICA.
4. Proportion of extra expenditure in Scotland assumed to be in line with proportion of those with disability benefits potentially qualifying for ICA in Scotland.
5. Costs are provided for GB and Scotland only. Information on benefits in Northern Ireland is a matter for my right hon. Friend the Secretary of State for Northern Ireland.

Source:

ICAU July 100 per cent. sample count, ICA forecasts

Mr. Swinney: To ask the Secretary of State for Social Security if he will estimate the cost for *(a)* Scotland and *(b)* the United Kingdom of (i) abolishing the 21 hour study rule for Invalid Care Allowance and (ii) extending invalid care allowance for eight weeks after the death of the person being cared for. [128128]

Mr. Bayley: The information is not available in the format requested. Such information as is available is in the table.

The estimated cost for Great Britain and Scotland of extending Invalid Care Allowance for eight Weeks after the death of the person being cared for, 2001–02

£ million

	Estimated Cost
Great Britain	2
Scotland	0.2

Notes:

1. Costs for GB rounded to the nearest million pounds. Costs for Scotland rounded to the nearest £100K.
2. The costs incorporate knock-on effects to Income Support, Housing Benefit and Council Tax Benefit.
3. Information on benefits in Northern Ireland is a matter for my right hon. Friend, the Secretary of State for Northern Ireland.

Ms Roseanna Cunningham: To ask the Secretary of State for Social Security how much he estimates it would cost in *(a)* Scotland and *(b)* the UK to (i) increase Invalid Care Allowance to the level of the basic state pension, (ii) raise the earnings limit for ICA to the equivalent of the lower earnings limit for national insurance contributions and (iii) introduce a taper on ICA set at 50 per cent. of earnings over the (1) existing earnings limit and (2) earnings limit in (ii) above. [128131]

Mr. Bayley: The information is not available in the format requested. Such information as is available is in the table.

The estimated cost when increasing the rate of Invalid Care Allowance (ICA) to the standard retirement pension

£ million

Costs	*2001–02*
GB	355
Scotland	40

Notes:

1. Costs are rounded to the nearest five million and provided in cash prices
2. Costs are based on the Department's Analytical Services Division's forecast of ICA recipients
3. The cost for Scotland is apportioned using 1998–99 admin data on qualifying benefits obtained from the Scottish Information Centres
4. Costs are provided for GB and Scotland only. Information on benefits in Northern Ireland is a matter for my right hon. Friend, Secretary of State for Northern Ireland
5. Income related benefit offset effects are incorporated into the above costs
6. Any behavioural effects that may result due to a change in the policy are not taken into account
7. The estimated cost is calculated by increasing the level of ICA to the level of the Basic State Retirement Pension, currently set at £67.50.

Disability Benefits

Mr. Welsh: To ask the Secretary of State for Social Security if he will estimate the cost of increasing disability benefits by *(a)* 5 per cent. and *(b)* 10 per cent. for people in (i) Scotland and (ii) the UK. [128235]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the table.

Estimates for Scotland and Great Britain of the total costs in 2001–2002 of increases in Attendance Allowance, Disability Living Allowance, Incapacity Benefit and Severe Disablement Allowance

£ million

	5 per cent. increase	*10 per cent. increase*
Scotland	80	160
Great Britain	700	1,410

Notes:

1. Costs rounded to the nearest ten million and presented in cash prices.

2. Costs are derived from expenditure forecasts by Analytical Services Division.

3. Information on benefits in Northern Ireland is a matter for my right hon. Friend the Secretary of State for Northern Ireland.

Mr. Welsh: To ask the Secretary of State for Social Security if he will estimate the cost for Scotland and the UK of extending the mobility component of Disability Living Allowance to disabled people aged over 65 years. [128173]

Mr. Bayley: The information is in the table.

The costs of extending the mobility component of Disability Living Allowance to disabled people aged over 65 years for Scotland and Great Britain

£ billion

	Cost
Great Britain	2.6
Scotland	0.3

Notes:

1. Costs are in cash prices and rounded to nearest hundred million.

2. Estimates derived from model of entitlement based on 1996–97 Disability Survey and forecast caseloads.

3. Estimates are subject to a significant margin of error reflecting underlying uncertainties of modelling entitlement from available survey data.

4. Estimated costs include effects on income related benefits.

5. Costs for Northern Ireland are the responsibility of my right hon. Friend the Secretary of State for Northern Ireland.

Carers

Mr. Swinney: To ask the Secretary of State for Social Security if he will estimate the cost of *(a)* doubling the carers premium and *(b)* raising the level of Income Support by (i) five per cent. and (ii) 10 per cent. for carers aged under 25 years in (A) Scotland and (B) the UK. [128176]

Mr. Bayley: The information is not available in the format requested. Such information as is available in the tables.

Cost for Scotland, 2001–02

	£ million
Cost of doubling carer premium	20
Cost of increasing IS personal allowance by 5 per cent. for carers aged under 25	0.4
Cost of increasing IS personal allowance by 10 per cent. for carers aged under 25	0.7

Cost for GB, 2001–02

	£ million
Cost of doubling carer premium	180
Cost of increasing IS personal allowance by 5 per cent. for carers aged under 25	3.5
Cost of increasing IS personal allowance by 10 per cent. for carers aged under 25	6.5

Notes:

1. The estimates for doubling the carer premium assume that the carer premium will be raised to £28.30 for all recipients (presently £14.15 per week).

2. Costs are presented in cash prices. Costs of doubling the carer premium are rounded to the nearest £5 million. Costs of increasing current IS personal allowance for carers in receipt of the carer premium who are under the age of 25 is rounded to the nearest £100,000.

3. Costs are adjusted using administrative data and include Housing Benefit and Council Tax Benefit costs.

4. Information for Northern Ireland is the responsibility of the Secretary of State for Northern Ireland.

Source:

Costs are derived from the April 2000 Policy Simulation Model which is based on the 1997–8 Family Resources Survey (FRS).

Euro 2000

Mr. Willetts: To ask the Secretary of State for Social Security how many cases arising from people travelling to the Euro 2000 Football Championship are being investigated by the Benefits Agency and have had benefits withdrawn as a result of travelling to the Euro 2000 Football Championship; and what benefits were withdrawn. [128532]

Mr. Rooker: Nearly 1,000 names of those expelled from Belgium during Euro 2000 have been checked against departmental records of those receiving benefits. As a result, the cases of over 50 individuals have been referred for further detailed investigation by Benefits Agency investigators.

Of the 50 cases, 31 relate to Jobseeker's Allowance, 10 to Income Support (in lieu of Incapacity Benefit), seven to Incapacity Benefit and two to Disability Living Allowance.

LORD CHANCELLOR'S DEPARTMENT

Freemasons

Mr. Winnick: To ask the Parliamentary Secretary, Lord Chancellor's Department how many forms were sent to *(a)* judges and *(b)* magistrates asking if they are freemasons; how many replies stated they (i) are and (ii) are not freemasons; and how many declined to answer. [129108]

Mr. Lock: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Stafford (Mr. Kidney) on 14 February 2000, *Official Report*, column 455W.

Judges (Conflicts of Interest)

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will put a copy of the final version of his advice to judges on avoiding conflicts of interest in the Library; and if he will make a statement. [128930]

Mr. Lock: Copies of the revised guidance for judges on outside activities and interests were placed in the Libraries of both Houses on 15 June 2000. I refer my hon. Friend to the written answer I gave to my hon. Friend the Member for Oldham, East and Saddleworth (Mr. Woolas) on 15 June 2000, *Official Report*, column 724W.

HOME DEPARTMENT

Correspondence

Sir Brian Mawhinney: To ask the Secretary of State for the Home Department when the right hon. Member for North-West Cambridgeshire will receive a reply to his letter of 15 May on behalf of his constituent Mr. Sheeks. [127378]

Mr. Straw *[holding answer 23 June 2000]:* I wrote to the right hon. Member on 29 June 2000.

Immigration and Nationality Directorate

Mr. Edward Davey: To ask the Secretary of State for the Home Department how many *(a)* individual documents, *(b)* immigration case files and *(c)* passports were lost by the Immigration and Nationality Directorate in each year since 1992. [127974]

Mrs. Roche: The information requested is not available.

Since its expansion last October, the Integrated Casework Directorate's (ICD's) Return of Passport Unit has received 11,687 requests for the return of documents and, of those, a total of 147 lost passport letters have been issued. Lost passport letters are issued in respect of items which cannot be traced at the time a request for them is made, but which may subsequently be found.

The number of principal files recorded as lost on the Immigration and Nationality Directorate's file tracking system each year since 1993 (when the system was introduced) is as follows: 1993—97; 1994—368; 1995—534; 1996—1,160; 1997—1,599; 1998—2,095; 1999—2,567; and 2000—2,054. There are currently 8,440 files still recorded as lost.

A number of measures have been taken to prevent the loss of passports and other documents, including the introduction last autumn of new document handling processes and an expanded Return of Passport Unit in the ICD. Work is in progress on clearing the backlog of general and settlement casework and returning applicants' documents to them.

All valuable documents are now returned to applicants by recorded delivery post and new processes are being developed for dealing with packages which are returned undelivered.

Written Questions

Mr. Maclennan: To ask the Secretary of State for the Home Department how many written parliamentary questions were tabled to his Department between 19 October 1999 and 20 April; and how many have not received substantive answers, citing disproportionate cost as the reason. [128018]

Mr. Straw: My Department answered a total of 2,751 written parliamentary questions between 19 October 1999–20 April 2000, of which 23 were not given a substantive answer because to do so would have incurred disproportionate cost.

Asylum Seekers

Mr. Bercow: To ask the Secretary of State for the Home Department what is the current cost of maintaining an asylum seeker, whose court case is under review, for one month; what is the current average time for reviewing asylum claims from the moment of first claim to final resolution; and if he will make a statement. [128237]

Mrs. Roche: The available information is that in 1999–2000 the total cost of supporting asylum seekers was £590 million.

Information on the average decision time from initial claim to final resolution and on the cost of supporting an asylum seeker for one month is not currently available.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what the average length of the decision process was for each category of asylum seeker in the last 12 months. [128565]

Mrs. Roche: Information on the average decision time from initial claim to final resolution for each category of asylum seeker is not currently available.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what restrictions apply to asylum seekers undertaking voluntary activity; what plans he has to review these restrictions; and if he will make a statement. [128567]

Mrs. Roche: There are no restrictions on asylum seekers participating in genuine voluntary work. Difficulties may arise however where a person seeks to perform voluntary work but where there is some form of remuneration such as "expenses" or remuneration in kind. It is then much more difficult to determine whether the work is genuinely voluntary or whether there is an element of employment involved.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many of his Department's staff have been involved in asylum casework in each of the last 10 years; and if he will make a statement. [128566]

Mrs. Roche: The Department does not hold records prior to 1996 and for later years the information does not exist in the form requested. The only readily available information, set out in the table, is for the numbers of staff employed in the Asylum Directorate between 1996 and 1998.

As at 1 April	*Number of staff*
1996	[1]782.4
1997	[1]689.0
1998	[1]524.4
1999	Not readily available
2000	702

[1] Full-time equivalents

The numbers for 1996 to 1998 include those who support and manage the staff who make the decisions, as well as the decision makers. Comparisons between 1996 to 1998 figures and those for 1999 and 2000 are difficult because of the reorganisation of the Immigration and Nationality Directorate in December 1998. Asylum applications were previously handled in a dedicated asylum directorate. In 1999 they were dealt with in integrated teams which also dealt with a variety of other immigration issues, and thus a separate figure is not available. Currently, asylum applications are dealt with in dedicated teams.

Schengen Agreement

Mr. Bercow: To ask the Secretary of State for the Home Department what changes will be required to domestic legislation to permit partial UK participation in the Schengen Agreement. [128138]

Mrs. Roche: We are currently examining what changes will be needed to United Kingdom primary legislation in order to implement the United Kingdom's partial participation in the Schengen acquis. We anticipate a need for primary legislation relating to police co-operation in connection with cross-border surveillance and to areas of judicial co-operation. The latter aspect is linked to the legislative requirements for ratification of the European Union's Conventions on Mutual Legal Assistance and Extradition. Further discussion is taking place with our Schengen partners to clarify whether the application of certain provisions on data protection will require amendment to current data protection legislation.

Metropolitan Police Authority

Mr. Cohen: To ask the Secretary of State for the Home Department who is the representative on the Metropolitan Police Authority whose responsibilities cover the area of Leyton and Wanstead. [128103]

Mr. Charles Clarke: I understand that the Metropolitan Police Authority is currently considering whether each of their members should be given responsibility for particular areas within the Metropolitan Police District and, if so, how.

Immigration

Mr. Cohen: To ask the Secretary of State for the Home Department what account the Immigration Service takes of ticketless airline travel in reaching immigration decisions; and if he will make a statement. [128106]

Mrs. Roche: The lack of a ticket is not in itself conclusive when an Immigration Officer reaches a decision about the admissibility of a passenger under the Immigration Rules. Immigration Officers often ask passengers to show their onward or return tickets as evidence of their intention to leave the United Kingdom, but where a passenger has booked a ticket using modern Information Technology methods—so called "ticketless travel"—he/she will normally be in possession of a printed itinerary giving full details of his/her travel plans. In the absence of such evidence Immigration Officers have the option of contacting the airline concerned to verify that a booking exists. A passenger will not be unduly delayed for this purpose unless it is considered essential to the resolution of the case to verify that he/she has an onward or return booking, and this cannot be done easily.

Public Entertainment Licences

Mr. Flynn: To ask the Secretary of State for the Home Department how many public entertainment licences have been *(a)* revoked and *(b)* not renewed by local authorities under the terms of the Public Entertainments Licences (Drug Misuse) Act 1997 since 1 May 1998. [128272]

Mr. Charles Clarke: This information is not collected centrally. Contacts with the police and the club trade suggest, however, that the powers of the Act have not yet been used by a local authority to revoke or refuse the renewal of a public entertainments licence.

The provisions of the Act are to be used as a last resort and the Home Office guidance on the implementation of the Act encourages close liaison between the police, club owners and local authorities.

Mr. Flynn: To ask the Secretary of State for the Home Department upon how many public entertainment licences new conditions have been imposed by local authorities under the terms of the Public Entertainment Licences (Drug Misuse) Act 1997 since 1 May 1998. [128273]

Mr. Charles Clarke: This information is not collected centrally. Contacts with the police and the club trade suggest, however, that the powers in the Act have not yet been used by a local authority to impose new conditions on a public entertainments licence.

Metropolitan Police

Mr. Galloway: To ask the Secretary of State for the Home Department how many crimes were reported to the Metropolitan police on Monday 26 June; and if he will make a statement. [128274]

Mr. Charles Clarke: The information is not yet available for Monday 26 June, but on the latest Monday for which the information is currently available, which was Monday 22 May 2000, 3,542 crimes were reported to the Metropolitan police.

Mr. Randall: To ask the Secretary of State for the Home Department if he will list by division of the Metropolitan Police Service the ratio of *(a)* reported crimes, *(b)* burglaries and *(c)* calls from computer-aided despatch per officer in each of the last five years. [128312]

Mr. Charles Clarke: I understand from the Metropolitan police that the information could not be made available in the form requested for each of the last five years except at disproportionate cost. It should, however, be possible to provide the information for the last two years shortly, and I will write to the hon. Member when it is available.

Modes of Trial

Mr. Kidney: To ask the Secretary of State for the Home Department how many of the defendants included in the pre-Narey pilot data who elected to be tried at

Crown court, *(a)* pleaded guilty to the same or to more serious offences than those they were charged with at the time of their election, *(b)* pleaded guilty to fewer or to less serious offences than those with which they were charged at the time of their election and *(c)* pleaded not guilty and went to trial at Crown court. [128549]

Mr. Charles Clarke: The Home Office Research Development and Statistical Directorate is currently conducting an analysis of the alteration to charges in the sample and the results will be available later this year.

Mr. Kidney: To ask the Secretary of State for the Home Department how many defendants in the pre-Narey pilot data were charged with either-way offences; and of these how many *(a)* were directed by magistrates to be tried at Crown court, *(b)* elected to be tried at Crown court and *(c)* consented to be tried, or otherwise had their cases disposed of, by the magistrates courts. [128548]

Mr. Charles Clarke: The sample covered a total of 2,948 defendants charged with triable-either-way offences. This included 1,969 cases dealt with in the magistrates courts or in the Youth Court and 979 cases committed to the Crown court. Of the 979 defendants, 155 elected Crown court trial and 747 were directed to the Crown court. However, the number of Crown court cases in the sample was boosted in order to provide adequate numbers for analysis. This means that the committal rate is higher than the national rate. We took account of this difference when analysing the data.

Mr. Kidney: To ask the Secretary of State for the Home Department how many of the defendants included in the pre-Narey pilot data charged with either-way offences were from ethnic minority backgrounds; and how many such defendants *(a)* elected to be tried at Crown court and pleaded guilty to the same, or more serious offences, than those they were charged with at the time of their election, *(b)* elected to be tried at Crown court and pleaded guilty to fewer, or to less serious offences than those with which they were charged at the time of their election and *(c)* pleaded not guilty and went to trial at Crown court. [128550]

Mr. Charles Clarke: Information is not available on the ethnic origin of defendants in the sample.

Mr. Kidney: To ask the Secretary of State for the Home Department if the guilty plea rate among defendants included in the pre-Narey pilot data was representative of the guilty plea rate nationally. [128551]

Mr. Charles Clarke: The guilty plea rates in the sample were broadly in line with national rates.

Fire and Rescue Service

Gillian Merron: To ask the Secretary of State for the Home Department how many *(a)* women and *(b)* men are in each Fire and Rescue Service, broken down by (i) rank and (ii) retained and other status. [128337]

Mr. Mike O'Brien: All fire brigades in England and Wales are required to provide annually to Her Majesty's Fire Service Inspectorate statistical information about personnel employed, analysed by gender and ethnic origin. The tables—which provide a breakdown by gender for uniformed and non-uniformed personnel and by rank (for the whole-time and retained services), based on statistical returns from the fire services for England and Wales at 31 March 1999—have been placed in the Library.

Fines

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what action he has taken to improve the enforcement of fines. [128393]

Mr. Straw *[holding answer 3 July 2000]:* I am working closely with my noble and learned Friend the Lord Chancellor to improve the enforcement of fines.

Research is being carried out under the Government's Crime Reduction Programme to identify best practice in fine enforcement, to introduce a range of enforcement strategies in a number of pilot courts, and to evaluate the relative cost and effectiveness of those strategies. The project is due to be completed in autumn 2001.

In April 2001, responsibility for the execution of fines warrants will be transferred from the police to Magistrates Courts Committees. The fact that responsibility will rest with the courts will provide a sharper and clearer focus than the present arrangements, while the application and monitoring of administrative targets will ensure that the work receives a high priority within individual courts. As a result, more money—including compensation for the victims of crime—should be collected.

Measures in the Access to Justice Act 1999, which are also due to be implemented in April 2001, will allow the courts to check whether other Government agencies hold an up-to-date address for a 'missing' fine defaulter. This should prove helpful in reducing the currently high levels of financial penalties that have to be 'written off' because the offender cannot be traced.

A report on the pilot studies conducted on alternative means of dealing with fine defaulters introduced in the Crime (Sentences) Act 1997 was published in February this year. A decision on the future of these measures will be made in due course.

Finally, following a relaxation in Treasury rules governing receipts, we are exploring the feasibility of developing a scheme which will allow a proportion of the income from fines to be retained ('netted-off') by the courts and used to make further improvements in enforcement rates.

Crime Reduction

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what the timetable is for assessment of each of the category of projects under the crime reduction programme; and if he will make a statement. [128524]

Mr. Charles Clarke: The provisional timetable is shown in the table.

	Outputs		
Programme/project	*2000*	*2001*	*2002+*
Local Initiatives Burglary Reduction	Final process evaluation reports of round 1 projects November 2000	Final outcome evaluation reports of round 1 projects December 2001	Final cost-effectiveness evaluation reports of round 1 projects March 2002 Final programme evaluation report of round 2 and 3 projects December 2004
Local Initiatives Targeted Policing (Evaluation of Round 2 projects yet to be commissioned)	Stop and search report on 'street population' October 2000	Final report of FSS pathfinder project March 2001 Final process evaluation reports on round 1 projects December 2001 Crime stoppers report February 2001	Final outcome evaluation reports of round 1 projects March-June 2002
Violence against women (Projects yet to be decided)			
Early Interventions Effective school management		Final outcome evaluations December 2001	
Early interventions 'On Track'		National evaluation year 1 report September 2001	National evaluation final report October 2002
Youth Inclusion			Evaluation to be undertaken by the Youth Justice Board. Report expected March 2002
Neighbourhood Wardens (Main programme projects yet to be decided)	Evaluation of selected existing schemes October 2000		
Design against crime		RSA assessment of student design award process January 2001 Evaluation of impact of Crime Prevention Foresight Panel's report on other Foresight Panels' reports July 2001 Pilot virtual reality lighting impact evaluation report November 2001	Final evaluation report on Design Council initiative April 2004 Overall evaluation report of student design award process December 2004 Report on effectiveness of Foresight Panel dissemination process mid 2002 Evaluation of activities spawned by CP Panel, mid 2002, and their impact, mid 2003 Evaluation report on improvement in lighting design process early 2003
CCTV Capital Modernisation Fund (Projected dates—evaluations yet to be commissioned)		In-depth scheme evaluation reports from December 2001	Programme level report mid 2002
Sentencing Policy	Cost-effectiveness findings on existing adult Restorative Justice schemes July 2000	Cost-effectiveness report on enforcement of financial penalties schemes October 2001	Final outcome report on professional/sentencer awareness schemes February 2002
Drug arrest referrals	Six month report due October 2000 (London). Evaluations outside London yet to be decided	12 month report due April 2001 and 18 month report due October 2001 (London)	Two year report due April 2002 and final outcome evaluation report due April 2003 (London)
Treatment of offenders			Final outcome report of basic skills pathfinder project October 2004 Final outcome report of resettlement of short-term prisoners projects September 2004 Final outcome reports of community service pathfinder projects autumn 2004 Final outcome report of offending behaviour pathfinder projects autumn 2004

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will list the targets set by his Department for the reduction of crime, the date the targets were set and the timescale of the targets; what further targets he plans to introduce; and if he will make a statement. [128525]

Mr. Charles Clarke: In September 1998, the Government set a target for a 30 per cent. reduction in thefts of and from motor vehicles. This target covers the period 1 April 1999 to 31 March 2004.

In addition, by 31 March 2000, all police authorities in England and Wales were required to set for themselves five-year targets for reductions in domestic burglary and vehicle crime. The police authorities in Greater Manchester, Merseyside, the West Midlands and West Yorkshire and the Metropolitan Police Service were also required to set five-year targets for reductions in robbery. These targets cover the period 1 April 2000 to 31 March 2005 and have been published in each police authority's Best Value Performance Plan for 2000–01. The full list of these targets, as they appear in Best Value Performance Plans, is available on the website of the Association of Police Authorities—www.apa.police.uk.

In their Best Value Performance Plans, police authorities have also set a number of other crime reduction targets which reflect local priorities.

Local Crime and Disorder Reduction Partnerships will set targets for April 2001.

The Home Office Public Service Agreement, which will be published to coincide with the outcome of the Spending Review 2000, is also likely to contain targets reflecting key aspects of the Department's business.

National Crime Squad

Mr. Lidington: To ask the Secretary of State for the Home Department if he will place in the Library copies of the evidence which he has disclosed to the Court in the judicial review application by Williams Jeffery Barber on behalf of the National Crime Squad and others. [128923]

Mr. Charles Clarke: My right hon. Friend the Home Secretary did not submit evidence in this case, in which the Service Authority for the National Crime Squad and National Criminal Intelligence Service, which is an independent body, sought judicial review of a decision by my right hon. Friend the Chancellor of the Exchequer.

NDPBs

Mr. Lidington: To ask the Secretary of State for the Home Department what the net revenue cost was in *(a)* 1998–99 and *(b)* 1999–2000; and what the planned revenue cost is for 2000–01 of each of the executive and advisory non-Departmental public bodies listed on pages 88 to 96 of his Annual report for 1999–2000. [128926]

Mr. Straw: The net revenue cost and planned costs for the Home Office Executive and Advisory Non-Departmental Public Bodies (NDPBs) are set out in the following table. I have taken "net revenue costs" to mean the Grant in Aid for Executive NDPBs minus any receipts payable to the Exchequer offsetting costs.

Neither the Tote nor the Horserace Betting Levy Board (HBLB) have any revenue cost, as they are self-financing. The expenses payable to the Alcohol Education and Research Council are within the travel and subsistence budget of the Liquor Gambling and Data Protection Unit.

It is not possible to estimate the planned costs for some Advisory Bodies, as the members of those bodies only receive expenses when necessary.

£000

	1998–99	*1999–2000*	*2000–01*
Executive NDPBs: Net revenue cost			
1. Alcohol Education and Research Council	0	0	0
2. Commission for Racial Equality	14,825	16,425	16,835
3. Community Development Foundation	1,090	14,363	14,643
4. Criminal Cases Review Commission	4,300	4,800	5,400
5. Criminal Injuries Compensation Authority[1]	125,200	142,100	214,600
6. Gaming Board	1	232	–336
7. Horserace Betting Levy Board	0	0	0
8. Horserace Totalisator Board (The Tote)	0	0	0
9. Office of the Data Protection Registrar	–3,324	–880	3,143
10. Parole Board	2,669	2,672	3,100
11. Police Complaints Authority	3,410	3,444	3,468
12. Police Information Technology Organisation	36,229	52,055	33,781
13. Youth Justice Board (YJB)	900	36,528	234,019
Advisory NDPBs: Net revenue cost			
1. Advisory Board on Restricted Patients	60	66	n/a
2. Advisory Council on the Misuse of Drugs	20	22	n/a
3. Animal Procedures Committee	285	315	295
4. Firearms Consultative Committee	4	6	20
5. Metropolitan Police Committee	29	36	8
6. Parliamentary Boundary Commission for England	299	797	1,731
7. Parliamentary Boundary Commission for Wales	29	39	61
8. Poisons Board	0	0	n/a
9. Police Negotiating Board	70	79	47
10. Race Relations Forum	4	23	23

[1] Compensation and Administration costs combined

Note:

Cost rounded to the nearest £000

Visas

Mr. Lidington: To ask the Secretary of State for the Home Department how many people in 1999 applied for permission to switch their visa category; how many such applications were approved; what the net cost was to public funds of handling these applications; and if he will make a statement. [128925]

Mrs. Roche: The available information relates to decisions taken on all applications to switch category after entering the country. In 1999, 40,900 principal applicants switched into a non-asylum category and 2,700 were refused. This excludes 41,700 (provisional) applications for asylum made by principal applicants after entry. I regret that the costs incurred dealing with applications to switch category cannot be separated from the overall costs of the Integrated Casework Directorate.

Porton Down

Mr. Dalyell: To ask the Secretary of State for the Home Department, if he will call for a report on progress made with the police investigation into events at Porton Down; and if he will make a statement. [127379]

Mr. Charles Clarke: Investigations are continuing. I refer to the reply I gave the hon. Member for Salisbury (Mr. Key) on 19 June 2000, *Official Report*, column 98W.

Prison Incidents

Mr. Win Griffiths: To ask the Secretary of State for the Home Department if he will list by *(a)* prison and *(b)* categories of prisoners the number of incidents of (i) self-harm, (ii) indiscipline, (iii) assaults by prisoners on staff, (iv) assaults by prisoners on prisoners, (v) assaults by staff on prisoners, (vi) drug seizures, (vii) positive drug tests, indicating the type of drug involved and (viii) failure to complete mandatory drug tests, in each of the last 10 years for which figures are available. [127918]

Mr. Boateng: I have placed the information requested in the Library.

Complete records are only available centrally for periods since 1996–97. Only prisons that were operational for the years 1996–97 to 1999–2000 have been included.

The Prison Service does not collect incident data by category of prisoner. Instead the category of prison is shown. Prisons are categorised by their main function only.

Freemasons

Mr. Winnick: To ask the Secretary of State for the Home Department how many forms were sent to police officers of all ranks asking if they are freemasons; how many replies stated they *(a)* were and *(b)* were not freemasons; and how many declined to answer. [129109]

Mr. Charles Clarke: Some 151,091 forms were sent to police officers and civilian support staff in 32 police forces in England and Wales. Of those, 610 who responded declared that they were freemasons, 49,431 declared that they were not freemasons, and 101,042 did not respond or responded by declining to say whether or not they were freemasons. A breakdown of figures between officers and support staff is not available.

TREASURY

Working Families Tax Credit

Mr. Willetts: To ask the Chancellor of the Exchequer how many families have been in receipt of Working Families Tax Credit in each month since March. [126911]

Dawn Primarolo *[holding answer 21 June 2000]:* Provisional estimates of the number of families in receipt of Working Families Tax Credit at each end-month are as follows:

	Thousand
March 2000	1,052
April 2000	1,053

Estimated figures for the corresponding months last year are as follows:

	Thousand
March 1999	822
April 1999	823

Free Television Licences

Mr. Chope: To ask the Chancellor of the Exchequer, pursuant to his answer of 7 June 2000, *Official Report*, column 274W, how many pensioner households there are in the Christchurch constituency comprising one or more people aged 75 years or over; and what was the basis for his calculation of the number of pensioners aged 75 years and over in that constituency. [125976]

Mr. Andrew Smith *[holding answer 15 June 2000]:* The latest available information comes from the 1991 Census New Parliamentary Constituency Monitor for the South West Government Office Region, published by the Office for National Statistics. It shows the population of the Christchurch constituency as 80,938, of which 5.3 per cent. were men aged 75 and over and 8.4 per cent. were women aged 75 and over. The Monitor does not give information on pensioner households broken down by age.

Land Value Taxation

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer if he will make a statement on land value taxation; and what taxation concessions are available for brownfield development. [127455]

Dawn Primarolo *[holding answer 26 June 2000]:* There is no specific tax on the value of land. Profits or gains from the sale of land and from development itself may be chargeable to income tax, corporation tax or capital gains tax. Sales of land are generally subject to stamp duty.

The Government will consult interested parties about a possible relief from stamp duty for new developments on brownfield sites.

Tobacco Taxation

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the revenue yield from increasing tobacco taxation by *(a)* 5p, *(b)* 10p and *(c)* 20p per packet of cigarettes. [127601]

Mr. Timms *[holding answer 27 June 2000]:* Indicative estimates of the revenue effects of changes in tobacco taxation were published in the Treasury's "Tax Ready Reckoner and Tax Reliefs" in November 1999.

Single Currency

Mr. Bercow: To ask the Chancellor of the Exchequer what definition is used of socially disadvantaged individuals by the European Community in the context of requiring particular attention in the single currency information campaign. [128135]

Miss Melanie Johnson: The Commission defines vulnerable groups as those people who do not have easy access to traditional information flows, for example, those who are visually impaired or hearing impaired.

Incontinence Pads

Mr. Beggs: To ask the Chancellor of the Exchequer how many applications for the reimbursement of VAT paid on incontinence pads have been received in each of the last 12 months for which figures are available. [128491]

Dawn Primarolo: No VAT is charged on incontinence products supplied to an incontinent person living in their own home or to charitable providers of care.

MOD Assets

Mr. Kidney: To ask the Chancellor of the Exchequer what assessment he has made of the use made by the Ministry of Defence of Treasury Guidelines for greater commercial utilisation of Ministry of Defence property and assets. [128269]

Mr. Andrew Smith: The Ministry of Defence's progress in making best use of its asset base, including commercial opportunities, is assessed in the Departmental Investment Strategy, which will be published in the autumn.

Taxpayers (Prosecutions)

Mr. Green: To ask the Chancellor of the Exchequer what recent guidance he has given to the Inland Revenue about prosecuting those who are late in paying taxes. [129005]

Dawn Primarolo: The Inland Revenue's prosecution policy was published on 29 November 1999 and remains in force. It can be read on the Inland Revenue's website, www.inlandrevenue.gov.uk.

National Insurance

Dr. Lynne Jones: To ask the Chancellor of the Exchequer how many married women who have retained the right to reduced liability for National Insurance contributions would qualify for *(a)* the minimum 25 per cent. State Retirement Pension and *(b)* an increased percentage of retirement pension, if they revoked the reduced liability option from the April 2000–01 tax year; and what the estimated amount of pension foregone would be in each case. [128599]

Dawn Primarolo: It is not possible to provide a reliable estimate of the numbers of married women with a valid election to pay reduced rate National Insurance contributions who would qualify for a minimum State Retirement Pension if they revoked their elections.

Foreign Taxation

Mr. Redwood: To ask the Chancellor of the Exchequer if the *(a)* French and *(b)* Belgian authorities have recently requested help in recovering tax from UK citizens. [128636]

Dawn Primarolo: Assistance in recovering tax for the French or Belgian authorities is available only in relation to indirect taxes under EC Directive 76–308.

In the last three months there have been no requests from the French authorities for assistance, and in the same period the Belgian authorities requested help on two VAT cases amounting to £3,348.48 and six Excise duty cases amounting to £61,708.03.

Parliamentary Questions

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer (1) if he will make a statement on his Department's progress in meeting its targets for answering parliamentary questions; [129069]

(2) if he will make a statement on his Department's progress on its targets for answering parliamentary questions. [129220]

Mr. Timms: The Treasury is on track to meet its targets for answering parliamentary questions in the present session.

VAT

Mr. Robertson: To ask the Chancellor of the Exchequer if he will make it his policy to zero rate the VAT payable by disabled people on the repair of their cars; and if he will make a statement. [129034]

Dawn Primarolo: There is already VAT relief on the service of repair or maintenance of motor vehicles designed or substantially and permanently adapted to carry a disabled person in a wheelchair or on a stretcher. There is also relief for disabled people leasing vehicles through the Motability scheme: the leases for these vehicles cover servicing and repair.

Alternative Care

Mr. Welsh: To ask the Chancellor of the Exchequer if he will estimate the cost of reducing VAT by *(a)* 5 per cent. and *(b)* 10 per cent. on privately purchased alternative care for people in (i) Scotland and (ii) the UK. [128174]

Dawn Primarolo: VAT is not charged on supplies of privately purchased care for people in residential and nursing homes in the UK.

Written Answers to Questions

Wednesday 5 July 2000

ENVIRONMENT, TRANSPORT AND THE REGIONS

Waste Recycling

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for *(a)* Great Britain and *(b)* each local authority the percentage of waste recycled in (i) 1997 (ii) 1998 and (iii) 1999. [127207]

Mr. Meacher *[holding answer 23 June 2000]:* Recycling levels in Scotland are a matter for the Secretary of State for Scotland. For England and Wales the national household recycling rates for 1996–97, 1997–98 and 1998–99 were 7.5, 8.2 and 9.4 per cent. respectively. I have placed a list in the House of Commons Library setting out ranges of household recycling rates for local authorities in England and Wales. All figures are based on data from the annual DETR Municipal Waste Survey.

Transport Council

Mr. Hood: To ask the Secretary of State for the Environment, Transport and the Regions what the outcome was of the Transport Council held in Luxembourg on 26 and 27 June; and if he will make a statement. [128333]

Mr. Hill: The Transport Council met in Luxembourg on 26 June. I represented the United Kingdom.

At the opening of the Council, the Netherlands made a statement expressing regret at the recent incident at Dover and stressed the need for EU action on traffic in human beings. I welcomed and endorsed the Dutch statement.

The Council debated a draft directive on interoperability of the conventional rail network. The only outstanding issue was the UK and Spain's request that derogations to allow the retention of existing track or loading gauges would be automatic rather than requiring Commission approval. I am pleased to say that, following the debate, a revised text was agreed which allows the automatic derogation we had been seeking and enabled the Council to agree a common position.

The Council debated proposals arising from the loss of the oil tanker "Erika" (the 'Erika 1' package). These are revised directives on ship inspection organisations and on port state control of shipping; and a new regulation on accelerating the introduction of double hulls in oil tankers. The Council reached political agreement on the first of these, which would give the Commission responsibility for recognising member states' appointed ship inspection organisations. The Commission gave a progress report on the port state control proposal. There was a debate on double-hulled tankers, during which I noted the need for a proper economic and regulatory impact assessment. I agreed with the Commission and a number of member states that IMO action at global level would be preferable, but that otherwise EU legislation would be acceptable. These issues will be debated again at the October Council. The Council agreed conclusions, stating that further progress should be made towards the "Erika 2" package, foreseen at the Feira European Council. France stated that Erika 2 would be a priority of its Presidency.

There was a further progress report from the Commission on the Galileo satellite navigation project. The Commission said it would submit a final report on the definition phase and an economic analysis in time for the December Council, at which a final decision would have to be made on whether to go ahead with the project. At the October Council, there would be an orientation debate on structure and funding. I joined other member states in stressing the need for full cost benefit analysis and for private sector funding to make the project viable. Conclusions were agreed, urging that the Council be provided with sufficient information early in the autumn to allow it to take a decision on Galileo's future.

The Commission gave a further presentation of its Communication on air passenger rights, underlining the need for progress with legislation or voluntary action in various areas of passenger protection, including the setting of minimum contract requirements for ticket purchase. Further work will be done to prepare for a discussion at the October Council.

The Commission gave its view of progress on work to create common EU structures for air traffic management (ATM). This might include the establishment of bodies to regulate European ATM. The Commission noted that separation of provision and regulation of ATM services was vital, to implement the conclusions of the European Councils at Lisbon and Feira.

The Council agreed that the Commission proposals on cabin crew qualifications in civil aviation should be re-examined in the light of the recent proposal to transpose standards drawn up by the Joint Aviation Authorities into Community law.

The Presidency presented a paper describing recent discussions on the establishment of a European aviation safety authority (EASA). The point at issue is whether the Commission should work up detailed proposals for an EU agency, rather than an international organisation. The Presidency presented a paper which analysed whether an EU agency could effectively promote air safety across Europe. I said that the UK was open to the idea of an EU agency, but that such an agency would have to have sufficient power to take safety decisions effectively, involve member states and national safety regulators fully in its work, and involve non-EU states as fully as possible. It should not initially cover safety of airports or air traffic management. The Council invited the Commission to make a formal proposal for an EU agency.

The Council also discussed the Transatlantic Common Aviation Area (TCAA). The Commission is seeking a mandate allowing it to negotiate a TCAA agreement with the US on behalf of the EU. The UK has on previous occasions made clear that it gives priority to its bilateral negotiations with the US, which are continuing. Technical work on the likely shape of a Commission mandate has been taking place, and the UK has been participating in that. The Presidency concluded that the Council was satisfied with the technical work, and asked for further work to be done by COREPER, to allow a decision on the mandate to be taken in December.

The Commission reported on developments in the area of aviation noise standards. They noted the good progress in defining new standards within the ICAO CAEP process.

The Council agreed a wide-ranging Resolution on road safety, following the Commission Communication presented to the March Council. Among areas identified for legislative action are: further development of the European new vehicles crash testing programme (EuroNCAP), use of speed limiters on larger vehicles, higher levels of seatbelt and child restraint usage, safer car fronts, and targeting of accident blackspots. The Resolution also refers to the Commission's intention to bring forward a recommendation for member states to introduce a maximum blood alcohol level of 0.5 milligrams per millilitre.

Two road transport issues were debated: a proposed Regulation on transit quotas ("ecopoints") for lorries passing through Austria; and a proposal on the allocation of Swiss transit permits for heavy lorries. The former concerns a proposal to reduce the ecopoint quotas of five member states, a legal requirement under the terms of Austria's Act of Accession. The member states affected (which do not include the UK) expressed their opposition to this measure and the Presidency instructed COREPER to re-examine the proposal. The Commission noted that unless an alternative proposal emerges, and is agreed upon, the Commission regulation will automatically come into effect on 20 September. The Commission also introduced its amended proposal for the distribution of permits for heavy goods vehicles travelling in Switzerland. The permit allocations for individual member states were in the process of being revised in the light of recently completed analyses of trade and traffic statistics in the Alpine region. The Presidency asked for further work to be done by COREPER to prepare for decision at the October Council.

Under other business the Commission presented its new "Communication on safer and more competitive quality road transport in the Community", covering such issues as working and driving time for lorry drivers, conditions for employment of non-EU hauliers, and driver training. This will be a priority issue for debate during the French presidency.

Vehicle Speeds

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions if the national transport plan and local transport plans will give priority to slower speeds for vehicular traffic on roads where the risk of injury to other road users is significant. [128547]

Mr. Hill: Our guidance on local transport plans makes clear that authorities should ensure that safety is a key element in all aspects of their plan. Authorities are required to prepare a road safety strategy, which must contain local casualty reduction targets for 2005 and annual milestone targets. While the precise package of measures used to achieve these targets is a matter for individual authorities, we would expect to see many making use of traffic management measures and lower speed limits.

PSV Provisional Licences

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions what the average processing time is for PSV provisional driver licences; and if he will make a statement. [128448]

Mr. Hill: Since April the Driver and Vehicle Licensing Agency has processed 95 per cent. of PSV provisional driving licences within five working days of receipt. Allowing three days for delivery of the licence by Royal Mail this means the overall turnaround is eight days from the date of receipt. This is an improvement on last year's turnaround, which was nine days overall.

Beacon Councils

Mr. Bennett: To ask the Secretary of State for the Environment, Transport and the Regions how much money his Department has awarded to *(a)* Stockport MBC and *(b)* Tameside MBC to celebrate beacon status; and what guidance he has issued on how the money is to be spent. [128879]

Ms Armstrong: This year we are providing £700,000 for beacon councils. Subject to approval by the House of the Special Grant Report (number 64) which was laid on 27 June, this amount will be distributed as specified in the report among the 33 successful applicants for beacon status, including Stockport and Tameside, as a contribution to the costs they incur as beacons in disseminating their good practice.

Guidance on the special grant was contained in the Beacon Council Application Brochure published in May 1999, and in the draft Special Grant Report circulated to each of the beacon councils earlier this year.

Brownfield Development

Dr. Kumar: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of planning decisions made in the last year resulted in brownfield development. [128634]

Ms Beverley Hughes: Information on the number of planning decisions resulting in development on brownfield sites is not available centrally. However, the latest estimates show that, in 1994, 48 per cent. of land changing to urban uses (as defined for DETR's Land Use Change Statistics) was previously developed.

London Underground

Mr. Mitchell: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer of 19 June 2000, *Official Report*, column 6W, concerning the provisions of European Community treaties affecting the expenditure of London Underground, what communications he, or his predecessors, have received from the Commission of the European Communities, *(a)* based on Article 88 of the Treaty of European Union and *(b)* under any other title of that or any other Community or Union Treaty, relating to public borrowing or revenue support, or the manner of its subsequent expenditure; and what arrangements are made for any such communications to be inspected. [128850]

Mr. Hill: We have received no such communications concerning London Underground.

Transport Infrastructure (St. Albans)

Mr. Pollard: To ask the Secretary of State for the Environment, Transport and the Regions what action his Department is taking to improve the transport infrastructure in the St. Albans constituency. [128893]

Mr. Hill: In last December's Local Transport Plan Financial Settlement Hertfordshire County Council received a total block allocation of £9,467,000. This consisted of £5,000,000 for integrated transport, an increase of 19 per cent. from the previous year, and £4,467,000 for maintenance and bridges, an increase of 83 per cent. from the previous year reflecting the poor condition of some of the County's roads.

It is of course for the County Council to decide how this funding should be used and which schemes to promote and we must leave these local projects to the responsible authorities to develop in conjunction with local partners and interests. The local transport plan process emphasises the need to work with the full range of transport providers, businesses, communities and interest groups.

Hertfordshire County Council will be submitting their full Local Transport Plan in July and I understand that they will be including an Area Plan for mid Bedfordshire. Within this is a programme of improvements for St. Albans which includes, among other elements, improving bus infrastructure, cycling and pedestrian facilities.

PFI Contracts

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what standard penalty clauses are included in private finance initiative contracts for roads; and how many of these have been invoked. [128589]

Mr. Hill: Penalties in contracts are not enforceable at law. My Department's privately financed contracts for roads include provisions for ensuring proper performance. In all these contracts performance defaults may lead to the accumulation of points which, through a hierarchical structure, could lead to increased monitoring at contractor expense and ultimately, to contract termination. A number of such points have been awarded on seven of the eight privately financed trunk road contracts in England.

Council Tax (Carers)

Mrs. Ewing: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the cost of extending carers' council tax discounts by *(a)* five per cent. and *(b)* 10 per cent. to those caring for partners or disabled children in (i) Scotland and (ii) the UK. [128171]

Ms Beverley Hughes *[holding answer 4 July 2000]:* As council tax is a devolved matter, it is for the Parliament and Assembly to answer about the situation in Scotland and Wales.

The information for England is not readily available and could be provided only at disproportionate cost.

Council tax does not operate in Northern Ireland.

RDAs

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the projects successfully undertaken by each of the regional development agencies since April 1999 and make a statement on their progress to date. [129113]

Ms Beverley Hughes *[holding answer 4 July 2000]:* The Regional Development Agencies were responsible for approximately 5,000 projects in 1999–2000. Collating this amount of information could be completed only at disproportionate cost.

Telecommunications Masts

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for each of the last three years *(a)* the number of applications for mobile telecommunication masts that were the subject of appeals to the Secretary of State and *(b)* the number of appeal decisions where the local planning authority's decision was upheld. [128937]

Ms Beverley Hughes: Information is not held about telecommunications masts specifically. The following is information relating to appeal decisions about telecommunications development generally.

	1997–98	*1998–99*	*1999–200*
Number of appeal decisions made in each year for telecommunications development	122	142	184
Number of appeal decisions made in each year that upheld the local planning authority's decision	68	67	83

Rents

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what his latest estimate is of the comparative rent levels of council tenants and housing association tenants. [129122]

Ms Armstrong: The latest period for which both Local Authority and Registered Social Landlord rent figures in England are available is the financial year 1998–99. Average Local Authority rents for 1998–99 were £42.33 per week and those for Registered Social Landlord rents in England were £51.65 per week. Registered Social Landlords are former housing associations that are officially registered with the Housing Corporation.

The average rent figures for local authorities and RSLs are not directly comparable because they do not take into account differences in the composition of stock, e.g. size and type of dwellings, their age and condition.

Housing Green Paper

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the representations received in response to the Housing Green Paper. [129121]

Ms Armstrong: The consultation on the Housing Green Paper runs until 31 July. Responses will in due course be made available for public inspection in the Department's library, unless submitted on a confidential basis.

Pollution Prevention and Control Regulations

Mr. Alan Keen: To ask the Secretary of State for the Environment, Transport and the Regions when he proposes to issue guidance on the forthcoming Pollution Prevention and Control Regulations. [129582]

Mr. Hill: Advance copies of "Integrated Pollution Prevention and Control: A Practical Guide" have been placed in the Libraries of both Houses. The guidance describes the main provisions of the new Integrated Pollution Prevention and Control regime to be set up under the Pollution Prevention and Control Regulations, a draft of which was laid before Parliament on 15 June. The guidance will set out how the Secretary of State expects to see the regulatory regime applied, and how certain terms are to be interpreted. It will complement the Environment Agency's package of technical guidance.

The guidance will be made more widely available once the regulations have been made.

Road Safety

Mr. Jenkins: To ask the Secretary of State for the Environment, Transport and the Regions when the Government plan to launch the Road Safety Advisory Panel, announced in the road safety strategy "Tomorrow's Roads—Safer For Everyone". [129583]

Angela Smith: To ask the Secretary of State for the Environment, Transport and the Regions when the Government plan to launch the Road Safety Advisory Panel, as announced in the road safety strategy "Tomorrow's Roads—Safer For Everyone". [129603]

Mr. Hill: The new Road Safety Advisory Panel was launched today, and my noble Friend the Parliamentary Under-Secretary of State (Lord Whitty) chaired the first meeting. The Panel includes representatives of the main stakeholders in road safety, including the police, local authorities, road safety organisations, road user groups and other Government Departments. Its remit is to provide advice to Ministers on road safety policies and to advise on the planned three yearly reviews of progress towards the casualty reduction targets set in the road safety strategy.

HEALTH

Vaccination

Mr. Baker: To ask the Secretary of State for Health, pursuant to his answer of 24 May 2000, *Official Report*, column 506W, (1) what are the benefits and risks that are considered and constantly reviewed for each individual vaccination; [124762]

(2) what are the serious adverse reactions to vaccination; and how rare they are. [124761]

Yvette Cooper *[holding answer 7 June 2000]:* The benefits of vaccination are the prevention of illness and death from infectious diseases. These benefits are assessed from clinical trials and epidemiological studies, prior to authorisation for clinical use. Following the introduction of a vaccine, there is ongoing monitoring of disease incidence rates and, where appropriate, outcomes.

The risks of immunisation to the individual are those of adverse reactions from the vaccine. These risks are evaluated both before and after authorisation using a range of data sources including clinical trials, spontaneous adverse reaction reports from health professionals, epidemiological studies and the published scientific literature.

The Department publishes full information on the benefits and serious adverse reactions to vaccination in the book 'Immunisation against infectious disease', copies of which are available in the Library. Vaccine-associated paralytic polio is the only serious reaction where evidence supports the suggestion of a causal association and there are demonstrated long-term consequences; this occurs in one out of approximately every million immunisations.

The authorised Summary of Product Characteristics for each product contains important prescribing information on individual vaccines and possible undesirable effects. These are available in the Compendium of Data Sheets and Summaries of Product Characteristics published by the Association of the British Pharmaceutical Industry. The Summary is updated throughout the lifetime of the product, as new information becomes available.

Compulsory Treatment Orders

Ms Oona King: To ask the Secretary of State for Health what recent representations he has received from mental health users regarding the proposed introduction of compulsory treatment orders in the community. [125938]

Mr. Hutton: Our proposals to extend compulsory powers under the Mental Health Act beyond hospital settings formed part of our Green Paper "Reform of the Mental Health Act 1983". Consultation on this Green Paper ended on 31 March. We have received over 1,000 responses to this consultation from a wide range of people, including mental health users. Among these was a representation from the Mental Health Alliance, an umbrella group for a variety of organisations, which I received at their recent lobby of Parliament. We are now considering them carefully. I will make an announcement on how we will take this forward in the near future.

Medicine Prices

Mr. Hammond: To ask the Secretary of State for Health what powers he has to control the prices of *(a)* parallel-traded branded medicines, *(b)* branded medicines dispensed against generic prescriptions and *(c)* branded generic medicines. [126666]

Ms Stuart: The prices of branded medicines derived from parallel trade follow those not so derived. The price of a branded medicine is unaffected if it dispensed against a generic prescription.

The prices of branded medicines, whether generic or not, are controlled indirectly though the operation of the 1999 Pharmaceutical Price Regulation Scheme (PPRS), a voluntary arrangement which aims to secure the provision of safe and effective medicines for the National Health Service at reasonable prices. Whether the prices are reasonable is determined by the level of profits which manufacturers make from sales to the NHS. The operation of the PPRS is described in detail in the "Pharmaceutical Price Regulation Scheme: Third Report to Parliament December 1999", copies of which are available in Library.

Section 34 of the Health Act 1999 allows my right hon. Friend the Secretary of State to limit the prices of branded medicines supplied to the NHS by companies which are not members of the 1999 PPRS. This power has not been exercised because all major manufacturers of branded medicines are members of the 1999 PPRS.

Waiting Lists

Mr. Harvey: To ask the Secretary of State for Health how many patients were waiting for admission to hospitals, including suspended patients but not including self-deferred cases, *(a)* in (i) Great Britain and (ii) each health authority, in (1) 1987 and (2) 1992 and *(b)* in (A) Great Britain and (B) each NHS trust in each year since 1995. [127209]

Mr. Denham *[holding answer 23 June 2000]:* The information requested for England has been placed in the Library. Matters for Wales, Scotland and Northern Ireland are for their respective Administrations.

Shona McIsaac: To ask the Secretary of State for Health (1) what percentage of in-patients are treated at the Diana Princess of Wales hospital in Grimsby in *(a)* one month or less, *(b)* three months, *(c)* six months and *(d)* over six months; [128500]

(2) what percentage of in-patients are treated at Scunthorpe hospital in *(a)* one month or less, *(b)* three months, *(c)* six months and *(d)* over six months. [128501]

Mr. Hutton: The latest available information is given in the table.

In patients treated

	Diana Princess of Wales Hospital	*Scunthorpe and Goole Hospital*
Elective waiting list admissions	9,683	18,740
Elective waiting list admissions:		
Within 1 month	1,924	8,118
Percentage seen within 1 month	20	43
Within 3 months	1,895	3,956
Percentage seen within 3 months	20	21
Within 6 months	1,448	1,989
Percentage seen within 6 months	15	11
Over 6 months	4,416	4,677
Percentage seen over 6 months	46	25

Note:

Percentages do not always add to 100 due to rounding.

NHS Staff

Mr. Harvey: To ask the Secretary of State for Health how many *(a)* administrative staff, *(b)* managerial staff, *(c)* nurses, *(d)* junior doctors and *(e)* other medical staff were employed in each region in each of the last three years; and if he will make a statement. [127691]

Mr. Denham *[holding answer 27 June 2000]:* The information requested is shown in the table.

NHS Hospital and Community Health Services (HCHS): Number of administrative staff; managerial staff; nurses; junior doctors and other medical staff employed in the NHS region as at 30 September each year

Whole-time equivalent

	England	*Northern and Yorkshire*	*Trent*	*West Midlands*	*North West*	*Eastern*	*London*	*South East*	*South West*	*Other*
1999										
Administrative and estates staff	149,230	18,880	14,900	15,460	20,700	11,910	25,960	21,290	13,020	7,110
Administrative managerial staff	23,380	2,660	2,250	2,400	2,500	2,020	4,290	3,840	1,820	1,590
Nurses	338,580	45,910	35,640	35,640	51,150	30,920	51,540	51,050	32,660	4,060
Of which:										
Qualified	250,650	34,540	25,950	26,340	37,420	21,260	42,810	36,620	24,040	1,670
Unqualified	87,440	11,380	9,540	9,300	13,720	9,570	8,700	14,320	8,550	2,380
Junior doctors[1]	29,470	3,520	3,060	2,940	4,160	2,520	6,930	4,000	2,340	[1]—
Other Medical staff[2]	26,500	3,500	2,620	2,750	3,790	2,540	4,630	4,210	2,460	[1]—
1998										
Administrative and estates staff	145,670	18,380	14,460	12,910	20,840	18,970	16,700	15,550	20,410	7,440
Administrative managerial staff	21,850	2,510	2,110	2,230	3,410	3,070	2,430	2,160	2,330	1,600
Nurses	332,200	44,870	34,930	32,310	46,710	42,250	42,100	35,400	49,740	3,880
Of which:										
Qualified	247,240	33,750	25,390	23,650	36,570	31,930	31,100	26,350	36,820	1,680
Unqualified	84,520	11,120	9,540	8,660	10,080	10,000	11,000	9,010	12,910	2,200
Junior doctors[1]	29,100	3,590	2,970	2,860	4,180	2,680	5,310	4,190	3,320	[1]—
Other Medical staff[2]	25,160	3,370	2,410	2,620	3,580	2,540	3,920	3,540	3,180	[1]—
1997										
Administrative and estates staff	145,150	18,420	14,390	12,820	21,060	18,650	16,480	15,290	20,240	7,800
Administrative managerial staff	21,430	2,460	1,980	2,270	3,330	3,130	2,410	2,190	2,190	1,460
Nurses	330,620	45,030	34,760	32,040	46,920	42,680	41,850	34,200	49,300	3,840

NHS Hospital and Community Health Services (HCHS): Number of administrative staff; managerial staff; nurses; junior doctors and other medical staff employed in the NHS region as at 30 September each year

Whole-time equivalent

	England	*Northern and Yorkshire*	*Trent*	*West Midlands*	*North West*	*Eastern*	*London*	*South East*	*South West*	*Other*
Of which:										
Qualified	246,010	33,600	25,150	23,310	36,810	32,460	30,670	25,620	36,770	1,620
Unqualified	84,020	11,390	9,610	8,720	10,080	9,790	11,120	8,570	12,520	2,220
Junior doctors[1]	28,540	3,640	2,900	2,650	3,910	2,640	5,490	4,130	3,180	[3]—
Other Medical staff[2]	23,840	3,210	2,370	2,490	3,400	2,420	3,710	3,210	3,030	[3]—

[1] Includes Hospital medical staff in grades Registrar group, Senor House Officer and House Officer

[2] Includes Hospital medical staff in grades Consultant, Associate Specialist, Staff Grade, Hospital Practitioner, Clinical Assistant and other un-graded staff

[3] Not applicable

Notes:

1. Figures are rounded to the nearest ten
2. Due to rounding totals may not equal the sum of component parts
3. Figures exclude learners and agency staff
4. New regional office boundaries were introduced on 1 April 1999

Sources:

Department of Health Non-Medical Workforce Census
Department of Health Medical and Dental Workforce Census

Dental Services (Prisons)

Mr. Oaten: To ask the Secretary of State for Health if he will make a statement on the provision of NHS dentists in prisons. [128159]

Mr. Hutton: In most cases dental services to prisoners are provided by visiting general dental practitioners working under NHS general dental services arrangements. Some individual prisons contract for dental services with another provider, usually the Community Dental Service, but sometimes with an individual dentist.

As part of the prison health care reforms now under way, all prisons and the health authorities in which they are situated are assessing prisoners' health needs and drawing up health improvement plans, which include dentistry. These assessments will help inform how dental services can best be delivered in the future.

Carers

Mr. Kidney: To ask the Secretary of State for Health (1) what evaluation he has made of the on-line information service for carers, Starthere, referred to in the National Strategy for Carers; [128263]

(2) what assessment he has made of the availability of on-line information for carers; [128264]

(3) what assessment he has made of South Staffordshire's on-line information service for carers. [128265]

(4) what action he plans to take to co-ordinate on-line information services for carers. [128266]

Mr. Hutton: Many carers will not have access to the Internet and will therefore be more likely to use other sources of information (such as: telephone helplines, carers' centres, leaflets in general practitioners' surgeries etc.). However, on-line services are an increasingly important element of information and support to carers as "Caring About Carers", the report of the National Carers Strategy, makes clear.

The Department launched the Government's carers' website (www.carers.gov.uk) in February 2000 to allow the increasing numbers of carers who are on the Internet (or those supporting them such as carers' workers) easy access to a range of relevant Government information. There are links to National Health Service, Department of Trade and Industry, Department of Social Security, Department for Education and Employment and Employment Service sites as well as those of carers' organisations. The Department of Health controls and updates the website to co-ordinate the links to make them easy for carers to use. The process of assessing the availability of on-line information is therefore an on-going one. The website has been very well received by carers and professionals.

The Department does not conduct detailed evaluations of all available on-line information services for carers. Starthere receives funding under s64 of the Health Services and Public Health Act 1968 and is being monitored and evaluated accordingly. Recent research undertaken in pilot sites in The Whittington Hospital and GPs' surgeries in North London revealed a very high level of satisfaction.

I am aware of the very helpful Staffordshire Carers' Information website (Resources Bank to Support the Caring Role at Staffordshire University Lichfield Centre) and my officials are making arrangements for a hyperlink from our website to be made to it.

Maternity Leave (GPs)

Mr. Martlew: To ask the Secretary of State for Health what the arrangements are for maternity leave for GPs; and if he will make a statement. [128283]

Mr. Denham: The payments due to a GP on maternity leave are available for a maximum period of 14 weeks. The period for which a GP may need to be absent from her practice prior to, and after, the birth, is a matter for individual assessment. A GP who is absent for a period longer than this, before or after the confinement, will be eligible for payments under the sickness payments scheme provided that these further absences are due to illness, whether or not this is caused by or attributable to her pregnancy or the birth of the child.

Certain additional payments may be made to a woman GP during absences due to her pregnancy and her childbirth. Payments will be intended to reimburse her in part for the cost of a locum necessarily engaged to look after her patients.

Salaried GPs are treated as employees and therefore receive statutory maternity pay.

Disability

Dr. Kumar: To ask the Secretary of State for Health how many people are currently registered as wholly or partially disabled *(a)* nationally, *(b)* in Teesside and *(c)* in the constituency of Middlesbrough, South and Cleveland, East; and if he will make a statement. [128513]

Mr. Hutton: Information is not available in the requested format. The table shows the number of people on registers of blind and partially sighted persons, deaf or hard of hearing persons or on registers for people with physical disabilities (general classes). Registration is voluntary and is not a pre-requisite to the provision of services. Figures should not, therefore, be taken as an indicator of prevalence nor of the number of people who are in contact with social services.

Persons on disability registers as at 31 March 1993, 1997 and 1998

Rounded numbers

	1993 *Register of people with general disabilities*	*1997* *Registered as blind or partially sighted*	*1998* *Registered as deaf or hard of hearing*
England	1,336,900	296,800	189,600
Middlesbrough	[1]26,000	740	1,550
Redcar and Cleveland		700	[2]—
Stockton on Tees		700	2,240
Hartlepool		370	1,220

[1] The figures for 1993 refer to the former county of Cleveland

[2] Not available

Sources:

DH returns SSDA 911, SSDA 902, SSDA 910

Corporal Punishment

Mr. Maclean: To ask the Secretary of State for Health what assessment he has made of the impact on religious liberties of the proposal to ban the use of implements in the physical punishment of children by parents included in the document "Protecting Children, Supporting Parents". [129076]

Mr. Hutton: The consultation document "Protecting Children, Supporting Parents" was informed primarily by our recognition of the importance of the family and the need to strengthen it, through support to families with children.

Over 800 replies were received in response to the consultation, a number of which were from faith-based organisations and from individuals who cited the importance of their faith in informing their response. These responses will be considered carefully alongside all of the other responses.

Mr. Maclean: To ask the Secretary of State for Health in what circumstances the use of an implement in the exercise of physical punishment of children by their parents would be considered unreasonable, as proposed in the consultation document "Protecting Children, Supporting Parents". [129082]

Mr. Hutton: In the consultation document "Protecting Children, Supporting Parents", published in January 2000, six questions were raised for consultation within the context of three possible future options for change. These are all based on the proposal that the defence of reasonable chastisement be set out on a statutory basis. The questions are then raised as to whether the following circumstances can be made reasonable:

> physical punishment which causes, or is likely to cause, injury to the head (including injuries to the brain, eyes and ears)
>
> physical punishment using implements (e.g. canes, slippers, belts).

Those of the over 800 responses received which address these questions will be considered as part of the process of analysing the contributions of respondents.

EDUCATION AND EMPLOYMENT

Joannou and Paraskevaides Group

Mr. Loughton: To ask the Secretary of State for Education and Employment what construction contracts his Department has awarded to the Joannou and Paraskevaides Group in the last three years. [123144]

Mr. Wills *[holding answer 22 May 2000]:* The Department for Education and Employment has awarded no construction contracts to the Joannou and Paraskevaides Group in the last three years.

Examination Results

Mr. Hilary Benn: To ask the Secretary of State for Education and Employment if he will list in respect of each of the last three years *(a)* the percentage of pupils achieving 5 or more A*-C grades at GCSE and *(b)* the average points score at A level for pupils attending (i) specialist schools and (ii) comprehensive schools (excluding specialist schools) in England. [127867]

Mr. Wicks: The information requested on GCSEs and GCE A level is shown in the following table. However, it is not possible to make year-on-year comparisons, as the number of specialist schools has increased each year; therefore, the schools in each of the categories have changed.

Percentage

	1997	*1998*	*1999*
(a) Percentage of 15-year-old pupils achieving 5 or more GCSE grades A-C*			
(i) in specialist schools	50.8	52.2	53.3
(ii) in comprehensive schools excluding specialist schools	41.6	42.3	44

More detailed analysis is available for specialist school performance from the year each school became specialist up to 1998. The annual average improvement in the proportion of pupils achieving at least 5 or more GCSEs

A*-C for specialist schools between 1994 and 1998 was 1.11 percentage points; for non-specialist schools it was 0.75.

	1997	1998	1999
(b) Average GCE A/AS point score of candidates aged 16–18 entered for 2 or more GCE A/AS			
(i) in specialist schools	17.4	18.2	18.3
(ii) in comprehensive schools excluding specialist schools	16.3	16.6	16.8

Social Exclusion

Mr. Jenkins: To ask the Secretary of State for Education and Employment what is his Department's assessment of the measures required to tackle labour market access for the most disadvantaged groups; and what policies are in place to apply such measures. [127965]

Ms Jowell: The Government's key economic aim is high and stable levels of employment so everyone can share in growing living standards and greater job opportunities. The ambition is that, by the end of the decade, there will be a higher percentage of people in employment than ever before.

An important element of the Government's approach is to address labour market disadvantage to achieve employment opportunities for all. Policies encourage employers to consider the widest range of people for their vacancies—including the long-term unemployed, the economically inactive, people with disabilities, people from ethnic minorities and older people.

To achieve these aims, the Government have put in place a national framework, supplemented by locally targeted policies:

- a stable macroeconomic platform to promote steady, sustained growth in output and jobs
- policies to promote competition, innovation and enterprise
- investing in education and training so people have the skills they need to take up work
- a labour market policy with a strong work focus linking active and continuous jobsearch with payment of benefit. Through this, and the network of local Employment Service Jobcentres, all unemployed people have regular access to vacancies, advice and help with jobsearch throughout their period of unemployment
- a range of New Deal programmes to help those without a job—especially the long-term unemployed and those on inactive benefits—back into the labour market and from there into work
- policies such as the National Minimum Wage and Working Families Tax Credit designed to make work pay
- the national childcare strategy to increase the range of jobs that are open to people
- Employment Zones, regional policies such as Regional Selective Assistance, the Single Regeneration Budget and the New Deal for Communities, designed to boost the infrastructure and human capital of particularly disadvantaged localities

Since spring 1997, the Labour Force Survey shows that the number of people in jobs has risen by 978,000. Three fifths of this increase (570,000) has come from people who were previously economically inactive and two fifths (407,000) from a fall in unemployment. 85 per cent. of the fall in unemployment (353,000) has come from people who had been out of work for one year or more.

These figures are encouraging but there is still more to do.

Secondments

Mr. Don Foster: To ask the Secretary of State for Education and Employment, pursuant to his answer to the hon. Member for Harrogate and Knaresborough (Mr. Willis), of 21 December 1999, *Official Report*, column 554W, on secondments, if he will give the names, grades and job titles of the staff seconded into his Department from each organisation mentioned, stating in each case the name of the section they were seconded to and a summary of the work that they were involved with. [128239]

Mr. Wills: The table lists the names of the companies as referred to in my answer of 21 December 1999 and indicates where the secondee worked within DfEE.

Company	
Glaxo Wellcome	Higher Education Funding Division
Aquemen	Private Finance Division
BBC	University for Industry—(UFI) Team Broadcasting Adviser
BBC	University for Industry—(UFI) Team Broadcasting Adviser
Pannell Kerr Foster Associates	Private Finance Division
LINK Group	Individual Learning Accounts
ICL	UFI Transition Team

In each case the secondees worked on developing and delivering Government policy in the areas described above.

Southwark LEA

Mr. Simon Hughes: To ask the Secretary of State for Education and Employment what action he intends to take in response to the most recent Ofsted report on Southwark local education authority. [128489]

Ms Estelle Morris: Consultants were employed, jointly by the DfEE and Southwark Council following December's Ofsted report, to advise on ways to improve the LEA's performance and to raise standards in Southwark schools. As a result of their recommendations, Southwark advertised for a strategic partner in March. Two bids have been shortlisted, and there is currently a rigorous process of clarification and evaluation involving both bidders, DfEE and Southwark, aided by consultants. We will select an appropriate model of partnership and a partner with whom the Council will enter into a formal agreement. The partner will, as a minimum, take over the running of the School Improvement Service and play a major role in strategic policy formation. A wider element of service delivery may be included.

Rural Schools

Mr. David Taylor: To ask the Secretary of State for Education and Employment what measures he has taken to enhance the role of rural schools within their local communities. [127919]

Ms Estelle Morris: Our guidance on the reorganisation of schools makes it clear that there should be a presumption against the closure of rural schools, and we are encouraging community use of school facilities. Our recent booklet "Raising Standards: Opening Doors" encourages imaginative approaches to community use of schools, and a manual is being developed to support schools in their work with the community. We recently introduced a new Standards Fund grant for small schools to help reduce the administrative burden on heads and teachers, and from September an additional Small School Support Fund will encourage small schools to consider and pilot new ways of working with others.

Standard Spending Assessment (Kent)

Dr. Stoate: To ask the Secretary of State for Education and Employment (1) how much of its standard spending assessment Kent Education Authority allocated to post-16 education between 1997–98 and 2000–01 *(a)* in absolute terms and *(b)* per pupil; [128743]

(2) how much of their standard spending assessment the statistical neighbours of Kent Education Authority have allocated to post-16 education between 1997–98 and 2000–01 *(a)* in absolute terms and *(b)* per pupil. [128744]

Ms Estelle Morris: This information is not available. Local education authorities allocate funding to schools using various factors and there is no separate post-16 component to mirror that used in the standard spending assessment process. Furthermore, central spending by the LEA on secondary education is not separately analysed into pre-16 and post-16 components.

New University (Shropshire)

Mr. Paul Marsden: To ask the Secretary of State for Education and Employment if he will examine the feasibility of establishing a university in Shropshire; and if he will make a statement. [128761]

Mr. Wicks: It is for the higher education funding councils to offer advice to the Government on such matters in the light of representations made locally. We are not aware of any representations about the feasibility of establishing a university in Shropshire.

Business Start-ups

Dr. Kumar: To ask the Secretary of State for Education and Employment what resources and money are being made available to help people who are aged 50 years and over, who are not working, to set up their own businesses; and if he will make a statement. [128804]

Ms Jowell: People aged over 50 who are looking for work and are considering self-employment may be eligible for Work Based Learning for Adults. This programme provides: initial support and advice; awareness of the implications of self-employment; help to develop business plans; appropriate skills training; and ongoing mentoring while in training. The budget for Work Based Learning for Adults for this year is £316 million for England.

New Deal 50 plus provides practical advice and financial support for people moving back to work and this support extends to those who become self-employed or set up in business. The Employment Credit of £60 a week for up to a year for those working full-time and the in-work Training Grant of up to £750 provide vital financial support for the individual in their first year back in work. The budget for New Deal 50 plus this year is £120 million for Great Britain.

In addition, from April next year, New Deal 25 plus will be offering a dedicated route into self-employment.

The Department for Education and Employment is also helping to fund PRIME, an initiative modelled on the Prince's Trust. PRIME intends to offer advice and financial support for people over 50 wishing to set up their own business.

My right hon. Friend the Secretary of State for Trade and Industry is providing information about help provided by DTI programmes.

Swimming Lessons

Mr. Hoyle: To ask the Secretary of State for Education and Employment what support and assistance he will provide to schools in order to ensure that children are provided with adequate swimming lessons. [128822]

Jacqui Smith: The National Curriculum has always entitled all children to learn to swim unaided for a distance of 25 metres by the time they leave primary school. We have asked Ofsted to report on swimming at Key Stages 1 and 2, using enhanced inspection evidence gathered during November 1999 and information from their existing inspection database. We anticipate receiving their report within the next few months and will then consider their findings.

Training of Scientists

Mr. Llew Smith: To ask the Secretary of State for Education and Employment what consultations he has had with Ministers and officials in the Department of the Environment, Transport and the Regions in respect of the training of scientists with the appropriate expertise to manage radioactive waste. [128862]

Mr. Wicks: My right hon. Friend the Secretary of State for Education and Employment has had no consultation with the Department of the Environment, Transport and the Regions on this subject.

Performance-related Pay

Mr. Cox: To ask the Secretary of State for Education and Employment how many teachers employed in schools in the London Borough of Wandsworth have applied for the performance-related pay scheme; and if he will make a statement. [128892]

Ms Estelle Morris: At this stage, information relating to applications for threshold assessment has not been analysed in sufficient detail to identify the numbers applying from Wandsworth. We will be making this information available in due course.

Chief Inspector of Schools

Mr. Mudie: To ask the Secretary of State for Education and Employment on what date the contract of Her Majesty's Chief Inspector of Schools expires. [129020]

Ms Estelle Morris: Chris Woodhead's current term of employment as HM Chief Inspector of Schools ends on 31 August 2003.

Equal Treatment Directive

Mr. Maclean: To ask the Secretary of State for Education and Employment what assessment he has made of the implications of the proposed EU Council directive, establishing a general framework for equal treatment in employment and occupation for religious liberties. [129086]

Ms Jowell: The Employment Directive is still being negotiated and we will work with our partners in other member states to ensure that its provisions relating to religious liberties are clear, workable and consistent with the existing position in the UK.

DEFENCE

Dockyards

Mr. Quentin Davies: To ask the Secretary of State for Defence what recent meetings he has held with trade unions to discuss dockyard work loads. [128769]

Mr. Spellar: My right hon. Friend the Secretary of State for Defence and the rest of his ministerial team met senior trade unions national officers on 12 June 2000 to discuss, among other matters, the management of overall capacity for warship support and maintenance.

Mr. Quentin Davies: To ask the Secretary of State for Defence what plans for efficiency savings he has made with regard to Royal Navy dockyards; and if he will make a statement. [128768]

Mr. Spellar: As part of the Defence Logistic Organisation's drive to reduce costs while increasing the quality of logistic support to the Front Line, discussions have commenced with the privatised dockyard companies and senior trades union national officers looking for innovative ways to reduce the current excess capacity for warship support and maintenance. It is too early to say what this will mean in terms of efficiency savings.

Precision Bombing

Mr. Key: To ask the Secretary of State for Defence if he will acquire GPS tail kits for all RAF iron bombs. [129080]

Mr. Spellar: On current plans, we aim to introduce an all-weather precision bombing capability in 2006. The Kosovo campaign confirmed the need to improve our capability in this area and we are examining the scope for advancing this date alongside other high priorities.

Various technological solutions are available that could provide autonomous guidance for a weapon which meets this requirement, including the use of Global Positional System (GPS) technology.

There is not considered to be a requirement to acquire all-weather guidance for all our bombs. Laser guided bombs such as Paveway 2 and 3 remain highly cost effective weapons in the majority of weather conditions.

Mr. Key: To ask the Secretary of State for Defence if he will acquire the Maverick missile system. [129081]

Mr. Hoon: The Kosovo campaign identified the need to enhance our precision attack capability. In March, I announced the start of work to trial the integration of Maverick anti-armour missiles onto RAF Harrier GR7. Trials are proceeding and further decisions will be taken when they are complete.

TREASURY

European Investment Bank

Mr. Bercow: To ask the Chancellor of the Exchequer if he will list those UK companies which receive financial support from the European Investment Bank; for what reason such assistance is provided; and if he will make a statement. [123623]

Miss Melanie Johnson: The information is given in the 1999 EIB Annual Report, which is available in the Library.

European Integration

Mr. Bercow: To ask the Chancellor of the Exchequer which areas have been identified by *(a)* member states and *(b)* European Community institutions as requiring additional pooling of sovereignty for the better functioning of the single currency zone. [123613]

Miss Melanie Johnson: I refer the hon. Member to the answer I gave him on 5 June 2000, *Official Report,* column 71W.

Euro

Tony Wright: To ask the Chancellor of the Exchequer (1) if he will publish an independent assessment of the extent to which the five economic tests for entry into the single currency have been met at the time when the Government make their recommendations on entry; [128627]

(2) what plans he has to publish the Treasury's assessment of whether the five economic tests for membership of the single currency have been met. [128628]

Miss Melanie Johnson: The Treasury published the paper "UK Membership of the Single Currency: An Assessment of the Five Economic Tests" in October 1997. The Chancellor of the Exchequer has said we will make another assessment of the five economic tests early in the nextParliament.

Road Fuel

Mr. Norman: To ask the Chancellor of the Exchequer what recent representations he has received from fuel retailers about rates of duty on diesel and petrol in Northern Ireland and their impact on cross-border smuggling of fuel; and if he will make a statement. [129063]

Mr. Timms: I met with the Northern Ireland Committee of the Petrol Retailers Association in October 1999 to discuss the cross-border smuggling of road fuels in Northern Ireland and its impact on the petrol retail industry.

Treasury Ministers continue to receive representations about the rates of duty on diesel and petrol in Northern Ireland. In addition to representations directly from the

Petrol Retailers Association, some individual retailers have contacted their Members of Parliament who have then written to Treasury Ministers on their behalf.

Mr. William Ross: To ask the Chancellor of the Exchequer what was the quantity of smuggled road fuel of each type seized by the customs officers in Northern Ireland in each of the last five years and the current year; and how much revenue these seizures represented. [128611]

Mr. Timms: The seizures for financial years 1995–96 to 1998–99 are in the Northern Ireland Select Committee Third Report (July 1999). The seizures for the financial year 1999–2000 are as follows:

Volume seized (litres)	*Revenue (£)*
1,037,001[1]	528,870

[1] a breakdown by type is not available

The seizures for the current year are not yet available.

Parliamentary Questions

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what measures he (1) takes to ensure that answers to parliamentary questions are dealt with in accordance with the Code of Practice on Access to Government Information; [129068]

(2) has undertaken to ensure that answers to parliamentary questions are dealt with in accordance with the Code of Practice on Access to Government Information. [129217]

Mr. Timms: Treasury Ministers seek to answer parliamentary questions fully, providing Members with the information they are seeking. In those cases where it is not possible to do so—for example, if the information requested is not available, if it would be disproportionately costly to obtain it, or if it is appropriate under the Code of Practice on Access to Government Information not to disclose the information—it is our practice to explain the reason in the answer.

Tax Law Rewrite

Mrs. Lawrence: To ask the Chancellor of the Exchequer if he will make a statement on the future work programme of the Tax Law Rewrite project; and if it includes the rewriting of the Pay As You Earn Regulations. [129448]

Dawn Primarolo: I am pleased to say that the Tax Law Rewrite project is making very good progress and continues to enjoy wide support. A rewritten draft Capital Allowances Bill will be published at the end of July, for final consultations. It is planned to be ready for introduction in Parliament towards the end of this year.

Work also continues on the much larger task of rewriting the Income Tax legislation. For practical reasons, this will be enacted in stages. The first Income Tax Bill—covering employment income and possibly social security and pensions income—is planned to be ready in November 2002. The aim is to have a second Income Tax Bill—covering trading income, property income and savings and investment income—ready for November 2003.

Although the project's remit does not extend to secondary legislation, I am pleased to announce that—as an exception—the rewriting of the PAYE Regulations will be included in the work programme for the first Income Tax Bill. This should be warmly welcomed by employers. The aim is for the rewritten Regulations to come into force at the same time as the first Income Tax Bill, in April 2003.

Stakeholder Pensions

Mrs. Lawrence: To ask the Chancellor of the Exchequer what plans he has to allow members of occupational schemes to make contributions to stakeholder pensions. [129604]

Miss Melanie Johnson: We will shortly table an amendment to the Finance Bill to allow members of an occupational pension scheme, who earn under £30,000 per year and who are not controlling directors, to contribute up to £3,600 a year to a personal or stakeholder pension scheme. This will extend the opportunity of new low cost, good value, portable stakeholder pensions to about 8 million more people. It will allow nearly 90 per cent. of employees who have an occupational pension to also pay into a stakeholder pension.

A copy of the joint Inland Revenue/Department of Social Security press notice, giving further details of the arrangements, will be placed in the Library of the House.

AGRICULTURE, FISHERIES AND FOOD

Animal Exports

Mr. Hancock: To ask the Minister of Agriculture, Fisheries and Food what plans he has to seek a change in EU law to limit the number of cycles of travel and rest for animals while being exported to other European countries; and if he will make a statement. [126903]

Mr. Morley: We shall be seeking substantial improvements to the EU requirements on the welfare of animals in transit when the Commission brings forward the updating proposals that it has promised for later this year. We shall wish the improvements to include strict and enforceable provisions on the permissible length of journeys.

Milk Quotas

Mr. Robertson: To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had with his EU counterparts on milk quotas; and if he will make a statement. [126959]

Ms Quin: During the Agenda 2000 negotiations, regular meetings were held with agriculture ministers from other EU member states regarding milk quotas. Further discussions will be held in the run up to the review of the milk quota system in 2003.

Organic Farming

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received from commercial organisations about the percentage of food consumed in the UK which is *(a)* organically produced and *(b)* produced by (i) genetic modification and (ii) biotechnology; and what estimates commercial organisations have given him of the amount that will be so produced in 2010. [127015]

Mr. Morley *[holding answer 20 June 2000]:* I have received no recent representations from commercial organisations about the percentage of food, provided by any of the above methods, that is currently consumed in the United Kingdom, or estimated for production in the year 2010.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 10 April 2000, *Official Report*, column 57W, on organic farming, what have been the major conclusions of the organic research programme on *(a)* constraints on production, *(b)* costs of the conversion period and *(c)* the environmental impact. [126475]

Mr. Morley *[holding answer 27 June 2000]:* The majority of the projects funded under the Ministry's organic R&D programme address issues relating to constraints on production and the cost of conversion. These projects have considered a considerable number of issues both specifically and in the context of ongoing studies of agricultural systems. Research on the environmental impact of organic farming has concluded that organic regimes can benefit biodiversity at the farm-level although, the impact is farm-specific and dependent on the management of the farm both before and after conversion to the organic system. Lists of projects funded from 1997–98 are posted on the Ministry's website. Reports containing the conclusions of completed projects are available from the Ministry on request.

Common Fisheries Policy

Mr. Bercow: To ask the Minister of Agriculture, Fisheries and Food if he will identify those elements of the Common Fisheries Policy which operate in *(a)* Baltic and *(b)* Mediterranean waters; and if he will account for the differences in applicability of the policy to Atlantic waters. [127191]

Mr. Morley: Baltic Sea fisheries are managed by the International Baltic Sea Fisheries Commission (IBSFC), of which the EU is a member. EU regulations are made under the Common Fisheries Policy (CFP) to implement management measures adopted by the IBSFC. General CFP conservation measures are also applicable in the Baltic Sea to the extent specified in individual regulations.

Coastal states in the Mediterranean Sea have not generally extended their exclusive fisheries limits beyond 12 miles, reflecting the narrowness of the continental shelf in the area. This has restricted the extent to which general CFP provisions have been applied. The EU has, however, implemented various conservation measures under the CFP covering Mediterranean fisheries, including tuna management measures adopted by the International Commission for the Conservation of Atlantic Tuna (ICCAT) and a limited number of technical conservation measures.

The Government consider that the application of the CFP in Atlantic waters can be improved and will continue to pursue opportunities for achieving this.

Press Releases

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food what was the average length of time which it took for press releases to appear on his Ministry's website in the past 12 months. [128059]

Mr. Morley *[holding answer 28 June 2000]:* The Department publishes its press releases on the MAFF website within 24 hours of the time they are issued. Many are published on the day of release, and we are investigating ways of upgrading existing updating methods to ensure that all do so.

Ragwort

Mr. David Heath: To ask the Minister of Agriculture, Fisheries and Food what evidence he has assessed on the efficacy of biological control of ragwort. [128339]

Mr. Morley: My Department is not currently involved in any research and development on the biological control of ragwort. Depending on its location and degree of infestation, ragwort can be controlled effectively by a number of means.

Farrowing Crates

Mr. Robertson: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the extent to which expectant and nursing sows suffer from being kept in farrowing crates; and if he will make a statement. [129032]

Mr. Morley *[holding answer 4 July 2000]:* This Ministry has funded a considerable amount of research on the behaviour and physiology of sows kept in farrowing crates. Part of this research has been directed towards determining which aspects of confinement in farrowing crates could, potentially, cause frustration in pregnant and lactating sows. We are also funding research to develop and test commercially viable farrowing systems, which encourage freedom of movement for the sow, and provide adequate protection to piglets from crushing by their mother.

Shellfish Stocks

Mr. Andrew George: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the state of shellfish stocks around the United Kingdom coast. [128540]

Mr. Morley *[holding answer 4 July 2000]:* Monitoring of the state of shellfish stocks by marine fisheries scientists at the Centre for Environment Fisheries and Aquaculture Science (CEFAS) suggests that the current rate of fishing on crab, crawfish and lobster could jeopardise stock sustainability. Work is now proceeding on the introduction of a restrictive Shellfish Licensing Scheme to aid stock conservation.

Fishing Industry

Mr. Andrew George: To ask the Minister of Agriculture, Fisheries and Food (1) what plans he has for the remainder of the year 2000 and for 2001 for *(a)* netters, *(b)* beamers, *(c)* the pelagic sector and *(d)* all other fishing sectors to financially assist those fishermen who wish to decommission their boat and leave the industry; [128842]

(2) what current financial support is available to those fishermen who wish to leave the industry and decommission their boats; [128843]

(3) what plans he has for the remainder of 2000 and for 2001 to assist financially those fishermen operating a line cash system who wish to decommission their boat. [129025]

Mr. Morley *[holding answer 4 July 2000]:* There is currently no financial scheme to encourage fishermen to decommission their vessels.

We are currently considering whether there is a need for a further limited decommissioning scheme, and will make an announcement as soon as possible.

Mr. Andrew George: To ask the Minister of Agriculture, Fisheries and Food what plans he has to *(a)* review the operational effectiveness of sea fisheries committees, *(b)* manage shellfish stocks and *(c)* regulate use of high-powered under 10m fishing vessels. [128546]

Mr. Morley *[holding answer 4 July 2000]:* I keep the operational effectiveness of the sea fisheries committees under regular view. The introduction of a restrictive shellfish licensing scheme, which is now in preparation, should usefully add to existing action at EU, national and Sea Fishery Committee level on the management of shellfish stocks. A cap of 100 VCUs (vessel capacity units) has applied to the aggregation of under 10m fishing vessel licences since February 1996 and earlier this year arrangements were made to link the registration and licensing of all fishing vessels to the declaration of maximum continuous or permanently derated engine power. From 1 January 2001 it will no longer be possible to aggregate licences from vessels under 8m onto vessels between 8 and 10m and a cap of 70 VCUs will apply to the aggregation of fishing vessel licences onto vessels below 8m.

Mr. Andrew George: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the operation of the legislative framework under which sea fisheries committees operate, with particular reference to *(a)* consistency of approach to minimum landing sizes, *(b)* the evidence required to achieve a prosecution, *(c)* the management of charter fishing vessels and *(d)* the impact of high-powered under 10m vessels. [128574]

Mr. Morley *[holding answer 4 July 2000]:* Under the Sea Fisheries Regulation Act 1966, Sea Fisheries Committees (SFCs) have powers within their districts to control the size and power of vessels fishing and to set minimum landing sizes for fish and shellfish, provided these do not fall below those set by EU regulations. The Government are aware of SFC concerns about the inland extent of enforcement powers and is considering appropriate action. SFC bylaws apply as appropriate to the activities of under 10m fishing vessels and charter fishing boats. Responsibility for the registration of fishing and other vessels rests with the Registrar General of Shipping and Seamen and vessels fishing for profit must hold a valid licence issued by one of the four Fisheries Departments in the UK.

Mr. Andrew George: To ask the Minister of Agriculture, Fisheries and Food (1) what assessment he has made of the trade in fishing licences and quota in the last three years; [128838]

(2) what plans he has to ensure that the trade in fishing entitlements *(a)* does not undermine the prospects of poor fishing regions, *(b)* does not worsen the prospects for new entrants to the industry, *(c)* is not sold to foreign or flag of convenience vessels and *(d)* does not result in a concentration of quota in the hands of fewer owners. [128839]

Mr. Morley *[holding answer 4 July 2000]:* Trade in fishing vessel licences and the fishing opportunities associated with them have been initiated by fishermen themselves. The trade enables new entrants to join the industry and gives fishermen the opportunity to restructure their operations to meet their own business needs. All licensing transactions and exchanges of quota between groups with quota management responsibilities must be conducted in accordance with the rules on licensing and quota management drawn up by the Fisheries Departments in the UK.

These arrangements are the subject of regular consultation with the fishing industry and are currently under review by two working groups comprising representatives of industry and the Fisheries Departments. A report on possible modifications to the quota management rules, including arrangements for adjusting the fixed quota allocation units attached to fishing vessel licences to take account of transfers between fishermen, is expected shortly and a further report on licensing is expected towards the end of the year.

Mr. Andrew George: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the advantages and disadvantages of a renewable 10-year derogation for national fishing rights within 12 miles of the United Kingdom shore, with particular reference to *(a)* the length of the derogation, *(b)* its operation by his Department, *(c)* its operation by the sea fisheries committees, *(d)* the exercising of historic rights of other EU member states, and *(e)* the ability to conserve stock for the future benefit of the fishing industry. [128575]

Mr. Morley *[holding answer 4 July 2000]:* As I have already made clear, the Government wish to maintain national 6/12 mile limits when the current EU derogation (under which they operate) expires at the end of 1992, together with current access arrangements based on historic rights under the Common Fisheries Policy. Restrictions on access to waters between six and 12 miles, together with the setting in the EU of Total Allowable Catches and quotas for commercial stocks and EU national, and local technical conservation rules assist in conserving fish stocks for the future benefit of the fishing industry and of consumers. I shall shortly be discussing with the Association of Sea Fisheries Committees a paper they are preparing entitled "2002 and Beyond" which will, I understand, argue for change in the extent of Sea Fisheries Committee jurisdictions from their present limit of six miles.

Mr. Andrew George: To ask the Minister of Agriculture, Fisheries and Food (1) what assessment he has made of the efficiency and probity of giving producer organisations in the fishing industry opportunities to manage the distribution of some quota allocations to their members; [128840]

(2) what *(a)* amounts and *(b)* proportions of the United Kingdom's fishing quota are not directly allocated to licensed vessels for each year since 1995 and for the current year. [128841]

Mr. Morley *[holding answer 4 July 2000]:* In the UK, annual quotas are allocated to groups of fishermen rather than individual vessel owners. The groups are producer organisations (POs), the non-sector (all vessels over 10 metres not in membership of a PO) and the under 10 metre fleet. The quota allocations for the non-sector and the under 10 metre fleet are managed directly by the Fisheries Departments in the UK in consultation with the fishing industry.

Producer organisations have played an active part in managing quota for more than 10 years. It is for each PO to decide how to manage its allocations in the interests of its members. Before a PO is recognised for the purposes of quota management it must satisfy the appropriate Fisheries Department that it has the necessary systems in place to manage its quota allocations, to monitor landings by its members and to penalise any members who exceed their quota allocations. PO's management of quota is subject to the overall supervision of Fisheries Departments who prohibit further landings of fish by a PO's members once its quota allocations have been taken in full.

Fisheries Research Vessel

Dr. Godman: To ask the Minister of Agriculture, Fisheries and Food what plans he has to commission the construction of a fisheries research vessel; and if he will make a statement. [128488]

Mr. Morley: A decision was taken in October 1997 to replace MAFF's oldest fisheries research vessel, RV Cirolana, which is used to collect essential data on the state of fish stocks and the marine environment. A comprehensive business case explored all options, including the Private Finance Initiative and the consequences of not replacing the ship. Investment in a new vessel was agreed as a priority in the 1998 Comprehensive Spending Review, and the procurement process is under way.

In accordance with EU procurement rules, expressions of interest in the contract to construct the new vessel have been invited, and the responses will be evaluated in order to identify a short list of bidders who will be given the opportunity to tender for the contract. The planned schedule allows for negotiation and award of a construction contract by the end of December 2000. The vessel is expected to be ready for service in March 2003.

TRADE AND INDUSTRY

Inward Investment

Mr. Goggins: To ask the Secretary of State for Trade and Industry if he will make a statement on attracting inward investment into the United Kingdom. [129298]

Mr. Byers: With my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs, I can announce that the Invest in Britain Bureau (IBB) has in its Annual Review, published today, reported that 1999–2000 was a record year for attracting inward investment projects to the UK, and the creation of new jobs.

Between 1 April 1999 and 31 March 2000, 757 direct investment projects by foreign owned companies into the UK were reported to the IBB by its partner agencies in Scotland, Wales, Northern Ireland and the English Regional Development Agencies. Based on information provided by the companies at the time of the announcement, it is estimated that these projects will create over 52,700 new jobs.

More overseas companies choose to invest here than anywhere in Europe. They do so because the UK is the best place to do business.

In addition, my right hon. Friend the Prime Minister has announced today that the Invest In Britain Bureau, the Government's national inward investment marketing organisation, which is a part of British Trade International, will be rebranded 'Invest.UK'.

I am arranging for a copy of Invest.UK's Annual Review to be placed in the House of Commons Library.

Balfour Beatty

Mr. Austin: To ask the Secretary of State for Trade and Industry what grants, loans and other payments were made by Her Majesty's Government, and what loans were underwritten by the ECGD, to Balfour Beatty in each of the last five years. [128570]

Mr. Caborn: From records readily available the following Balfour Beatty business has been the subject of guarantees underwritten by ECGD in each of the last five years:

Year	*Number of Balfour Beatty contracts supported by ECGD*	*Value of ECGD cover £ Million*
1995–96	6	62.3
1996–97	8	75.5
1997–98	2	33.7
1998–99	3	15.2
1999–2000	0	0

Most cover ECGD has underwritten will have been given to UK banks who extended loans to overseas borrowers to enable them to pay for capital goods and services over an extended payment period. However, some insurance cover has been issued directly to Balfour Beatty.

DFID advises that payments under the Aid and Trade Provision on development projects for which Balfour Beatty was the main contractor, amounted in each of the last five years to the following:

£ million

Project	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
China					
Guangzhou Metro Catenary	—	1.419	1.259	—	0.299
Peru					
Mini Hydros	0.044	0.002	—	—	—
Thailand					
Mini Hydro	0.218	0.957	1.098	0.304	0.150

Payments to Balfour Beatty under the DTI's Overseas Project Fund (now managed by Trade Partners UK), amounted to £459,875 in the last five years.

Project	*£ million*
Vietnam	
Ton Son Nhat Airport	0.2
Taiwan	
High Speed Rail Link	0.259

Jaguar Cars

Mr. Ian Bruce: To ask the Secretary of State for Trade and Industry what funds have been promised to Jaguar Cars for *(a)* the X200 project and *(b)* the X400 project; what payments have been made to date; and when full payment will be made on each of the projects. [129225]

Mr. Alan Johnson: In 1995 Jaguar received an offer of £48 million Regional Selective Assistance (RSA), plus a £32 million package of local support measures to attract the X200 (S-Type) project to Castle Bromwich. Following discussions with the European Commission, the RSA element of the £80 million package was subsequently revised to £40 million. However, the Commission subsequently agreed in principle that additional aid up to the original £80 million total might be provided.

Jaguar also received in 1998 an aid support offer of £40 million RSA and up to £3 million in local support measures to secure the X400 project for Halewood—the X400 package has been fully approved by the European Commission.

The detail of the payments made and their timing is a commercial matter between Jaguar and the aid providers concerned. However in major aid cases such as this, RSA support is normally phased over a number of years.

Karl Kolb

Mr. Menzies Campbell: To ask the Secretary of State for Trade and Industry (1) if he will list *(a)* contracts awarded to the German company Karl Kolb by the British Government and *(b)* the amount of ECGD support provided on contracts in which Karl Kolb was a participating party between 1985 and 1999; and if he will make a statement; [128177]

(2) what meetings were held between *(a)* his Department and *(b)* British companies with the German company Karl Kolb between January 1985 and June 2000, stating in each case the reason for the meeting, the attendees and any subsequent agreements reached; and if he will make a statement. [128178]

Mr. Caborn: There is no record of ECGD having provided support for any contract in which Karl Kolb was a participating party.

Equally there is no record of this Department ever having awarded a contract to Karl Kolb or held a meeting with Karl Kolb.

As this Department does not monitor meetings between British companies and overseas firms I am unable to answer the right hon. and learned Member's final point.

Post Offices

Mr. Chidgey: To ask the Secretary of State for Trade and Industry how many *(a)* rural and *(b)* urban sub-post offices operated unprofitably in the last financial year in each constituency in *(a)* England, *(b)* Wales and *(c)* Scotland; and how many of these in each constituency will benefit from the new fund to improve the quality of post offices. [128749]

Mr. Alan Johnson: In its report on the Post Office network, the Performance and Innovation Unit has estimated that around 90 per cent. of urban sub-post offices operate profitably and that around 60 per cent. of rural sub-post offices operate unprofitably. I understand from the Post Office that they do not hold data by constituency for the numbers of urban or rural sub-post offices operating unprofitably.

Mr. Chidgey: To ask the Secretary of State for Trade and Industry how many urban and rural sub-post offices closed for avoidable reasons in the years *(a)* 1997, *(b)* 1998 and *(c)* 1999. [128751]

Mr. Alan Johnson: I understand that the Post Office does not hold the specific data requested for causes of closure of sub-post offices. The Post Office seeks as far as possible not to close post offices when it can be avoided. As the Performance and Innovation Unit's report recognises, sub-post office closures occur typically in small rural communities where a sub-postmaster resigns or dies and, despite best efforts, the Post Office can find no suitable replacement to take over the running of the office.

Mr. Chidgey: To ask the Secretary of State for Trade and Industry, pursuant to his oral statement of 28 June 2000, *Official Report*, columns 907–20, how many *(a)* urban and *(b)* rural sub-post offices were unavoidably closed because (i) no one was prepared to take over from the departing sub-postmaster and (ii) an associated retail business was no longer commercially viable, in (1) 1997, (2) 1998 and (3) 1999. [128750]

Mr. Alan Johnson: I understand that the Post Office does not hold the specific data requested for causes of closure of sub-post offices. The Post Office seeks as far as possible not to close post offices when it can be avoided. The total numbers of sub-post offices which have closed in the last three financial years are:

Year	*Sub-post offices*
1997–98	238
1998–99	232
1999–2000	380

Electricity Order 1997

Mrs. Ellman: To ask the Secretary of State for Trade and Industry if he has reached conclusions following his consultation on proposals to amend the Electricity (Class Exemptions from the Requirement for a Licence) Order 1997. [129580]

Mrs. Liddell: In order to reduce the regulatory burden on generators which are not subject to central despatch at present I am proposing to make changes to the de-minimis level above which a generation licence is required. Subject to final comments, I propose to lay an order to exempt for a period of one year all generators which are not capable of exporting more than 100 MW to the total system and which have energised connections on the date of the order coming into force. Additionally a small number of stations which exceed this limit but are not presently subject to central despatch will be included within this exempt class.

The change will allow generators which are currently connected to the public network and do not presently have to submit to central despatch the freedom to aggregate their output with suppliers when the new electricity trading arrangements come into effect. This will be of particular help to those plants which do not have predictable or flexible output, including renewables and CHP operators.

The Government propose to lay the order in August. It will come into force before the commencement of NETA trading in the autumn.

This order will be an interim arrangement pending the coming into force of new legislation and will apply in England and Wales. During this interim period, generators who wish to connect new plant capable of exporting between 50–100 MW or who plan to increase the size of their plant so that it comes within this category may apply to my right hon. Friend the Secretary of State for Trade and Industry for an individual exemption. In deciding whether or not to grant and in determining the date of the granting of such exemptions, the Department will take into account the views of interested parties—including those of Ofgem and the relevant transmission and distribution network operators.

It is my intention within the coming year to lay a further, final order replacing this interim order. Further orders will cover the de-minimis rules to govern exemptions from the need for licences to generate, supply and distribute electricity.

The generation exemptions covering plant of this size will be subject to periodic review. It is the Government's present intention that they will be reviewed approximately every three years.

I intend to consult further on possible changes to the rules governing supply exemptions. These changes, which I would propose to bring into effect within the coming year, would help small and industrial on-site generators, including renewable and CHP operators to serve their customers more effectively.

I am therefore seeking views on a proposal to allow suppliers who generate electricity themselves to supply an aggregate of up to 5 MW of power, of which 2.5 MW may be supplied to domestic customers. The class would be required to supply at prices not exceeding those set out in the order, and would be required to alert customers being recruited as to their status as exempt suppliers.

I also wish to hear views on a proposal to allow generators which supply a qualifying group of customers on the same site as the generator, to supply the same group of customers at remote sites. This latter class would be required to demonstrate that at least one third of the electricity supplied to the qualifying group went to on-site premises.

Telecommunications Report

Mr. Miller: To ask the Secretary of State for Trade and Industry if he has received a report by the Director General of Telecommunications for 1999, as required under section 55 of the Telecommunications Act 1984. [129579]

Mr. Byers: Yes. The sixteenth Report by the Director General of Telecommunications is being published today. It covers the period 1 January to 31 December 1999. This includes initiatives to encourage the widespread take-up of Information Age services such as innovative pricing packages for internet access and opening up competition in BT's local loop to deliver new high-speed services to homes and small businesses. Copies of the report have been laid before each House of Parliament.

Ilisu Dam

Mr. Alan Simpson: To ask the Secretary of State for Trade and Industry what estimate he has made of the number of people who will be displaced if the Ilisu Dam project goes ahead; and what plans he has for aid to deal with the consequences of this displacement. [127758]

Mr. Caborn: There have been various estimates made about the number of people who will be displaced by the Ilisu Dam project. I refer my hon. Friend to the reply given by the Prime Minister to my hon. Friend the Member for Hull, North (Mr. McNamara) on 17 January 2000, *Official Report,* column 268W. In addition, a number of people will be partially affected by the project. Accurate assessment of the numbers who would be affected is now being made as a result of a detailed survey. This work is being carried out by SEMOR, a firm that has experience of carrying out social assessment projects for the World bank. Dr. Ayse Kudat, an eminent environmental sociologist, who was until recently a senior staff member at the World bank, has been appointed by the Swiss Export Credit Agency to assist in this work; the expertise of Dr. Kudat will help ensure that the resettlement programme will reflect internationally accepted practice.

The Resettlement Action Plan (RAP) which is being drawn up for the Turkish authorities will publish these accurate numbers. The RAP will set out what is to be done to deal with the consequences of those who are displaced or whose lands will be partially affected. It is ultimately for the Turkish authorities to ensure that resettlement is properly carried out. The RAP will of course be discussed among the Export Credit Agencies who are considering offering support for the project. The RAP is currently not expected to be ready until the end of August at the earliest.

Hydrofluorocarbons

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what assessment has been made by *(a)* his Department and *(b)* consultants to his Department of the potential toxic effects of release of hydrofluorocarbons into the environment. [128454]

Ms Hewitt: My Department has not itself carried out or commissioned any such assessments. The Department for the Environment, Transport and the Regions (DETR) is responsible for Government policy on climate change and protection of the stratospheric ozone layer. My Department works closely with DETR in the development of Government policy in these areas.

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what consultations he has had with the refrigeration industry trade associations in respect of replacement options for hydrofluorocarbons. [128451]

Ms Hewitt: My Department holds regular Refrigeration Sector Group meetings, which involve representatives of the refrigerant industry trade associations, industry and other Government Departments to discuss current and future issues of interest such as the use of alternative refrigerants.

Packaging

Dr. Whitehead: To ask the Secretary of State for Trade and Industry what plans he has to distinguish between producer responsibility obligations for packaging that has a high energy contribution to its life cycle, and that which does not. [128889]

Ms Hewitt: A producer responsibility regime exists for packaging in the form of the Producer Responsibility Obligations (Packaging Waste) Regulations 1997. These regulations place an obligation on businesses throughout the packaging chain which meet certain threshold requirements, to recover and recycle packaging waste. The regulations do not distinguish between different kinds of packaging or packaging materials on the basis of either their energy content or the energy consumed in their manufacture and use.

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for Trade and Industry if he will list the PFI contracts entered into by his Department, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if his Department has a claw-back entitlement to share in savings arising from refinancing. [129058]

Mr. Byers: The Department and its agencies have signed three PFI contracts—the Radiocommunications Agency's joint venture for the provision of IT services and international consultancy, signed on 8 June 1998, with an estimated capital value of £15 million; the contract for the redevelopment of the National Physical Laboratory at Teddington, signed on 31 July 1998, with a capital value of £88.6 million; the Elgar contract for the provision of the Department's IT services, signed on 18 November 1998 with a currently estimated capital value of £60 million. The only contract that included external financing by a bank or financial institution was the redevelopment of the National Physical Laboratory. This contract has not been subject to refinancing. DTI agreement would be required in the event that refinancing led to an increase in potential DTI termination liabilities, although there is no pre-determined formal claw-back provision in the contract.

Small Businesses

Dr. Kumar: To ask the Secretary of State for Trade and Industry what steps he is taking to help people aged 50 years and over who are not working to set up their own businesses; and if he will make a statement. [128739]

Ms Hewitt: The Small Business Service, launched in April this year, will provide information, advice, and access to experts on all aspects of running a business, including planning, finance, management, exporting, quality, employment issues, training and development, innovation, design, regulation, information and communication technology and e-commerce.

The SBS will also run national services to help small firms, including:

grants for innovation technology transfer;

management best practice schemes;

small firms finance, including Small Firms Loan Guarantee Scheme.

All these services will be available via the "SBS Gateway", a comprehensive network of business support organisations, initiatives and information from the public, private and voluntary sectors. The Gateway will make extensive use of internet and call-centre technology.

These services are available to anyone wishing to setup or run their own business, irrespective of age.

The SBS is also working with PRIME (The Prince's Initiative for Mature Entrepreneurs) with a view to supporting that organisation's plans to enhance access to finance for the over-50s in deprived areas seeking to start in business.

Mr. Pollard: To ask the Secretary of State for Trade and Industry what plans his Department has to implement the recommendations made in the Better Regulation Task Force's recent report on helping small businesses cope with regulation, in particular the simplification of rules; and if he will make a statement. [129019]

Ms Hewitt: The Government response to the Better Regulation Task Force's report was published on 26 June 2000; copies have been placed in the Libraries of both Houses.

Mr. Pollard: To ask the Secretary of State for Trade and Industry what guidance his Department gives to entrepreneurs in socially excluded areas who wish to start up and develop small businesses as to how they can access the new Phoenix Fund. [129018]

Ms Hewitt: The Phoenix Fund does not support individual enterprises directly, but instead promotes the development of business support among disadvantaged groups or neighbourhoods. A mentoring scheme is already being piloted through some 45 local enterprise agencies and other local partnerships. The Small Business Service is seeking bids for support from community finance initiatives, and I shall shortly be issuing bidding guidance for assistance for novel forms of business support, including incubators.

Exports

Mr. Mitchell: To ask the Secretary of State for Trade and Industry if he will investigate the best practical means available for determining the nature and value of goods exported from the United Kingdom to member states of the *(a)* European Union and *(b)* European Economic Area, which are re-exported to third nations; and if he will make a statement concerning the available information and the means used to collect it, concerning such exports. [128852]

Mr. Caborn: The collection and provision of statistical information is kept under regular review. However, there are no immediate plans to collect information on goods exported from the United Kingdom to the European Union or Economic Area and subsequently re-exported to third countries.

HM Customs and Excise are the Department responsible for collecting and recording statistics on the movement of goods with other countries. Information on trade in goods with the other member states of the European Union is collected through the Intrastat system. Information on trade with third countries is collated from customs declarations submitted by importers and exporters of goods. UK export statistics are produced by Customs on the basis of declared final country of destination. Goods whose destinations are declared as non-European but which transit other member states after clearing UK customs are recorded as third country exports. Some trade in goods recorded as exports to EC destinations may subsequently be shipped to other countries including non-EC destinations—for instance, as part of further commercial transactions. The Intrastat system does not allow the identification of these movements.

Shipbuilding Forum

Mr. Sarwar: To ask the Secretary of State for Trade and Industry if he will make a statement on the date, venue and agenda of the next meeting of the Shipbuilding Forum. [128717]

Mr. Alan Johnson: The next Shipbuilding Forum meeting is scheduled for Wednesday 20 September at 3 pm, at the DTI Conference Centre, 1 Victoria Street, London SW1. The agenda has not yet been agreed.

Coalfield Regeneration

Ms Squire: To ask the Secretary of State for Trade and Industry if he will break down the £1 billion provided to assist regeneration in former and existing coalfield communities by principal heads of expenditure. [123127]

Ms Beverley Hughes *[holding answer 24 May 2000]:* I have been asked to reply.

A break down of this investment is set out in "Making the Difference—a New Start for England's Coalfield Communities; The Government's Response to the Coalfield Task Force Report". Copies of this document have been placed in the Libraries of the House.

LORD CHANCELLOR'S DEPARTMENT

Legal Aid

Mr. Pickthall: To ask the Parliamentary Secretary, Lord Chancellor's Department how much was paid from the Legal Aid Fund to *(a)* David Cocks and *(b)* Johnathan Goldberg in (i) 1996–97, (ii) 1997–98, (iii) 1998–99 and (iv) 1999–2000. [129119]

Mr. Lock: I am not able to provide the details requested within the time available, I will therefore write to my hon. Friend shortly. A copy of my reply will be placed in the Library of the House.

CULTURE, MEDIA AND SPORT

Millennium Dome

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what discussions have taken place with parties other than Dome Europe and Legacy plc and their affiliates concerning the future use of the Dome since the final shortlist was announced. [127821]

Janet Anderson *[holding answer 26 June 2000]:* Since the final shortlist announcement the competition team has not had any discussions about the future use of the Dome site with any parties interested in purchasing it other than the two shortlisted bidders. While the Department for Culture, Media and Sport and the competition team have received a small number of new expressions of interest, it has been made clear that no new bids can be accepted in the competition process at this advanced stage.

TV (Deaf and Hard of Hearing People)

Mr. Boswell: To ask the Secretary of State for Culture, Media and Sport what action he is taking to promote equal access to *(a)* digital and *(b)* cable and satellite TV for deaf and hard of hearing people. [128271]

Janet Anderson: We are about to undertake a review of the targets set out in the Broadcasting Act 1996 and the Broadcasting (Sign Language) Order 1996 of 50 per cent. for subtitling and 5 per cent. for the signing of digital terrestrial programme services by the 10th anniversary of the start of the service. We are continuing to encourage cable and satellite broadcasters to increase the provision of subtitling and signing on their services. We will be considering the needs of viewers with sensory impairments as part of our consideration of the future regulation of broadcasting in the forthcoming White Paper on communications.

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for Culture, Media and Sport if he will list the PFI contracts entered into by his Department, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if his Department has a claw-back entitlement to share in savings arising from refinancing. [129045]

Mr. Chris Smith: My Department has itself not entered into any PFI contracts. The Royal Parks Agency, which is an Executive Agency, has entered into PFI contracts. I will write to my right hon. Friend with details, as soon as they are available, placing copies of my letter in the Library of the House.

SOLICITOR-GENERAL

Mr. Roger Sylvester

Mr. Cohen: To ask the Solicitor-General what decisions have been taken by the Crown Prosecution Service in the case of Mr. Roger Sylvester; and if he will make a statement. [128629]

The Solicitor-General: The circumstances surrounding the death of Mr. Sylvester have been investigated by the Essex police and reports submitted to the Crown Prosecution Service. The evidence is being carefully considered by the Crown Prosecution Service in accordance with the tests set out in the Code for Crown Prosecutors. A decision on whether or not any criminal charges should be brought in connection with the death of Mr. Sylvester will be taken as soon as possible after the evidence has been fully reviewed. It is hoped that a decision can be reached soon.

PRIME MINISTER

Sellafield

Mr. Llew Smith: To ask the Prime Minister if he will meet *(a)* Save Our Sellafield Campaign, *(b)* Friends of the Earth Cumbria and *(c)* the Socialist Environment and Resources Association to discuss the future of Sellafield. [127569]

The Prime Minister: My right hon. Friend the Minister for Energy and Competitiveness in Europe and I will be meeting representatives of the Save Our Sellafield Campaign with my right hon. Friend the Member for Copeland (Dr. Cunningham) later this month to discuss matters relating to Sellafield. I currently have no plans to see representatives of the other two organisations.

Lord Levy

Mr. Maude: To ask the Prime Minister if Lord Levy has served as a personal envoy for other *(a)* heads of Government and *(b)* heads of state. [128261]

The Prime Minister: No.

Mr. Maude: To ask the Prime Minister on which occasions since May 1997 Lord Levy has issued (i) public statements and (ii) talked to foreign media, as a representative of the *(a)* Prime Minister and *(b)* United Kingdom. [128260]

The Prime Minister: When travelling abroad as personal representative of the Prime Minister, Lord Levy has spoken briefly to the press in Lebanon, Tunisia, Morocco and Egypt.

Mr. Maude: To ask the Prime Minister if Lord Levy has passed messages between Middle Eastern leaders in his role as the Prime Minister's personal envoy. [128519]

The Prime Minister *[holding answer 3 July 2000]:* When travelling between capitals, it is normal to relay impressions of meetings, and to pass messages between interlocutors. Lord Levy has accordingly passed some such messages. Details of these are confidential. Lord Levy reports to me and to my right hon. Friend the Foreign Secretary on all his diplomatic activity.

Mr. Baker: To ask the Prime Minister if he will make a statement on the accountability to Parliament of Lord Levy. [129224]

The Prime Minister: Accountability to Parliament for Lord Levy's work on my behalf is through me and my right hon. Friend the Foreign Secretary.

Mr. Baker: To ask the Prime Minister what further trips he has asked Lord Levy to undertake in his capacity as the Prime Minister's personal envoy. [129226]

The Prime Minister: None at present.

Queen Mother's Birthday

Mr. Burns: To ask the Prime Minister, pursuant to his answer of 12 June 2000, *Official Report*, columns 443–44W, what form the consultations with the Royal Household took; and if he will place minutes of the meeting in the Library. [128734]

The Prime Minister *[holding answer 3 July 2000]:* Officials in the Department of Culture, Media and Sport contacted the Royal Household, who agreed it would be inappropriate to designate the Queen Mother's birthday as a public holiday.

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday 5 July. [128621]

The Prime Minister: This morning I had meetings with ministerial colleagues and others. I will have further such meetings later today.

SOCIAL SECURITY

National Insurance

Dr. Lynne Jones: To ask the Secretary of State for Social Security, in cases where the right to pay reduced rate of national insurance contributions has been lost after two complete tax years out of the labour market or without paying national insurance, if home responsibilities protection, where appropriate, is awarded for retirement purposes. [128597]

Mr. Rooker: Married women and widows cannot get home responsibilities protection (HRP) for any tax year in which they have reduced contribution liability. If they lose their right to reduced liability they can get HRP provided they meet the qualifying conditions.

Fraud

Mr. Willetts: To ask the Secretary of State for Social Security if he will list the anti-fraud measures introduced by the National Intelligence Unit. [128933]

Mr. Rooker: The new national benefits intelligence unit will co-ordinate and extend intelligence on Social Security fraud, aiding both prevention and detection. This builds on intelligence work already being carried out. It will crack down on benefit fraud and draw on the expertise of fraud investigators in the Department, as well as intelligence from local authorities and other agencies.

This will contribute to a significant strengthening of our defences against benefit fraud and our ability to tackle it where it occurs.

We have just appointed Mr. John Alpass as head of fraud intelligence, and he is expected to take up post from early September.

CABINET OFFICE

Policy Action Teams

Mr. Field: To ask the Minister for the Cabinet Office if she will make it her policy to appoint persons with earnings below half average earnings as members of the policy action teams. [128051]

Marjorie Mowlam: As I said in my previous answer to my right hon. Friend, on 27 June 2000, *Official Report*, column 468W, policy action team members were chosen to reflect a wide range of backgrounds, knowledge and experience of issues affecting deprived areas. Information is not held about members' earnings.

Disaster Contingency Measures

Mr. Sayeed: To ask the Minister for the Cabinet Office what representations she has received from *(a)* consumer and *(b)* pensioner groups about disaster contingency measures in central Government. [128870]

Mr. Mike O'Brien: I have been asked to reply.

Assuming the question relates to Home Office responsibilities for emergency planning, I am not aware of any such representations.

Mr. Sayeed: To ask the Minister for the Cabinet Office what guidance she has issued to Departments about disaster contingency measures. [128872]

Mr. Mike O'Brien: I have been asked to reply.

I assume the question refers to other Government Departments. "Dealing with Disaster", third edition, 1997 is a comprehensive statement of best practice used by Government Departments, the emergency services, local authorities, and other agencies. Other more specific guidance is issued from time to time; some of this can be found on the Home Office website: www.ho.gov.uk/epd

FOREIGN AND COMMONWEALTH AFFAIRS

Sierra Leone

Ms Oona King: To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is on the establishment of an international tribunal to investigate human rights abuses in Sierra Leone. [128821]

Mr. Hain: Perpetrators of serious violations of international humanitarian and human rights law should be brought to justice. We condemn the flagrant violations in Sierra Leone. We are in discussions with the Government of Sierra Leone and in the United Nations on how best to support President Kabbah's wish to bring those responsible to justice.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list for his Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if he will make a statement on his Department's leasing and purchasing policy. [128988]

Mr. Battle: Foreign and Commonwealth Office purchasing and leasing policy is based on value for money. We are also required to meet our legal obligations under the EU Public Procurement Directives.

At present we have contracts with Rover, Land Rover, Jaguar and Rolls-Royce for the supply of cars, and LDV for commercial vehicles.

At Posts overseas, vehicles are purchased from other manufacturers when this is value for money or when servicing facilities for UK manufactured vehicles are not available.

International Criminal Court

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to support the establishment of an International Criminal Court to try the most serious violations of international criminal law. [128586]

Mr. Hain: It has always been the policy of this Government strongly to support the establishment of an International Criminal Court (ICC) to try the most serious violations of international criminal law. The UK played a leading role in the successful negotiations which produced the Rome Statute of the ICC. The Government are committed to ratifying the Rome Statute as soon as the necessary legislation can be passed.

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library the conclusions reached by the Preparatory Commission on the International Criminal Court at its meeting in New York in June. [129209]

Mr. Hain: We will be happy to place in the Library the official report of the Preparatory Commission for the International Criminal Court on its 12–30 June session once it has been issued. I will inform my hon. Friend when this occurs.

Jordan

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's relations with Jordan. [128585]

Mr. Hain: The United Kingdom enjoys a long-standing and close friendship with Jordan. We conduct a substantive bilateral dialogue at all levels, including regular high-level contact. Both my right hon. Friend the Foreign Secretary and I have visited Jordan this year, and HM King Abdullah of Jordan will pay a state visit to the United Kingdom in November 2000. We look forward to this with enthusiasm.

Rome Treaty

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's timetable for ratification of the Rome Treaty of July 1998. [128587]

Mr. Hain: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Clydebank and Milngavie (Mr. Worthington) on 3 May 2000, *Official Report*, column 122W.

Pakistan

Mr. Ivan Lewis: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's export licensing policy is towards Pakistan. [129447]

Mr. Hain: We continue to assess export licence applications for Pakistan on a case-by-case basis against the national criteria and those in the EU Code of Conduct, taking into account the answer given by my hon. Friend the Member for Manchester, Central (Mr. Lloyd) on 10 July 1998, *Official Report*, columns 687–88W. The Government have taken time to consider the situation in Pakistan and the wider region following the coup in October 1999 before deciding on a number of licence applications.

The Government have now refused 26 standard individual export licence applications for Pakistan. We have also refused Pakistan as a permitted destination on one open individual export licence and approved its inclusion on one other such licence. We have reached these decisions following careful consideration of each licence application against the stated criteria.

We remain concerned about defence exports to Pakistan, in the light of last year's incursion at the Kargil sector of the Line of Control in Kashmir, the military coup, the possibility of diversion to undesirable end-users and continued regional tensions. We have refused licences for certain military equipment to Pakistan because we do not judge that they meet our criteria.

The Government have issued 20 standard individual export licences for a narrow and well defined range of equipment, eg naval spares, bomb disposal equipment, goods for civilian end-users. We have assessed that issuing licences for this equipment would not contravene our national criteria, nor those in the EU Code of Conduct. Details of all licences issued will appear in the 2000 Annual Report.

We will continue to assess licence applications on a case-by-case basis and keep the situation in Pakistan under close scrutiny.

Sanctions

Mr. Derek Twigg: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on that part of the Government's response to the International Development Committee on the Future of Sanctions (HC 473) concerning the imposition by the United Kingdom of unilateral financial sanctions. [129581]

Mr. Hain: I regret that the statement is incorrect. The UK has imposed unilateral financial sanctions on several occasions. I am grateful to the hon. Member for Hertford and Stortford (Mr. Wells) for drawing my attention to this oversight in a recent adjournment debate in Westminster Hall, on 29 June 2000, *Official Report*, column 260WH.

Iraq

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what amounts of Iraq's supplies of *(a)* botulinum, *(b)* anthrax, *(c)* aflatoxin, *(d)* gas gangrene and *(e)* ricin remain unaccounted for; and if he will make a statement. [128179]

Mr. Hain: Iraq took four years to admit it had a biological weapons (BW) programme. Even after a further three and a half years work, the United Nations Special Commission (UNSCOM) could not compile a comprehensive technical, industrial and scientific assessment of Iraq's BW programme. This was because of Iraq's failure to provide a credible full, final and complete disclosure of its programme, as required by the United Nations, or to co-operate with UNSCOM in clarifying its declarations. There have been no UN weapons inspections in Iraq since December 1998, hence the importance we attach to the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) gaining access at the earliest opportunity.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what amount of Iraq's supplies of *(a)* tabun, *(b)* sarin, *(c)* mustard gas and *(d)* VX gas remain unaccounted for; and if he will make a statement. [128180]

Mr. Hain: Although the United Nations Special Commission (UNSCOM) was able to destroy, remove or render harmless large quantities of chemical weapons (CW), their components, precursors and major production equipment, there remain significant gaps in their understanding of Iraq's CW programme. Even accepting the figures for CW agents and precursors unilaterally destroyed by Iraq in contravention of United Nations Security Council resolution 687, there are discrepancies in Iraq's declarations on the number of weapons filled with chemical agents and the number used during the Iran/Iraq war or lost after the Gulf War. Questions remain on the production and weaponisation of VX, CW production equipment and CW precursors. There have been no UN weapons inspections in Iraq since December 1998, hence the importance we attach to the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) gaining access at the earliest opportunity.

INTERNATIONAL DEVELOPMENT

Kosovo

8. **Miss McIntosh:** To ask the Secretary of State for International Development what recent discussions she has had with her EU counterparts to discuss aid for humanitarian and reconstruction purposes in Kosovo; and if she will make a statement. [127744]

27. **Sir Teddy Taylor:** To ask the Secretary of State for International Development if she will make a statement on aid to Kosovo. [127765]

Clare Short: We made a major contribution costing £119 million to the emergency effort in Kosovo.

The EC is now taking the lead, and has agreed programmes in health, energy, water supply, housing transport and economic reconstruction costing 360 million euros, of which the UK contribution is £50 million.

28. **Mr. Coaker:** To ask the Secretary of State for International Development what assessment she has made of the humanitarian situation in Kosovo, with particular regard to children. [127766]

Clare Short: We keep the humanitarian situation in Kosovo constantly under review, including through our close contacts with the multilateral humanitarian agencies. We have contributed £2.5 million in this financial year to UNICEF's operations in the Balkans.

Civil Conflict

9. **Dr. Cable:** To ask the Secretary of State for International Development what the Government's criteria are for giving aid to countries experiencing civil conflict. [127746]

Clare Short: We support the provision of humanitarian relief to all who are in need. Conflict is a major threat to development. We are strengthening our effort to resolve and prevent conflict.

China Western Poverty Reduction Project

10. **Mr. Stevenson:** To ask the Secretary of State for International Development if she will make a statement regarding her Department's policy on the Qinghai component of the China Western Poverty Reduction Project, to be considered by the World bank on 6 July. [127747]

Clare Short: Britain supported this project in the bank board meeting in June 1999 because it would bring significant benefits to 1.7 million of the poorest people in China. They represent four different ethnic minorities, they live in very remote and inaccessible villages and many of them are barely scratching a living. It will give poor people from a range of ethnic groups the opportunity to meet their basic needs. It will deliver a wide range of benefits such as increasing food production, providing safe water and improving access to basic social services. We also supported the Board conclusion that no funds would be disbursed on the Qinghai component of the project until an independent inspection panel had conducted an investigation, and pending further environmental and social assessments.

20. **Mr. Loughton:** To ask the Secretary of State for International Development if she will make a statement on her Department's policy on the Qinghai component of the China Western poverty reduction project. [127757]

Clare Short: The report by the independent inspection panel, and bank management's response to it, will be discussed at a World bank board meeting in early July 2000. We will be looking very carefully at the conclusions of the inspection panel report, and the bank management's response to it, in advance of the bank board meeting.

Mr. Stevenson: To ask the Secretary of State for International Development what assessment she has made of the independent Inspection Panel's findings about the World Bank's practice in identifying and comparing alternatives to the Qinghai project. [128731]

Clare Short: In response to the claim in the inspection panel report that they have not considered alternatives to the Qinghai project, the World bank state that they have explored a range of developmental options in some detail, covering both whether resettlement is the most appropriate response, and whether the area chosen for that resettlement is appropriate.

We have asked, and will ask again at the board meeting on 6 July, that this analysis be documented more thoroughly prior to project appraisal.

Mr. Loughton: To ask the Secretary of State for International Development what assessment she has made of the independent inspection panel's findings that the World bank's relating to *(a)* its indigenous peoples policy and *(b)* its operational directive on involuntary resettlement in respect of the Qinghai project. [129028]

Clare Short: We have looked very carefully at the conclusions of the independent inspection panel, which raises a number of important issues regarding social safeguards and resettlement policy. The Report and the response to it from bank management will be discussed at a board meeting on 6 July 2000. At that meeting we will be seeking to satisfy ourselves that the World bank has in place the necessary social safeguards before this project begins.

Britain supported this project in June 1999 because it would bring significant benefits to 1.7 million of the poorest people in China. We also supported the board conclusion that no funds would be disbursed on the Qinghai component of the project until an independent inspection panel had conducted an investigation.

Conservation (Africa)

11. **Mr. Andrew George:** To ask the Secretary of State for International Development what assessment she has made of the impact on indigenous and nomadic people in Africa of Government-supported conservation projects. [127748]

Clare Short: I refer the hon. Member to the answers I gave on 29 March 2000, *Official Report*, column 175W and on 7 June 2000, *Official Report*, column 260W.

India

12. **Mrs. Curtis-Thomas:** To ask the Secretary of State for International Development if she will make a statement on her Department's aid programmes in India. [127749]

Clare Short: Britain has a large and growing programme of development assistance to India: we expect to spend about £125 million this year, rising to £140 million in 2001–02. This reflects the fact that about a third of the world's poorest people live in India, and we see good opportunities to work with reforming states to tackle poverty more effectively. We are supporting programmes of fiscal and public sector reform, to help improve accountability and access by the poorest to basic education, health, water and sanitation, and to promote better management of the natural and physical environment. Our programme is currently focused on Andhra Pradesh, Madhya Pradesh, Orissa and West Bengal, and we are collaborating closely with the World bank, the Asian Development bank, UNICEF and other major development agencies. In all our programmes we take particular care to ensure the inclusion of poor women and girls and members of scheduled castes and tribes.

I am placing a copy of our India Country Strategy Paper in the Library of the House.

Poverty Alleviation (Russia)

13. **Mr. Pond:** To ask the Secretary of State for International Development what help her Department is giving to the Russian Government to alleviate poverty. [127750]

Clare Short: We expect to spend around £28 million on bilateral assistance to Russia in the current financial year. This is additional to the UK share of the European Commission's Tacis programme (our contribution to which is on average £12 million per annum) and as a shareholder of the World bank and EBRD. Our aim is to support the process of transition to a democracy and a market economy in a way which protects the people—particularly the poorest—during the transition and brings real benefits to the society.

The transition is far from complete and the level of poverty is very great. We are currently reviewing our programmes.

World Education Forum

14. **Mr. Ben Chapman:** To ask the Secretary of State for International Development what steps her Department is taking following the agreement reached at the world education forum in Dakar. [127751]

Clare Short: In preparation for the Forum, my Department produced a consultation document, "Education for All: The Challenge of Universal Primary Education". Copies are available in the House of Commons Library. This document is being refined following the Forum but its threefold strategy for achieving the International Development targets for education will remain unchanged:

> strategic contributions to the development of international commitment, and well co-ordinated policies and programmes designed to achieve Education for All (EFA). This will include involvement with the "high-level small and flexible group" to be established by UNESCO's Director General to coordinate EFA partners and maintain the momentum of Dakar.
>
> strong bilateral programmes, with priority to Sub-Saharan Africa and South Asia, that will provide strategic assistance to Governments and civil societies committed to achieving universal primary education and gender equality. We will allocate significant additional resources to support basic education, where Governments are committed to this objective and have put in place appropriate policies to deliver on it.
>
> knowledge and research strategies that will contribute to the ability of the international community to learn lessons, share experience and monitor progress.

West Bank

15. **Mr. Burden:** To ask the Secretary of State for International Development if she will make a statement on her Department's efforts to promote economic development in the West Bank. [127752]

Clare Short: Our development strategy for the West Bank and Gaza Strip concentrates on nation building with a view to promoting peace, stability and economic development. To promote economic development we are intensifying our policy dialogue with the Palestinian Authority, and with the European Community, the International Monetary Fund, the World bank and others and funding a programme which supports this. We are providing technical assistance to the Ministry of Economy and Trade, to strengthen its capacity to develop and apply economic policy, particularly with regard to trade with the EC and the region. Our programme also emphasises the importance of an accountable and transparent government framework in which private investors can operate. Our bilateral programme expenditure for 1999–2000 was approximately £8 million. Our contribution to the United Nations Relief Works Agency for Palestinian refugees and our share of European Community and other multilateral programmes for the Palestinians takes our average annual contribution to over £25 million in recent years.

Zimbabwe

16. **Mr. Leigh:** To ask the Secretary of State for International Development if she will make a statement on her plans for aid to Zimbabwe. [127753]

26. **Mr. Blunt:** To ask the Secretary of State for International Development what her policy is on future bilateral development assistance to Zimbabwe. [127764]

Clare Short: A copy of our country strategy for Zimbabwe is in the Library, and we are keeping the situation under continuous review.

Sierra Leone

17. **Mr. Jim Cunningham:** To ask the Secretary of State for International Development what assistance her Department is providing to the people of Sierra Leone. [127754]

Clare Short: We are supporting a wide range of programmes to improve the effectiveness of Government systems including policing the media and the accountability of the security sector. We have also contributed to disarmament and demobilisation programmes, humanitarian relief and reconstruction. We expect to remain engaged in Sierra Leone for the long term to support peace, disarmament and development for some of the poorest people in the world.

St. Helena

18. **Mr. Bob Russell:** To ask the Secretary of State for International Development if she will visit St. Helena to mark the 500th anniversary of its discovery. [127755]

Clare Short: I have no current plans to visit St. Helena.

HIPC

19. **Mr. Hoyle:** To ask the Secretary of State for International Development if she will make a statement on the progress of the revised Heavily Indebted Poor Countries initiative. [127756]

Clare Short: So far, only six countries have qualified for debt relief under the enhanced Heavily Indebted Poor Countries (HIPC) initiative. A further three are expected to do so later this month. But it is disappointing that so few have reached their decision points. Some countries who could benefit from HIPC debt relief are involved in war and civil strife, or have failed to demonstrate their commitment to tackling poverty. At the spring meetings of the World bank and the IMF in April, the Government's proposal to establish a joint World bank/IMF committee to oversee the implementation process was agreed. The committee has begun its work and should provide a focus for efforts to meet the target that three quarters of eligible countries start to receive debt relief before the end of 2000.

AIDS (Sub-Saharan Africa)

21. **Mr. Borrow:** To ask the Secretary of State for International Development what assessment she has made of the effectiveness of her Department's aid to countries in sub-Saharan Africa to combat the spread of AIDS and HIV. [127759]

Clare Short: Along with conflict, the HIV/AIDS epidemic poses the greatest threat to development in sub-Saharan Africa. HIV/AIDS has affected people of every class and culture in Africa. However, it is the poor who have felt the worst of the impacts because they are more vulnerable to the economic and social difficulties the epidemic brings.

We are heavily engaged in work to combat HIV/AIDS in sub-Saharan Africa, both in seeking to prevent new infections and in supporting improved care for people whose lives have been affected by the disease. We currently allocate about £25 million per year to HIV/AIDS prevention and care activities in sub-Saharan Africa and this is set to rise.

In the face of such a devastating epidemic, we cannot afford to be complacent and there is an urgent need to intensify action. In Uganda and Senegal we have seen how sustained political commitment by African Governments and a co-ordinated response in partnership with the international community has controlled and even reduced infection rates. This must be replicated elsewhere in Africa.

Primary Education

22. **Charlotte Atkins:** To ask the Secretary of State for International Development what progress the Government are making towards their goal of ensuring that all children benefit from primary education. [127760]

Clare Short: We are making good progress in helping developing countries achieve the international development target of universal primary education (UPE) by 2015. But much remains to be done; it is unacceptable that in the year 2000 more than 113 million children, a large majority of whom are girls and those from socially vulnerable groups, have no access to primary education.

The bulk of spending on education by most developing countries remains directed to higher education. The reason is that elites are powerful in very poor countries. It is difficult political task to get a commitment to spending on the poorest children in rural areas. We are working hard on this task through the international system, and by contributing more funds. We have committed £300 million over the past three years to UPE programmes and will do more. We are working to persuade governments and their civil societies to prioritise the education of poor children. Progress is being made and we need sustained interest through to 2015.

Our strategy for achieving the UPE target is set out in the Department for International Development's consultation document "Education for All: The Challenge of Universal Primary Education". Copies are available in the House of Commons Library.

International Development White Paper

23. **Mrs. Betty Williams:** To ask the Secretary of State for International Development what progress is being made on the preparation of the second international development White Paper. [127761]

Clare Short: Work on the White Paper is proceeding well. There has been a public consultation agreement across Whitehall on the provisional outline, research has been commissioned and detailed work is being undertaken by cross-departmental groups.

Human Rights

24. **Fiona Mactaggart:** To ask the Secretary of State for International Development how her Department is helping to promote human rights in poorer countries; and if she will make a statement. [127762]

Clare Short: Human rights are central to my Department's work, which is dedicated to the achievement of the human rights of the poorest people of the world. We will shortly be publishing our strategy paper on "Human Rights for Poor People".

Zambia

25. **Mr. Fabian Hamilton:** To ask the Secretary of State for International Development if she will make a statement on the effectiveness of micro credit schemes in reducing poverty in Zambia. [127763]

Clare Short: Studies of one of our micro-credit partners, the Christian Enterprise Trust of Zambia, show that access to micro-credit helps its clients, who come from the poorest groups, to achieve higher incomes, better household nutrition, and increased access to education and health services. Our other micro-credit projects show similar results.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for International Development if she will list for her Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if she will make a statement on her Department's leasing and purchasing policy. [128991]

Clare Short: The Department for International Development makes use of three official cars, namely a Vauxhall Omega, a Vauxhall Vectra and a Ford Mondeo. All cars are used on a lease basis from the Government Car Service costing a total of £142,476.36 per annum.

New Deal

Mr. Brady: To ask the Secretary of State for International Development how many employees of her Department and its agencies have been recruited from the New Deal; and what percentage this represents of total staff. [129097]

Clare Short: The information requested is as follows.

Number: 5

Percentage: 0.4.

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for International Development if she will list the PFI contracts entered into by her Department, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if her Department has a claw-back entitlement to share in savings arising from refinancing. [129052]

Clare Short: My Department has not entered into any PFI contracts.

Third-world Debt

Mr. Fabian Hamilton: To ask the Secretary of State for International Development what pressures she will bring to bear on countries attending the G8 Summit in July to ensure that the debt owed by the world's poorest countries is cancelled. [129085]

Clare Short: When the Prime Minister met the Japanese Prime Minister last month, they agreed the importance of discussing debt issues at the G8 Summit in Okinawa.

It was at the Cologne Summit last year that the G7 agreed a very substantial improvement to the Heavily Indebted Poor Countries (HIPC) initiative, which was agreed by the boards of the World bank and IMF at the annual meetings in September 1999. The enhanced HIPC initiative provides faster, wider and deeper debt relief to poor countries committed to eradicating poverty.

The emphasis now is on implementing the enhanced initiative, so that the target of three-quarters of eligible countries starting to receive debt relief before the end of the year can be achieved. At the spring meetings of the World bank and IMF in April, we persuaded the bank and the Fund to establish a joint committee to oversee the implementation process. The Government are committed to keeping up the momentum not only in the run up to the G8 Summit but also beyond it.

Globalisation

Mr. Goggins: To ask the Secretary of State for International Development what consultations she is holding with organisations in developing countries in advance of the publication of the White Paper on Globalisation. [127745]

Clare Short: We are consulting widely organisations and individuals here and in developing countries as part of the preparation of the White Paper on Globalisation and Development. In March, an outline of the White Paper was sent out to key institutions and a website established. We have invited submissions from individuals and organisations in the UK and from developing countries. In addition, on 11 and 12 July I am chairing a round table on globalisation and development for various academics and practitioners from developing countries.

HOME DEPARTMENT

Policing Charges

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what estimate he has made of the charges made in the last year for which figures are available for policing commercial events; and if he will make a statement. [128576]

Mr. Charles Clarke: Information on charges made by police forces for policing commercial events is not held centrally.

The decision whether to charge for costs of policing at local events is for the local police authority and the Chief Constable.

Under Section 25(12) of the Police Act 1996,

> the Chief Officer of Police may provide, at the request of any person, special police services at any premises or in any locality in the police area for which the force is maintained, subject to the payment to the police authority of charges on such scales as may be determined by that authority.

The rationale behind charging is that the taxpayer at large should not be asked to pay for services provided at private events or events which benefit only a relatively small section of the community. It is for the Chief Officer concerned to determine whether a given service would constitute a special police service. Special police services are not defined in the 1996 Act or elsewhere. However, I would expect them to be services that meet some or all the following criteria:

> they are not part of the general duty of the police to keep the peace and protect life and property;
>
> the service to be provided is on private land; and,
>
> the service to be provided is for a commercially organised event.

Police (Efficiency Savings)

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many police forces have achieved the requirement of year-on-year efficiency savings of 2 per cent.; what monitoring is undertaken of how forces are achieving the efficiency savings and what guidance is issued by his Department; and if he will make a statement. [128536]

Mr. Charles Clarke: There are two elements to the achievement of the 2 per cent. efficiency targets set for the police each year between 1999–2002. The first is to plan and deliver savings, either cashable, non-cashable or both; the second and most important element is to deliver levels of performance to a required standard. Her Majesty's Inspectorate of Constabulary (HMIC) reported in May 2000 that all 43 forces were on track to deliver the required efficiency gains subject to performance levels being assessed as satisfactory. I expect HMIC to report on police performance levels later this month.

The efficiency process is subject to rigorous inspection by HMIC with support from the Audit Commission and external auditors. This ensures that only permissible savings are counted. The police authority and force must also ensure that a link between resources and performance outcomes is established.

The Home Office issued guidance on efficiency planning to police forces and authorities in November 1998, when the process was launched, and again in December 2000 to support planning for the second year of efficiency gains. HMIC also issued detailed guidance in the course of its inspection process and has advised forces and authorities throughout the process.

Public Safety Radio Communications Project

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what the total planned cost is of the Public Safety Radio Communications project in each year; what his estimate is of the costs which will have to be met directly by police forces, per force and in total, in each of the next 10 years; what proportion of the total cost is to be met by additional central Government funding; and if he will make a statement. [128535]

Mr. Charles Clarke: I refer the hon. Member to the replies I gave to the hon. Member for Vale of York (Miss McIntosh) on 26 June 2000, *Official Report*, column 655, and to the hon. Member for Ryedale (Mr. Greenway) on 17 January 2000, *Official Report*, columns 301–02W.

The tables show the Public Safety Radio Communications Service (PSRCS) core costs as contained in the PSRCS contract, and the anticipated distribution of estimated menu costs over the 10-year period. Forces will additionally need to purchase control room and radio terminal equipment. Based upon our present understanding of the police service's overall requirement, we estimate the initial purchase and subsequent replacement costs for terminals to be around £300 million in net present cost terms over the whole PSRCS contract life. We cannot at present assign these costs to individual forces.

The future costs of the project will be taken into account during our discussions with the Treasury on spending for the next three years, the results of which are expected to be announced in the summer.

Estimated PSRCS menu charges, based on same roll-out profile as core charges

£000

Force	*2001–02*	*2002–03*	*2003–04*	*2004–05*	*2005–06*	*2006–07*	*2007–08*	*2008–09*	*2009–10*	*2010–11*
Avon and Somerset Constabulary	14	84	84	84	84	84	84	84	84	84
Bedfordshire Police	0	26	105	105	105	105	105	105	105	105
Cambridgeshire Constabulary	0	158	210	210	210	210	210	210	210	210
Cheshire Constabulary	0	0	128	384	384	384	384	384	384	384
City of London Police	0	33	132	132	132	132	132	132	132	132
Cleveland Constabulary	0	0	193	256	257	257	257	257	257	257
Cumbria Constabulary	0	202	242	242	242	242	242	242	242	242
Derbyshire Constabulary	25	297	297	297	297	297	297	297	297	297
Devon and Cornwall Constabulary	382	916	916	916	916	916	916	916	916	916
Dorset Police	0	173	160	160	160	160	160	160	160	160
Durham Constabulary	14	168	671	671	671	671	671	671	671	671
Dyfed-Powys Police	0	13	23	23	23	23	23	23	23	23
Essex Police	0	0	1,357	1,357	1,357	1,357	1,357	1,357	1,357	1,357
Gloucestershire Constabulary	117	233	233	233	233	233	233	233	233	233
Greater Manchester Police (GMP)	599	599	599	599	599	599	599	599	599	599
Gwent Constabulary	0	89	134	134	134	134	134	134	134	134
Hampshire Constabulary	0	0	721	1,442	1,442	1,442	1,442	1,442	1,442	1,442
Hertfordshire Constabulary	0	240	412	412	412	412	412	412	412	412
Humberside Police	0	234	216	216	216	216	216	216	216	216
Kent County Constabulary	0	0	0	1,217	1,460	1,460	1,460	1,460	1,460	1,460
Lancashire Constabulary	755	755	755	755	755	755	755	755	755	755
Leicestershire Constabulary	173	346	346	346	346	346	346	346	346	346
Lincolnshire Police	0	0	155	206	206	206	206	206	206	206
Merseyside Police	0	0	192	329	329	329	329	329	329	329
Metropolitan Police Service	0	797	3,188	3,188	3,188	3,188	3,188	3,188	3,188	3,188
Norfolk Constabulary	0	0	0	227	248	248	248	248	248	248
North Wales Police	0	40	238	238	238	238	238	238	238	238
North Yorkshire Police	738	886	886	886	886	886	886	886	886	886
Northamptonshire Police	0	0	214	1,281	1,281	1,281	1,281	1,281	1,281	1,281
Northumbria Police	0	688	635	635	635	635	635	635	635	635
Nottinghamshire Constabulary	0	0	134	178	178	178	178	178	178	178
South Wales Constabulary	0	342	684	684	684	684	684	684	684	684
South Yorkshire Police	0	0	128	256	256	256	256	256	256	256
Staffordshire Police	0	0	0	601	801	801	801	801	801	801
Suffolk Constabulary	725	1,450	1,450	1,450	1,450	1,450	1,450	1,450	1,450	1,450
Surrey Police	0	0	167	334	334	334	334	334	334	334
Sussex Police	0	98	1,180	1,180	1,180	1,180	1,180	1,180	1,180	1,180
Thames Valley Police	0	977	1,303	1,303	1,303	1,303	1,303	1,303	1,303	1,303
Warwickshire Constabulary	0	0	54	650	650	650	650	650	650	650
West Mercia Constabulary	223	268	268	268	268	268	268	268	268	268

Estimated PSRCS menu charges, based on same roll-out profile as core charges

£000

Force	*2001–02*	*2002–03*	*2003–04*	*2004–05*	*2005–06*	*2006–07*	*2007–08*	*2008–09*	*2009–10*	*2010–11*
West Midlands Police	0	890	2,670	2,670	2,670	2,670	2,670	2,670	2,670	2,670
West Yorkshire Police	0	0	1,914	2,297	2,297	2,297	2,297	2,297	2,297	2,297
Wiltshire Constabulary	0	113	135	135	135	135	135	135	135	135
Total estimate for England and Wales	3,765	10,225	21,748	29,186	29,652	29,652	29,652	29,652	29,652	29,652

PSRCS core charges as agreed in contract, signed 29 February 2000

£000

Force	*2001–02*	*2002–03*	*2003–04*	*2004–05*	*2005–06*	*2006–07*	*2007–08*	*2008–09*	*2009–10*	*2010–11*
Avon and Somerset Constabulary	476	2,857	2,857	2,857	2,857	2,857	2,857	2,857	2,857	2,857
Bedfordshire Police	0	267	1,063	1,063	1,063	1,063	1,063	1,063	1,063	1,063
Cambridgeshire Constabulary	0	945	1,258	1,258	1,258	1,258	1,258	1,258	1,258	1,258
Cheshire Constabulary	0	0	612	1,831	1,831	1,831	1,831	1,831	1,831	1,831
City of London Police	0	249	1,001	1,001	1,001	1,001	1,001	1,001	1,001	1,001
Cleveland Constabulary	0	0	1,053	1,405	1,405	1,405	1,405	1,405	1,405	1,405
Cumbria Constabulary	0	860	1,031	1,031	1,031	1,031	1,031	1,031	1,031	1,031
Derbyshire Constabulary	142	1,702	1,702	1,702	1,702	1,702	1,702	1,702	1,702	1,702
Devon and Cornwall Constabulary	1,220	2,927	2,927	2,927	2,927	2,927	2,927	2,927	2,927	2,927
Dorset Police	0	1,279	1,181	1,181	1,181	1,181	1,181	1,181	1,181	1,181
Durham Constabulary	114	1,364	1,364	1,364	1,364	1,364	1,364	1,364	1,364	1,364
Dyfed-Powys Police	0	518	886	886	886	886	886	886	886	886
Essex Police	0	0	2,763	2,763	2,763	2,763	2,763	2,763	2,763	2,763
Gloucestershire Constabulary	534	1,073	1,073	1,073	1,073	1,073	1,073	1,073	1,073	1,073
Greater Manchester Police (GMP)	6,373	6,373	6,373	6,373	6,373	6,373	6,373	6,373	6,373	6,373
Gwent Constabulary	0	776	1,167	1,167	1,167	1,167	1,167	1,167	1,167	1,167
Hampshire Constabulary	0	0	1,656	3,308	3,308	3,308	3,308	3,308	3,308	3,308
Hertfordshire Constabulary	0	959	1,644	1,644	1,644	1,644	1,644	1,644	1,644	1,644
Humberside Police	0	2,091	1,930	1,930	1,930	1,930	1,930	1,930	1,930	1,930
Kent County Constabulary	0	0	0	2,600	3,123	3,123	3,123	3,123	3,123	3,123
Lancashire Constabulary	3,057	3,057	3,057	3,057	3,057	3,057	3,057	3,057	3,057	3,057
Leicestershire Constabulary	864	1,725	1,725	1,725	1,725	1,725	1,725	1,725	1,725	1,725
Lincolnshire Police	0	0	792	1,058	1,058	1,058	1,058	1,058	1,058	1,058
Merseyside Police	0	0	2,373	4,069	4,069	4,069	4,069	4,069	4,069	4,069
Metropolitan Police Service	0	7,464	29,857	29,857	29,857	29,857	29,857	29,857	29,857	29,857
Norfolk Constabulary	0	0	0	1,298	1,412	1,412	1,412	1,412	1,412	1,412
North Wales Police	0	212	1,274	1,274	1,274	1,274	1,274	1,274	1,274	1,274
North Yorkshire Police	1,100	1,318	1,318	1,318	1,318	1,318	1,318	1,318	1,318	1,318
Northamptonshire Police	0	0	182	1,098	1,098	1,098	1,098	1,098	1,098	1,098
Northumbria Police	0	3,866	3,569	3,569	3,569	3,569	3,569	3,569	3,569	3,569
Nottinghamshire Constabulary	0	0	1,602	2,139	2,139	2,139	2,139	2,139	2,139	2,139
South Wales Constabulary	0	1,392	2,789	2,789	2,789	2,789	2,789	2,789	2,789	2,789
South Yorkshire Police	0	0	1,440	2,880	2,880	2,880	2,880	2,880	2,880	2,880
Staffordshire Police	0	0	0	1,449	1,937	1,937	1,937	1,937	1,937	1,937
Suffolk Constabulary	576	1,154	1,154	1,154	1,154	1,154	1,154	1,154	1,154	1,154
Surrey Police	0	0	732	1,465	1,465	1,465	1,465	1,465	1,465	1,465
Sussex Police	0	236	2,838	2,838	2,838	2,838	2,838	2,838	2,838	2,838
Thames Valley Police	0	2,862	3,820	3,820	3,820	3,820	3,820	3,820	3,820	3,820
Warwickshire Constabulary	0	0	74	891	891	891	891	891	891	891
West Mercia Constabulary	1,590	1,911	1,911	1,911	1,911	1,911	1,911	1,911	1,911	1,911
West Midlands Police	0	0	2,164	6,489	6,489	6,489	6,489	6,489	6,489	6,489
West Yorkshire Police	0	0	4,060	4,873	4,873	4,873	4,873	4,873	4,873	4,873
Wiltshire Constabulary	0	920	1,105	1,105	1,105	1,105	1,105	1,105	1,105	1,105
Sub total	16,046	50,357	101,377	121,490	122,615	122,615	122,615	122,615	122,615	122,615
Plus 3 per cent. adjustment for PNC gateway access, TUPE and change in apportionment of total cost between England, Wales and Scotland	16,527	51,868	104,418	125,135	126,293	126,293	126,293	126,293	126,293	126,293
Plus menu charges shown in separate table	3,765	10,225	21,748	29,188	29,652	29,652	29,652	29,652	29,652	29,652
Total core and menu costs	20,292	62,093	126,166	154,322	155,945	155,945	155,945	155,945	155,945	155,945

Asylum Seekers

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many units of accommodation the National Asylum Seekers Support Service has so far secured for housing destitute asylum seekers. [128558]

Mrs. Roche: As of 30 June the National Asylum Support Service (NASS) had placed 3,028 destitute asylum seekers into accommodation. The process of accommodating destitute asylum seekers is of course demand led. The exact number of units available changes day by day as providers notify the service of properties. We are continuing to negotiate with both the public and private sector for further accommodation, but it was always the intention that accommodation providers would be asked to provide accommodation on a basis of need.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many staff are employed at the National Asylum Seekers Support Service. [128560]

Mrs. Roche: As of 30 June there were 433 staff employed in the National Asylum Support Service. Of these 423 are employed in Croydon. In addition there are 10 Regional Managers situated around the country who are responsible for ensuring that the support arrangements function satisfactorily in their area.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what advice he has given to the Refugee Council on the establishment of emergency reception facilities for destitute asylum seekers; and if he will make a statement. [128559]

Mrs. Roche: Officials in the National Asylum Support Service have provided assistance to the Refugee Council in identifying suitable property and in contract negotiation where this has proved necessary. In addition, the Refugee Council has been given advice on the standards we expect to be met for emergency accommodation that is provided for destitute asylum seekers while their claim for support by the National Asylum Support Service is considered.

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many cases the National Asylum Seekers Support Service has so far *(a)* assessed and *(b)* referred to accommodation outside London. [128557]

Mrs. Roche: As of 30 June the National Asylum Support Service had received 5,327 applications for support. Not all of these would have included a request for accommodation. As of 30 June 3,212 asylum seekers including dependents had been dispersed to accommodation outside London.

Criminal Injuries Compensation

Mr. Simon Hughes: To ask the Secretary of State for the Home Department when the last review of the Criminal Injuries Compensation scheme took place; what its conclusions were; when the next review is due; and if he will make a statement. [128537]

Mr. Charles Clarke: The scheme is under review at the present time. The review was launched by the issue last year of a consultation paper entitled "Compensation for Victims of Violent Crime: Possible Changes to the Criminal Injuries Compensation Scheme". The responses to that public consultation exercise are still under consideration, and we hope to be in a position to announce our intentions shortly after the summer recess.

Prison Service

Mr. Stinchcombe: To ask the Secretary of State for the Home Department if he will publish the results achieved by the Prison Service on each of its key performance indicators during 1999–2000. [129194]

Mr. Boateng: The Prison Service is currently assembling final performance data for 1999–2000. The key performance indicator (KPI) results will be reported in the Prison Service Annual Report and Accounts which is scheduled to be laid before Parliament on 20 July 2000. Copies will be placed in the Library.

The provisional KPI results for 1999–2000 were given in my reply to my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh) on 18 May 2000, *Official Report,* columns 210–12W.

Anti-suicide Strategy (Women Prisoners)

Mr. Cohen: To ask the Secretary of State for the Home Department when he expects to produce an anti-suicide strategy relating to women in prison; and if he will make a statement. [128740]

Mr. Boateng: The Prison Service's current suicide awareness strategy came into effect from April 1994. Its main principles apply equally across all types of prisons and prisoners whether male/female, adult/young offender or remand/sentenced. This approach to caring for the suicidal is based upon sound research and draws upon best practice from within other organisations.

Strategies for reducing the risk of suicide are kept under continual review. The publication of Her Majesty's Chief Inspector of Prisons thematic review: "Suicide is Everyone's Concern" last year provided a key impetus for this work. Work is in progress to examine how existing strategies can be better tailored to the needs of women prisoners. Guidance and good practice will be incorporated in a Prison Service order due for issue later this year.

Data Protection Act 1998

Mr. Cohen: To ask the Secretary of State for the Home Department how many certificates he has signed with respect to section 28 of the Data Protection Act 1998 since 1 March. [129186]

Mr. Straw: None. However, I expect to sign a certificate in the near future.

Death in Custody

Mr. Cohen: To ask the Secretary of State for the Home Department if he will make a statement on the investigations carried out into the death in custody of Nathan Graham by the *(a)* Governor of HM prison Whatton and *(b)* Nottinghamshire police. [128702]

Mr. Boateng: I am replying, as the Minister responsible for prisons.

An internal investigation into the death of Nathan Graham at Nottingham prison on 9 November 1999 was carried out by David Walmsley, Governor of Whatton prison. This is routine practice on behalf of the Prison Service and an investigation report of the findings has been compiled. This report was disclosed to Mr. Graham's family before the inquest. The report concluded that there were no grounds for any disciplinary action against prison staff.

An investigation into this death was also conducted by Nottinghamshire police on behalf of the Coroner, in view of the unusual circumstances of this case (Mr. Graham was disabled). There was no evidence of any criminal action in this matter and no charges were laid against prison staff. Mr. Graham's death was considered at a Coroner's inquest between 7–9 June, when it was adjourned. A date has yet to be set for the resumption of this inquest.

Holloway Prison

Mr. Cohen: To ask the Secretary of State for the Home Department when the windows in cells in Holloway Prison will be changed to make it impossible to attach a ligature to them; and if he will make a statement. [128741]

Mr. Boateng: The Prison Service is currently testing prototype improved window ventilators at Holloway prison. These will be evaluated to assess all potential benefits, including the effectiveness of their anti-ligature properties. Following the assessment, funding will be sought through the Prison Service's normal capital appraisal process for installation of the most appropriate ventilators. Assuming these funds (likely to be of the order of £8 million) are forthcoming, a rolling installation programme for all cells at Holloway will be developed. Completion of such a programme could take three to four years.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for the Home Department if he will list for his Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if he will make a statement on his Department's leasing and purchasing policy. [128990]

Mr. Straw: The Home Department does not maintain a list of approved vehicle manufacturers. The Home Department accesses Ministry of Defence contracts to acquire its vehicles. The following list includes all mainstream British vehicle manufacturers.

Ministry of Defence contractors, cars and commercial vehicles, accessed by the Home Office:

Rover
Land Rover
Ford Motor Company
Vauxhall Motors
Peugeot Motor Co.
Nissan Motor (GB) Ltd.
Honda (UK) Ltd.
Volkswagen AG
Citroen UK Ltd.
Fiat
Renault Cars
Volvo Car UK Ltd.
Diahatsu UK
LDV Ltd.
Leyland DAF Trucks Ltd.
International Motors (ERF Trucks).

Departmental policy for the selection of vehicles has three main roots:

to select the vehicles most suited to the task bearing in mind our responsibility for the disbursement of public funds;

to uphold the policies of the European Communities supplies directive 93/36/EC Purchase of Goods; and

to reduce the environmental impact of the fleet by ensuring that 70 per cent. of the vehicles purchased this year will incorporate either high pressure injection diesel engines with particulate filters, or dual fuel petrol liquid petroleum gas engines.

Football Hooligans

Mr. Jim Murphy: To ask the Secretary of State for the Home Department what efforts are being made to inform football clubs of the identities of the football hooligans who were *(a)* detained and *(b)* deported from Euro 2000. [128156]

Mr. Straw: It is the intention of the Football Association, with the strong support of the Government, to seek life bans from their home grounds for any individual convicted of offences involving hooliganism at Euro 2000; this cannot, however, apply to the majority of those detained and deported, since it has been acknowledged by the Belgian authorities that many of those detained or deported were not guilty of any criminal offence.

It is intended that the Bill on football hooliganism which I announced on 4 July 2000, *Official Report,* columns 170–83, should include provisions better to permit the National Criminal Intelligence Service to transfer appropriate information to the Football Association.

Mr. Jim Murphy: To ask the Secretary of State for the Home Department how many international restriction orders against football hooligans are in force in *(a)* England, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland. [128151]

Mr. Straw: There are currently 106 people subject to international football banning orders in England and Wales; there is no equivalent legislation in Scotland or in Northern Ireland.

Mr. Jim Murphy: To ask the Secretary of State for the Home Department how many international restriction orders have been made in each of the past 10 years. [128152]

Mr. Straw: There were 19 restriction orders imposed in 1990, four in 1991, two in 1992, none in 1993, one in each of 1994, 1995 and 1996, 10 in 1997, and 100 in 1998. In 1999, 18 restriction orders were imposed, as well as three international football banning orders, which replaced the restriction order under the terms of the Football (Offences and Disorder) Act 1999. So far 28 international football banning orders have so far been imposed in 2000.

Mr. Jim Murphy: To ask the Secretary of State for the Home Department if he will list those football hooligans deported from Euro 2000. [128157]

Mr. Straw: No, since it has been acknowledged by the Belgian authorities that many of those deported were not guilty of any criminal offence.

Police (Out-of-court Settlements)

Mr. Cohen: To ask the Secretary of State for the Home Department if he will list the out-of-court settlements agreed to by police forces in the UK since 1 January 1998, broken down by police force, indicating in each case the recipient, the amount agreed and the reason for the settlement; what process exists for police forces to make a decision to settle out-of-court; how the public are informed of such decisions; and if he will make a statement. [128516]

Mr. Charles Clarke: Information is available centrally only on the number and total amount of settlements agreed in 1998–99 before proceedings were initiated or after court proceedings were commenced but before final judgment, including payments "without accepting liability". The available information has been placed in the Library for each force in England and Wales by type of action. 1998–99 was only the second year in which forces were requested to supply this information and the information provided is not complete.

The process by which a force agrees to settle a case out of court is one for the force and its insurers (where it has employer and public liability cover). This will be based on an assessment of the cost and likelihood of successfully defending an action. Forces are accountable to their police authority for their handling of these cases. The Government's response to the Home Affairs Select Committee's report in 1998 on the Confidentiality of Police Settlements of Civil Claims supported the view that forces should publish information about civil actions in their annual reports.

Written Answers to Questions

Thursday 6 July 2000

SOCIAL SECURITY

Winter Fuel Allowance

Mr. Ruffley: To ask the Secretary of State for Social Security when men aged between 60 and 64 years in the Bury St. Edmunds constituency will receive their Winter Fuel Allowance; and if he will make a statement on the reason for the delays. [129021]

Angela Eagle: Retrospective payments for previous years Winter Fuel Payments started to be paid in the week commencing 26 June 2000 in line with Government's targets. The payments will be issued as claims are processed and are not defined in postcode areas. Some customers in Bury St. Edmunds may have already received their payment and the remainder will receive them over the coming months as claims are received and processed.

Claimants (Criminal Convictions)

Mr. Cohen: To ask the Secretary of State for Social Security what plans he has to modify the benefit arrangements for claimants who have criminal convictions which will appear on criminal conviction certificates and other certificates issued under the Police Act 1997; what assessment he has made of the extent to which details displayed on certificates may result in claimants being unable to find suitable work easily; what plans he has to increase payments to claimants who are obliged to certificate on a regular basis; and if he will make a statement. [129138]

Angela Eagle: We have no plans to modify the benefit arrangements for claimants who have criminal convictions which will appear on criminal conviction certificates and other certificates issued under the Police Act 1997.

The Home Office will be working closely with relevant organisations to ensure that guidance is provided to encourage employers not to reject applicants with a criminal record without careful consideration of all the relevant factors.

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for Social Security if he will list the PFI contracts entered into by his Department, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if his Department has a claw-back entitlement to share in savings arising from refinancing. [129057]

Mr. Rooker: The PRIME (Private Sector Resource Initiative for Management of the Estate) contract, commenced on 1 April 1998. It has an estimated private sector capital spend value of £350 million. It has not been subject to refinancing and has no specific refinancing share mechanism, but does provide for possible sharing of windfall gains and profits, including benefits from refinancing, made in the first five years.

The ACCORD (Access to Corporate Data) project has so far progressed to signature of four Services Agreements, which are contractual vehicles to enable the Department to award specific PFI/PPP contracts in future. None of the Service Agreements contains a monetary value, but the projects estimated private sector capital spend value is £100 million. No contracts yet exist, and contract negotiations will include possibilities for sharing in future savings.

Multiple Sclerosis

Mr. Tynan: To ask the Secretary of State for Social Security how many of the claims for disability living allowance from sufferers of MS were rejected by the tribunal because the sufferer was in temporary remission in the last three years. [129001]

Mr. Bayley: The information requested is not readily available and could be obtained only at disproportionate cost.

Hunting with Hounds

Mr. Clifton-Brown: To ask the Secretary of State for Social Security, in respect of implementation of the Burns report on banning hunting with hounds, what estimate he has made of the total additional social security payments which will fall to be paid, broken down by type of benefit. [129038]

Angela Eagle: The Burns Report (The Final Report of the Committee of Inquiry into Hunting with Dogs in England and Wales) investigated the effects of banning hunting on employment. Its finding was that, in view of all the uncertainties, it is not possible to give a precise figure for the number of jobs that would be lost if hunting were banned. Consequently, it is not possible to estimate accurately the effects on Social Security expenditure.

Pensions

Mr. Cousins: To ask the Secretary of State for Social Security, pursuant to his answer to the hon. Member for Northavon (Mr. Webb) of 26 June 2000, *Official Report*, columns 348–49W, on pensions, if he will re-present the figures assuming *(a)* the state second pension remains earnings related and *(b)* the minimum earnings guarantee is available to those who made no second pension provision and the Minimum Income Guarantee is uprated in line with earnings; if he will set out the assumptions about investment returns which underly his estimates of returns on stakeholder pensions; what assumption he has made about the level of contributions to stakeholder pensions; and if he will estimate the effects of these projections based on 75 per cent. of average earnings. [128623]

Mr. Rooker: The information is in the tables.

Estimated basic and compulsory second tier pension for someone on average earnings throughout their working life who reaches pensionable age in 2050, assuming state second pension remains earnings-related

£

	All	*Man*	*Woman*
Basic Pension	31.00	31.00	31.00
Additional Pension from State scheme or stakeholder pension	71.00	73.00	67.00
Total Pension	102.00	103.00	98.00

Estimated basic and compulsory second tier pension for someone on 75 per cent. of average earnings throughout their working life who reaches pensionable age in 2050, assuming state second pension remains earnings-related

£

	All	*Man*	*Woman*
Basic Pension	31.00	31.00	31.00
Additional Pension from State scheme or stakeholder pension	65.00	67.00	67.00
Total Pension	96.00	98.00	91.00

Notes:

1. Figures, which are in 1999 earnings terms, are rounded to the nearest £ and may not sum as a result.

2. The estimates are based on 100 per cent. and 75 per cent. of average earnings of (i) all full-time employees; (ii) all male full-time employees; and (iii) all female full-time employees.

3. The estimates are based on a person beginning work at 16 and working for 49 years until age 65.

4. The estimates are based on the Department's Lifepen model and the following assumptions:

Stakeholder pensions start April 2001
State Second Pension starts April 2002
Earnings grow 1.5 per cent. a year faster than prices
Basic State pension is uprated in line with prices

Projections for stakeholder pensions are based on National Insurance rebates only. They are estimated weekly amounts a person would receive if the investment return and other relevant factors affecting the amount of the stakeholder pension were the same as the assumptions underlying the calculation of the National Insurance rebates paid into a stakeholder pension. No allowance is made for voluntary contributions made by individuals or their employers.

The level of the rebates will be determined by the Secretary of State based on the advice of the Government Actuary. The assumptions which underlie the rebate, including investment return, will be the subject of a consultation exercise by the Government Actuary this summer, culminating in an Order to be laid before Parliament no later than April 2001. The Order will set the rebate rates for the period April 2002 to March 2007.

In 1999 earnings terms, the value of the Minimum Income Guarantee would remain constant at £75 a week if it were consistently increased in line with earnings.

Child Benefit

Angela Smith: To ask the Secretary of State for Social Security how many people receive Child Benefit by area in Great Britain. [129912]

Mr. Darling: Figures for the numbers of families receiving Child Benefit as at 14 August 1999 broken down by parliamentary constituency, government office region and local authority have been placed in the Library.

Pensioners

Mr. Dismore: To ask the Secretary of State for Social Security how many pensioners in Hendon are aged over *(a)* 65, *(b)* 75 and *(c)* 85 years; how many in each of *(a)* to (c) receive minimum income guarantee; and how many (i) pensioners and (ii) pensioner couples will (1) receive winter fuel payments this year and (2) qualify for a free television licence. [129276]

Mr. Rooker: The information is not available in the format requested. Such information as is available is in the table.

Number of pensioners receiving the minimum income guarantee in Hendon parliamentary constituency

Age of claimant	*Number of claimants*
65–74	800
75–84	900
85 and over	700

Notes:

1. Figures for pensioners receiving the minimum income guarantee are based on a 5 per cent. sample and are therefore subject to a degree of sampling error. For this analysis pensioners are defined as where the claimant is aged 65 or over. Figures have been rounded to the nearest hundred.

2. The numbers eligible for winter fuel payments include some people aged between 60 to 64 who are not yet eligible for a pension.

3. The numbers of pensioner households qualifying for free television licenses refer to any household which is the primary place of residence for any pensioner aged 75 or over.

4. Information about the numbers of pensioners in Hendon is not held.

Source:

Income Support Quarterly Statistical Enquiry, February 2000

We estimate that around 19,000 people will be eligible for winter fuel payments in the Hendon constituency this winter. It is not possible to give a further breakdown of these figures at this stage.

Three million pensioner households will qualify nationally for a free television licence this year. We do not hold this information at local level.

TRADE AND INDUSTRY

Correspondence

Mrs. Virginia Bottomley: To ask the Secretary of State for Trade and Industry when he will reply to the letter from the right hon. Member for South-West Surrey of 28 February concerning Mr. M. Grove. [127347]

Mr. Byers: As the right hon. Lady has been informed, the issue she has raised is a matter for my right hon. Friend the Chancellor of the Exchequer, and I have therefore passed the correspondence to him.

Mrs. Roe: To ask the Secretary of State for Trade and Industry when the hon. Member for Broxbourne will receive a reply to her letters of *(a)* 3 April, *(b)* 5 May, *(c)* 1 June and *(d)* 29 June relating to her constituent Mr. S. Kitchiner. [128916]

Mr. Alan Johnson *[holding answer 4 July 2000]:* I replied to the hon. Member on 4 July 2000.

Start-up Assistance

Dr. Kumar: To ask the Secretary of State for Trade and Industry how many businesses have benefited from start-up assistance from Government schemes; what types of business have benefited; and what initiatives have been taken in the years 1997 to 2000 *(a)* nationally, *(b)* in Teesside and *(c)* in the constituency of Middlesbrough, South and Cleveland, East; and if he will make a statement. [128512]

Ms Hewitt: Numbers of businesses which have used Business Link services, which includes advice to people wanting to start their own business, since 1997 is as follows:

Year	*Number*
1997–98	446,040
1998–99	393,580
1999–2000	419,294

Note:

Businesses using BL more than once in a quarter count only once. Business using BL more than once in different quarters are counted in each quarter.

Nationally, the following major initiatives have been taken since 1997: the Government made their commitment in the Competitiveness White Paper published in December 1998 to provide a new high-quality advice service to 10,000 businesses in England per annum by the end of 2001, focusing on those with high growth potential; the Small Business Service, launched in April this year, will provide information, advice and access to experts on all aspects of running a business. The SBS is ensuring that the Business Link Network tailors its services to the different needs of the whole range of smaller businesses, including the self-employed and those considering starting-up in business; my right hon. Friend the Chancellor of the Exchequer announced on 23 June this year a new package of help worth up to £500, and £2000 in areas of high unemployment, for anyone in Britain wanting to start up in business; the DTI is spending some £3 million on the Business Volunteer Mentoring Scheme, which is currently being piloted. The scheme is based on a core of volunteers—both retired and otherwise—drawn from all sections of the business community and who will provide mentoring for pre-start-ups, start-ups and those businesses yet to reach the stage of stability.

In Teesside, Start Right in Business, a Tees Valley TEC-led partnership, aims to provide support and funding to help create and maintain 900 new businesses during 1999–2001. The partnership brings together unemployed people, local authorities, Business Link Tees Valley, local enterprise agencies, banks and private sector sponsors to give training, advice and support to people wanting to set up their own business.

No separate information is available for the constituency of Middlesbrough, South and Cleveland, East.

Former Officials (Employment)

Mr. Mitchell: To ask the Secretary of State for Trade and Industry how many officials, on ceasing employment in his Department, have sought permission to take up employment, since May 1997, with *(a)* companies and *(b)* partnerships under the business appointment rules; and to what companies and partnerships they went. [128453]

Dr. Howells: Between May 1997 and June 2000, a total of 195 applications have been made to take up external appointments. As applicants are not required to detail the status of the organisation they are proposing to join, it is not possible to break down applications by type of organisation.

Only senior Crown servants are required to notify that they have taken up appointment after their applications are approved. The following information details relevant appointments that have been taken up:

Appointment	*Approved*	*Date post taken*
Oxford Inst. of Energy Research	July 1997	August 1997
Cambridge Energy Research	April 1997	May 1997
British Airways	May 1997	May 1997
Eagle Star	October 1997	October 1997
BAT Industries	June 1998	September 1998
Covington & Burling	June 1998	November 1998
Industrial Bank of Japan	September 1998	November 1998
DNA Research Instruments	May 1999	May 1999
Wragge & Co.	January 2000	January 2000
Wastepack UK Ltd.	February 2000	February 2000
Expocentric.com	May 2000	May 2000
Tolman-Cunard	May 2000	May 2000

Further information on appointments approved prior to May 1999 is published in the First and Second Reports of The Advisory Committee on Business Appointments that are available in the Library of the House. Details of appointments approved since May 1999 will be covered in the Third Report of the Advisory Committee.

Malaysia

Mr. Alan Simpson: To ask the Secretary of State for Trade and Industry if he will list the export licences granted for the export of *(a)* CS gas, *(b)* CS irritant cartridges and *(c)* CS canisters to Malaysia (1) in each year since 1992 broken down by category code; [128552]

(2) since 1992 where end use destination was for other countries. [128553]

Dr. Howells: The entry in the legislation under which the export of goods is controlled is known as their rating. The export of CS gas, CS irritant cartridges and CS canisters are controlled under entries in Part III of Schedule I of the Export of Goods (Control) Order 1994 as amended (commonly known as the Military List): CS and other irritants under entry ML7; cartridges (as ammunition) containing CS irritants under entries ML3 or PL5021 and canisters containing CS irritants under ML4 or PL5030. However, a variety of other devices may contain tear gas and these are also controlled under the latter four entries above as well as several other entries: for instance, portable anti-riot devices for administering an incapacitating substance under PL5001; grenades under ML4 or PL5030; ammunition (including artillery and mortar) under ML3 or PL5021; gas projectors or generators under ML2 or PL5018; gas projecting equipment for controlled ground vehicles, combatant vessels or aircraft, that are specially designed or modified for military use under entries ML6, ML9, or ML10 respectively; and portable devices designed for self-protection by the administration of an incapacitating substance under entry 1A905 of the Dual-Use and Related Goods (Export Control) Regulation 1996, as amended. It should be noted that other goods may also be controlled under each of these entries.

The Export Control Organisation's computer databases have been interrogated. Between 1 January 1992 and 1 May 1997, 548 Standard Individual Export Licences (SIELs) were issued covering the export to consignees or end users in Malaysia of goods with the relevant ratings: in the same period six SIELs were issued covering such exports to consignees in Malaysia with end users in any other destination.

Individual licences may cover a range of goods with various ratings and OIELs may cover a range of countries. Where this is so, the licence is included in the table in the total for all the relevant ratings.

SIELs issued between 1 January 1992 and 1 May 1997 covering the export of goods with the relevant ratings to consignees in Malaysia with endusers in Malaysia and other destinations

Rating	*Malaysia*	*Australia*	*Indonesia*	*Kuwait*	*Singapore*
ML2	68	0	1	0	0
ML3	17	0	0	0	0
ML4	128	0	1	0	0
ML6	83	0	0	0	0
ML7	47	0	0	0	0
ML9	45	1	0	0	0
ML10	157	0	0	1	2
PL5001	3	0	0	0	0
PL5018	10	0	0	0	0
PL5021	2	0	0	0	0

An Open Individual Export Licence (OIEL) is specific to an individual exporter and covers multiple shipments of specified goods to specified destinations and/or, in some cases, specified consignees; these licences do not authorise exports by the licensee other than to those destinations specified on the licence and do not prohibit transfer between those permitted destinations. The Export Control Organisation's computer databases have been interrogated. Between 1 January 1994 and 1 May 1997, 57 OIELs were issued covering the export of goods with the relevant ratings to Malaysia and any other destination.

OIELs issued between 1 January 1994 and 1 May 1997 covering the export of goods with the relevant ratings to Malaysia and any other destination

Rating	*Number of OIELs issued covering goods with this rating*
ML2	4
ML3	3
ML4	13
ML6	5
ML7	1
ML9	14
ML10	19
PL5001	2
PL5018	1

Details of SIELs and OIELs issued between 2 May and 31 December 1997 were set out in the Government's Annual Report on Strategic Export Controls, published by the Foreign and Commonwealth Office: one of the SIELs issued in this period covered the export of such goods tc Malaysia with an end user in the United Arab Emirates.

Details of SIELs and OIELs issued between 1 January and 31 December 1998 were set out in the Government's second Annual Report on Strategic Export Controls; copies of both reports are available from the Library of the House: five SIELs issued in this period covered the export of such goods to Malaysia with an end user in any other destination.

SIELs issued between 1 January 1998 and 31 December 1998 covering the export of goods with the relevant ratings to consignees in Malaysia with end users in other destinations

	ML4	*ML10*
Brunei	0	1
Chile	1	0
Hong Kong SAR	1	0
Philippines	0	1
Singapore	1	0

Between 1 January 1999 and 23 June 2000, 69 SIELs were issued covering the export of such goods to consignees and end users in Malaysia. In the same period, one SIEL was issued covering such exports to a consignee in Malaysia with an end user in Singapore. In the same period, 32 OIELs were issued covering the export of such goods to Malaysia and any other destination.

SIELs issued between 1 January 1999 and 23 June 2000 covering the export of goods with the relevant ratings to consignees in Malaysia with end users in Malaysia and other destinations

Rating	*Malaysia*	*Singapore*
ML2	12	0
ML3	10	0
ML4	11	1
ML6	4	0
ML7	4	0
ML9	8	0
ML10	24	1
PL5001	1	0

OIELs issued between 1 January 1999 and 23 June 2000 covering the export of goods with the relevant ratings to Malaysia and other destinations

Rating	*Number of OIELs issued covering goods with this rating*
ML2	1
ML4	1
ML6	5
ML9	11
ML10	15
PL5018	1

It would entail disproportionate cost to establish which, if any of these licences covered the export of the particular types of equipment concerned, and make any subsequent inquiries necessary under the Code of Practice on Access to Government Information.

All of the information set out should be considered in light of the answer I gave to my hon. Friend the Member for Kingswood (Mr. Berry) on 27 July 1999, *Official Report,* columns 307–08W.

Finally, Malaysia is a permitted destination on certain Open General Export Licences covering the export of goods on the Military List and other goods; copies of all Open General Export Licences are routinely placed in the Library of the House.

Research Councils

Mrs. Ellman: To ask the Secretary of State for Trade and Industry what discussions are taking place in the Office of Science and Technology concerning the future of the Council for the Central Laboratory of the Research Councils. [128858]

Ms Hewitt: My right hon. Friend the Secretary of State announced the terms of reference for the quinquennial review of the Council for the Central Laboratory of the Research Councils in his reply to the hon. Member for Birmingham, Northfield (Mr. Burden) on 13 June 2000, *Official Report*, columns 596–97W.

Daresbury Laboratory

Mrs. Ellman: To ask the Secretary of State for Trade and Industry what plans are being considered for the future of the Daresbury Laboratory as a scientific research establishment after 2007. [128857]

Ms Hewitt: The future of Daresbury laboratory is a matter for the Council for the Central Laboratory of the Research Councils (CCLRC) which, under its Royal Charter, is responsible for the staff and resources under its control. Further to this, the Government have recognised the need to consider Daresbury's role in the North West Science Base and have commissioned two reviews to consider this matter. I refer the hon. Member to the announcements of the North West Science Review on 27 April 2000 and the North West Science and Daresbury Development Group on 9 June 2000, *Official Report*, column 388W.

Assisted Areas

Mr. Hesford: To ask the Secretary of State for Trade and Industry if he will make a statement on the effect on small and medium-sized enterprises of the assisted area status policy. [128865]

Mr. Caborn: My right hon. Friend the Secretary of State for Trade and Industry announced the introduction of Enterprise Grant Areas in England on 15 July 1999, *Official Report*, column 275W. Small and medium sized enterprises in the Enterprise Grant Areas and in Tiers 1 and 2 of the Assisted areas are eligible to apply for Enterprise Grants. The introduction of Enterprise Grant Areas significantly increased the number of areas in England where small and medium sized enterprises could apply for grants to support investment.

Package Holidays

Mr. Roy: To ask the Secretary of State for Trade and Industry how many complaints his Department has received in the last 12 months in relation to the pricing of foreign package holidays. [128997]

Dr. Howells: According to Departmental records, a total of 46 complaints were received in the last 12 months in relation to the pricing of foreign package holidays. Seventeen of these were from the same person.

Hyder Plc

Mr. Gibb: To ask the Secretary of State for Trade and Industry what his policy is regarding the repatriation of the consideration of competition issues arising from the sale of Hyder plc. [129031]

Dr. Howells *[holding answer 4 July 2000]:* The Director General of Fair Trading advises this Department on the competition issues raised in cases that have fallen to the EC Merger Regulation. The Secretary of State will assess whether Western Power Distribution Limited's proposed acquisition of Hyder Plc meets the tests laid down in the EC Merger Regulation by which member states can request referral of cases from the Commission and whether to request such a referral in the light of the DGFT's advice.

Exports Credits Guarantee Department

Mr. Oaten: To ask the Secretary of State for Trade and Industry if he will make a draft regulatory impact assessment in advance of the announcement of the conclusions of the review of the Export Credits Guarantee Department. [129394]

Mr. Caborn: There are no plans to make a Regulatory Impact assessment in advance of the Review announcement. It is unlikely that the Review will lead to any legislation or change in regulations.

Memo Leak

Mrs. Browning: To ask the Secretary of State for Trade and Industry what plans he has to launch an inquiry into the leaking of a memo sent to him by Andrew Fraser. [129416]

Mr. Byers: An internal inquiry into the leaking of the memo sent to me by Andrew Fraser is underway.

Commuter Coach Services

Mr. Wyatt: To ask the Secretary of State for Trade and Industry if he will refer the operation of Commuter coach services from Kent to London to the Competition Commission. [129311]

Dr. Howells: Under UK competition law in the first instance, it is the responsibility of the Director General of Fair Trading (DGFT) to investigate allegations of anti-competitive behaviour and possible abuses of a dominant position.

If my hon. Friend has any evidence that competition in this market is not working, he should draw it to the attention of the DGFT.

Post Office (Subsidies)

Mrs. Browning: To ask the Secretary of State for Trade and Industry what discussions he has held with small business organisations concerning his proposals to pay subsidies to sub-post offices. [129431]

Mr. Byers: In preparing their report "Counter Revolution: Modernising the Post Office Network", the Performance and Innovation Unit (PIU) had discussions with a number of organisations representing small businesses. In addition, both the PIU and I have had extensive discussions with the National Federation of

Subpostmasters about the Government's proposals for financial assistance to modernise and improve the sub-post office network.

Mrs. Browning: To ask the Secretary of State for Trade and Industry what discussions he has held with the EU concerning his proposals to pay subsidies to sub-post offices. [129432]

Mr. Byers: The European Competition Commissioner has been informed about the new package of measures to modernise the post office network. Throughout the process of developing detailed projects officials will work in close consultation with the European Commission.

Mr. Redwood: To ask the Secretary of State for Trade and Industry (1) what recent discussions he has had with the European Commission about the legality of granting subsidies to post offices; [129212]

(2) if he has clearance from the EU competition authorities to grant subsidies to post offices. [129211]

Mr. Byers: I refer the right hon. Member to the answer given today to the hon. Member for Tiverton and Honiton (Mrs. Browning).

Post Office Network

Mrs. Browning: To ask the Secretary of State for Trade and Industry how many sub-post offices are projected to close in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03. [129418]

Mr. Byers: As all sub-post offices are privately owned and operated, there can be many different reasons leading to a decision to close and there is no accurate way of forecasting future closure levels. However, the Post Office seeks to maintain post office services wherever possible and this policy is being reinforced by the Government's requirement on the Post Office to maintain the rural network and to prevent any avoidable closures of rural post offices.

Mrs. Browning: To ask the Secretary of State for Trade and Industry if he will place in the Library a copy of the research by Christie and Co., referred to on page 62 of the Performance and Innovation Unit's report into the post office network. [129430]

Mr. Byers: Christie and Co. provided information about sub-post offices to the Performance and Innovation Unit on an exclusive and confidential basis as the information was and is commercially sensitive. I am therefore unable to place a copy of this research in the Library of the House.

Mrs. Browning: To ask the Secretary of State for Trade and Industry what research his Department has commissioned into the impact of Internet-based services on the letters market. [129420]

Mr. Byers: This issue is kept under review by the Post Office.

Mrs. Browning: To ask the Secretary of State for Trade and Industry (1) what estimate he has made of the level of remuneration sub-post masters will receive for acting as Government general practitioners; and if he will make a statement; [129423]

(2) what level of additional investment the Horizon platform will require to operate the universal bank; [129427]

(3) if the Government intend to provide financial support for the improvement of the urban post office network recommended on page 88 of the Performance and Innovation Unit's report into the post office network; [129426]

(4) what estimate he has made of the *(a)* setting up cost and *(b)* annual running cost of the universal bank; [129424]

(5) if benefit claimants who opt to receive their benefits in cash from a post office following the switch to ACT will be required to have a bank account; [129428]

(6) what plans he has for delivery of funds to support post offices in urban deprived areas; [129434]

(7) what estimate he has made of the income to the Post Office which will be generated by the universal bank; [129425]

(8) what estimate he has made of the impact on the income of sub-post offices if those people who do not have a bank account at present start to pay utility bills by direct debit following the introduction of the universal bank; [129429]

(9) how much funding he will commit to improve post offices in deprived areas. [129433]

Mr. Byers: I refer the hon. Member to my statement and subsequent exchanges on 28 June 2000, *Official Report,* columns 907–20, and the PIU report also published on 28 June, copies of which have been placed in the Library of the House and the Vote Office.

Mrs. Browning: To ask the Secretary of State for Trade and Industry what percentage of rural sub-post offices have ISDN lines. [129421]

Mr. Byers: I understand from the Post Office that they do not have a percentage breakdown of rural post offices which currently have an ISDN line, but every post office will have an ISDN line or equivalent satellite link by February 2001.

Mrs. Browning: To ask the Secretary of State for Trade and Industry what estimate he has made of the cost of installing ISDN lines to the post office network. [129422]

Mr. Byers: Under the existing Horizon programme, every post office outlet will have an ISDN line or equivalent satellite link by February 2001. The costs are an integral part of the Horizon contract.

Petrol Prices

Mr. Boswell: To ask the Secretary of State for Trade and Industry if he will list the average figures for European unleaded petrol prices for each country of the European Union in pence per litre, with the amount of tax paid and the percentage of tax this represents. [129285]

Mrs. Liddell: The latest available information for premium unleaded petrol prices and taxes is for April 2000 and is as shown.

European Unleaded Petrol Prices[1]

Prices as at mid April 2000

	(Pence per litre[2])		*(Percentage)*
	Pump Price	*Amount of Tax*	*Tax Component*
Austria	56.10	34.50	61.5
Belgium	63.35	41.75	65.9
Denmark	64.23	44.32	69.0
Finland	67.83	46.19	68.1
France	65.26	46.40	71.1
Germany	57.84	42.11	72.8
Greece	45.29	24.91	55.0
Ireland	50.51	31.72	62.8
Italy	63.01	42.03	66.7
Luxembourg	48.70	27.76	57.0
Netherlands	68.52	46.39	67.7
Portugal	53.84	28.10	52.2
Spain	48.58	29.25	60.2
Sweden	66.45	46.05	69.3
United Kingdom	79.96	60.77	76.0

[1] Premium unleaded 95RON

[2] Prices converted to pounds sterling using mid April exchange rates.

Source:

European Commission Oil Bulletin

Mr. Boswell: To ask the Secretary of State for Trade and Industry what has been the change in petrol prices per litre, at an annual rate, in each month since March 2000. [129271]

Mrs. Liddell: The information requested is in the following table.

	1999	*2000*	*Difference*	
	Pence per litre	*Pence per litre*	*Pence per litre*	*Percentage change*
Premium unleaded petrol				
March	66.51	78.32	11.81	17.8
April	70.20	79.96	9.76	13.9
May	70.04	79.54	9.50	13.6
June	69.80	84.08	14.28	20.5
4 star/lead replacement petrol[1]				
March	73.85	82.99	9.14	12.4
April	77.83	84.45	6.62	8.5
May	77.61	84.04	6.43	8.3
June	77.32	88.00	10.68	13.8
Super unleaded petrol				
March	82.24	85.24	3.00	3.6
April	83.39	87.18	3.79	4.5
May	83.82	86.93	3.11	3.7

[1] From October 1999 lead replacement petrol replaced four star

Source:

DTI Energy Trends

TREASURY

Pensioners' Incomes

Mr. Cohen: To ask the Chancellor of the Exchequer what recent assessment his Department has made of levels of taxation on pensioners' income; and if he will make a statement. [127613]

Miss Melanie Johnson: Six out of 10 pensioners do not have any income tax to pay. In his 1999 Budget, the Chancellor increased the age-related personal allowances by an amount well above inflation, and in his latest Budget maintained their value by increasing them by statutory indexation. As a result in 2000–01, someone aged 65 to 74 can have an income of £111 a week before paying tax. This Government are committed to supporting older people. We will be spending an extra £6.5 billion on pensioners in the course of this Parliament.

Child Tax Credit

Mr. Hancock: To ask the Chancellor of the Exchequer how much it costs to send out the forms to taxpayers in respect of child tax credit; and if he will make a statement. [128364]

Dawn Primarolo: The Inland Revenue sent out claim forms in June to all PAYE taxpayers who they thought might be eligible for the Child Tax Credit. The cost of doing this is estimated to be about £1.7 million.

Environmental Taxation

Mr. Bruce George: To ask the Chancellor of the Exchequer how many companies have used the mechanism which allows them to contribute 20 per cent. of their tax obligations to environmental bodies. [128318]

Mr. Timms *[holding answer 3 July 2000]:* Operators of landfill sites who are registered for landfill tax may claim tax credits for contributions that they make to support environmental projects. There are currently 850 registered operators. Of these, 494 have made contributions representing 91 per cent. of the potential amount available as tax credits.

Individual Savings Accounts

Mr. Loughton: To ask the Chancellor of the Exchequer what assessment he has made of the number of new ISA accounts opened by savers who did not previously hold *(a)* PEPs or *(b)* TESSAs. [129027]

Miss Melanie Johnson *[holding answer 4 July 2000]:* Detailed information on each ISA opened has to be sent to the Inland Revenue by ISA managers after the end of each tax year. The information for 1999–2000 has not yet been received from all ISA managers. When all this has arrived, the Inland Revenue will be able to start the analysis which will determine how many ISA savers do not also have TESSAs and PEPs.

Cruickshank Report

Mr. Hawkins: To ask the Chancellor of the Exchequer if he will make a statement on *(a)* the Cruickshank report on anti-fraud aspects of the future development of credit card technology and *(b)* representations by Europay and its members on the technical basis underlying the report. [128932]

Miss Melanie Johnson *[holding answer 4 July 2000]:* The Government have consulted and received responses from a number of organisations about the Cruikshank report's recommendations on payment systems. While some of these have referred to fraud issues the responses have tended to focus on the broader competition issues raised in the report.

Climate Change Levy

Mr. Russell Brown: To ask the Chancellor of the Exchequer what assistance he will provide for micro businesses that will not benefit from the reduction in National Insurance contributions to address the impact of the climate change levy. [128935]

Mr. Timms *[holding answer 5 July 2000]:* Small and medium-sized firms stand well placed to benefit from a number of the features of the climate change levy package, notably the reduction in employers' National Insurance Contributions, the enhanced capital allowances for energy savings investments and the £50 million 'energy efficiency' fund. In particular, one of the specific aims of the £50 million 'energy efficiency' fund is to provide energy efficiency advice/audits to small and medium sized firms. Furthermore, firms that are very small consumers of energy—as set out in Schedule 6 of the Finance Bill—will be covered by the exemption for the domestic sector, and will therefore not be subject to the climate change levy.

Petroleum Product Smuggling

Mr. Swinney: To ask the Chancellor of the Exchequer what is his latest estimate of revenue lost due to the *(a)* cross-border purchasing and *(b)* smuggling of road fuels in Northern Ireland; and what are his latest estimates for the volume of legitimate fuel imports from the Republic of Ireland to (i) Northern Ireland and (ii) Great Britain. [128183]

Dawn Primarolo *[holding answer 5 July 2000]:* I refer the hon. Gentleman to the answer I gave to the hon. Member for Lewes (Mr. Baker) on 20 March 2000, *Official Report*, 442W.

HM Customs and Excise do not have information on which to base estimates for the volume of commercial-scale legitimate fuel imports from the Republic of Ireland to Northern Ireland and Great Britain.

Fuel Duty

Mr. Swinney: To ask the Chancellor of the Exchequer if he will publish the most recent figures for road fuel duty levels in *(a)* the Republic of Ireland and *(b)* the United Kingdom, in sterling; and if he will estimate the additional duty for (i) a motorist to fill a tank of petrol in an average car and (ii) a haulier to fill a tank of diesel in an average lorry in (1) Northern Ireland and (2) the Republic of Ireland. [128184]

Mr. Timms *[holding answer 5 July 2000]:* The rates of excise duty for the United Kingdom and the Republic of Ireland are published in the European Commission's Oils Bulletin, which is kept in the House of Commons Library.

Financial Service Authority

Mrs. Lawrence: To ask the Chancellor of the Exchequer when he expects the annual report of the Financial Services Authority to be published. [129789]

Miss Melanie Johnson: A copy of the Board's report was laid before Parliament today. It includes a report, pursuant to Section 1(3) of the Banking Act 1987, on the exercise of the Authority's functions under that Act, during the period 1 April 1999 to 31 March 2000. It also includes the report made by the FSA under section 117 of the Financial Services Act 1986, covering the period 1 April 1999 to 31 March 2000. Copies are available in the Library of the House.

Knowledge Economy

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 19 June 2000, *Official Report*, column 106W, on the knowledge economy, if he will list representations that he has received during the course of the review; and if he will make a statement. [129279]

Mr. Andrew Smith: The representations received during the course of the review from external organisations and individuals were provided in confidence.

Aggregates Tax

Mrs. Ray Michie: To ask the Chancellor of the Exchequer what consultations he has had with Scottish industry concerning the implementation of the aggregates tax in 2002; and if he will make a statement. [129042]

Mr. Timms: The Government have developed the aggregates levy in an open and consultative way. HM Customs and Excise issued a consultation document in June 1998, which invited views from industry and other parties with a potential interest on the practical issues that would arise from a levy on aggregates. Draft legislation for the levy was then published for consultation on 30 April 1999.

During this process, the Government have received a number of representations from Scottish business, and these have been taken account of in the design of the levy.

Mrs. Ray Michie: To ask the Chancellor of the Exchequer what assessment he has made of the impact of the proposed aggregates tax on Scottish industry; and if he will make statement. [129040]

Mr. Timms: The aggregates levy will bring about environmental benefits by making the price of aggregates better reflect their true environmental costs. This will provide an incentive for all business to use more recycled aggregates and to use all aggregates more efficiently.

All of the revenues raised will be recycled back through a cut in employer NICs and a new "Sustainability Fund" aimed at delivering local environmental benefits. It is not possible to say precisely what the effect will be on Scottish industry, since this will depend, among other things, on the degree to which firms switch to recycled materials.

Quarrying (Scotland)

Mrs. Ray Michie: To ask the Chancellor of the Exchequer if he will make a statement on the implementation of the new Quarrying Sustainability Fund in Scotland. [129041]

Mr. Timms: The Government will be consulting all interested parties shortly on how the new Sustainability Fund can best be used to deliver local environmental improvements.

No decisions have yet been made on the form or size of the Fund.

NORTHERN IRELAND

Terrorist Violence

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will list for each week since 1 January the number of *(a)* punishment beatings, *(b)* punishment shootings and *(c)* murders in Northern Ireland, indicating the number in each category attributable to (i) Republican terrorist organisations and (ii) Loyalist terrorist organisations. [128616]

Mr. Ingram: The table shows the number of casualties resulting from paramilitary-style attacks for the period 1 January to 28 June 2000. The figures may be subject to amendment.

Security situation statistics—1 January 2000–28 June 2000

	Casualties as a result of paramilitary style shootings		*Casualties as a result of paramilitary style assaults*		*Security situation related murders*	
Year	*By Loyalist*	*By Republican*	*By Loyalist*	*By Republican*	*By Loyalist*	*By Republican*
1–8 January 2000	1	—	2	—	—	—
9–15 January 2000	—	—	3	—	1	—
16–22 January 2000	2	—	—	—	—	—
23–29 January 2000	—	—	2	1	—	—
30 January-5 February 2000	1	—	4	1	—	—
6–12 February 2000	1	—	—	—	—	—
13–19 February 2000	—	—	2	1	2	—
20–26 February 2000	1	—	—	1	—	—
27 February-4 March 2000	4	—	1	—	—	—
5–11 March 2000	1	2	1	1	—	—
12–18 March 2000	4	3	1	1	—	—
19–25 March 2000	1	—	2	1	—	—
26 March-1 April 2000	2	2	3	1	—	—
2–8 April 2000	—	3	1	3	—	—
9–15 April 2000	—	4	—	—	—	—
16–22 April 2000	—	1	—	1	—	—
23–29 April 2000	5	—	2	3	—	—
30 April-6 May 2000	4	4	2	—	—	—
7–13 May 2000	4	—	2	5	—	—
14–20 May 2000	1	—	2	2	—	—
21–27 May 2000	1	1	—	1	1	—
28 May-3 June 2000	—	1	2	—	1	—
4–10 June 2000	—	—	—	1	—	—
11–17 June 2000	3	—	4	1	—	—
18–23 June 2000	2	1	—	2	—	—
25–28 June 2000	1	1	1	—	—	—

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for Northern Ireland if he will list the PFI contracts entered into by his Department prior to 30 May, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if his Department has a claw-back entitlement to share in savings arising from refinancing. [129061]

Mr. Mandelson: The Northern Ireland Office has never entered into any PFI contracts.

ENVIRONMENT, TRANSPORT AND THE REGIONS

GM Crops

Mr. Yeo: To ask the Secretary of State for the Environment, Transport and the Regions when the Government first consulted English Nature about the contamination by GMOs of rape seed. [123834]

Mr. Meacher *[holding answer 25 May 2000]:* The Government have not formally consulted English Nature about the planting of oil seed rape containing 1 per cent. GM material. However, English Nature is aware of the facts and has been in contact with my officials since 18 May. English Nature has stated publicly in a press notice of 22 May 2000 that there is no immediate risk to wildlife from the contaminated rapeseed.

English Nature is also an assessor on the Advisory Committee on Releases to the Environment (ACRE) and was party to the ACRE meeting on 25 May where members discussed this matter in full and further endorsed their recent advice.

Crop Contamination

Mr. Alan Simpson: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish advice given to him by English Nature on the GM contamination of Advanta Seeds UK's Hyola spring oilseed rape. [124325]

Mr. Meacher: English Nature has not given formal advice on this matter. English Nature published a press notice of 22 May 2000, stating that there is no immediate risk to wildlife from the contaminated rapeseed. A copy has been placed in the House Library.

Incineration

Mr. Pickthall: To ask the Secretary of State for the Environment, Transport and the Regions what plans the Government have to introduce independent and comprehensive testing of incinerator emissions and ash. [126471]

Mr. Meacher *[holding answer 20 June 2000]:* Incinerator emissions are already tightly regulated. Under the provisions of Part I the Environmental Protection Act 1990, regulators (for England and Wales, either the Environment Agency for larger plant and all hazardous waste incinerators, or local authorities for other plant) must include in an incineration plant's permit conditions to deliver BAT/BATNEEC (Best Available Techniques Not Entailing Excessive Cost). Guidance is published on what constitutes BATNEEC. The regulators have powers to require independent emissions testing where they consider it warranted.

Data on levels of dioxins in ash sent for disposal are not routinely held by the Agency or my Department. The operators of incineration plant are required by section 34 of the Environmental Protection Act 1990 to provide sufficient information to those managing waste ash to ensure that it is disposed of appropriately, for example chemical and physical information. They are also required to ensure that ashes which contain hazardous substances above certain thresholds are disposed of in accordance with the Special Waste Regulations 1996 (as amended). Environment Agency powers enable it to monitor the operation of these controls. We have no plans at present to introduce further requirements for testing ash sent for disposal.

The Environment Agency requires that site-specific authorisation be sought for the use of ash in unbound construction applications and for ashes which have not been 'characterised' on the basis of various chemical properties. Where used in a construction application the processed ashes will normally be required to meet relevant technical specifications. We understand that the industry is working towards a quality control procedure to ensure that the ash consistently meets the 'fit for purpose' criteria required by these technical specifications. DETR, the Environment Agency and industry representative organisations are also developing a policy protocol for the use of Incineration Bottom Ash (IBA) in construction applications. A draft is currently under review. It will also require the 'characterisation' of ash for various chemical properties which, according to best practice, would be carried out in accordance with a robust quality control procedure.

The proposed waste incineration Directive (Common Position (EC) No 7/2000), which the Government have welcomed and which is now in the last stages of negotiations, will apply to virtually all types of incineration and co-incineration plant. It sets stringent standards for emissions to air and water, places controls on solid residues, and includes monitoring requirements for air and water emissions. Article 9 of the proposal also says:

> "Prior to determining the routes for the disposal or recycling of the residues from incineration and co-incineration plants, appropriate tests shall be carried out to establish the physical and chemical characteristics and the polluting potential of the different incineration residues."

Similar wording is already included in Article 9(4) of the hazardous waste incineration Directive (94/67/EC). Subject to the remaining stages of negotiations, the proposed Directive is likely to apply to new plant from Autumn 2002 and to existing plant from Autumn 2005.

Bus Drivers

Mr. Sanders: To ask the Secretary of State for the Environment, Transport and the Regions (1) what assessment he has made of the extent of shortages of bus drivers; and if he will make a statement; [128447]

(2) if he will make it his policy to offer financial incentives to bus companies facing recruitment difficulties for the training of bus drivers. [128446]

Mr. Hill: My Department is aware of the difficulties being experienced by bus operators in recruiting and retaining bus drivers in some areas. The bus industry has drawn our attention to this issue, which has also been a matter considered as part of the Department's research on trends in the industry.

The responsibility for ensuring that they have sufficient drivers is primarily a matter for individual bus companies. However, my Department and the Driver and Vehicle Licensing Agency are pursuing with the industry what steps can be taken to assist with the current problems.

In addition, I understand the Department for Education and Employment has provided £145,000 to TRANSfED, the bus industry's National Training Organisation, to identify and address future skills needs.

Single Regeneration Funding

Miss Geraldine Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the council wards in Morecambe and Lunesdale that are eligible for single regeneration funding. [128341]

Ms Beverley Hughes: I refer my hon. Friend to the answer I gave on 29 June 2000, *Official Report,* column 604W.

Heathrow

Dr. Cable: To ask the Secretary of State for the Environment, Transport and the Regions what proposals are under consideration by his Department for additional runways at Heathrow; and what is the status of these proposals. [128869]

Mr. Mullin: As the then Minister for Transport announced on 11 March 1999, *Official Report,* columns 360–61W, the South East and East of England Regional Air Services (SERAS) study will examine a wide range of options and has started from the position that nothing is ruled in and nothing is ruled out.

Options will be appraised through a process of successive sifts. A very large number of options will be considered during the sifting process, which is designed to reduce the options to a manageable number, so that those can be appraised in sufficient detail to support a meaningful public consultation at the end of the study.

Until then, it would be premature to comment on the scope or status of any option.

Local Authority Housing

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to introduce a performance target for tackling the backlog of repairs in the local authority sector; and if he will make a statement. [128903]

Mr. Raynsford: The Housing Green Paper issued in April sets out a range of proposals for tackling housing problems, including our commitment to ensure that all social housing is of a decent standard within 10 years. The Department's Public Service Agreement (PSA) target on the council house repairs backlog agreed in the 1998 Comprehensive Spending Review is to deliver a reduction of 10 per cent. in the backlog by April 2002. Any further targets will be announced following the current spending review.

Mr. Pound: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the proposed council housing stock transfer programme for 2000–01 on the rents of *(a)* existing tenants and *(b)* future tenants; and if he will make a statement. [129065]

Mr. Raynsford: The table shows *(a)* the transfer rents of existing tenants and *(b)* the relet rents of new tenants for local authorities who have places on the 2000–01 housing stock transfer programme. These rents are guaranteed to rise by not more than RPI plus 1 per cent. for five years after transfer under the new landlord. We would expect rent increases to be kept below this level wherever possible. We have also set out in the Housing Green Paper, our proposals for achieving rent harmonisation over the next 10 years.

Birmingham CC and Sunderland CC have yet to be formally accepted onto the programme.

	Weekly Rents at Transfer	
	(a) Existing tenants	*(b) New tenants*
Barnsley MBC	32.33	35.56
Blackburn with Darwen BC	49.69	49.69
Birmingham CC	44.10	51.60
Calderdale Metropolitan BC	37.06	44.48
Chester CC	40.48	50.60
Chichester DC	52.92	61.23
Coventry CC	39.17	47.00
East Northamptonshire DC	40.00	50.00
East Staffordshire BC	38.75	44.56
Fylde BC	37.08	48.19
Horsham DC	59.00	64.90
Manchester CC—Handforth Estate	43.30	49.80
Manchester CC—Knutsford Estate	45.90	50.50
Mendip DC	44.80	49.29
LB Richmond	62.83	68.62
South Bedfordshire DC	48.83	53.71
Staffordshire Moorlands DC	39.31	47.17
Sunderland CC	42.73	49.13
Torbay Council	46.94	54.23
Walsall MBC	39.54	44.35
Waverley BC	59.85	68.83
West Oxfordshire DC	47.25	51.98
West Wiltshire DC	52.87	60.79
Wgycombe DC	52.44	57.44

Weekly rent figures are based on 52 weeks

Affordable Housing

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on setting targets for affordable housing in regional planning guidance; and if he will make a statement. [128908]

Mr. Raynsford: The Secretary of State published his proposed changes to the South East and East of England draft Regional Planning Guidance in March this year. The consultation period finished on 19 June and the responses are still being analysed. Over 500 representations have been analysed as of 3 July. Of these some 100 have pressed for targets for affordable housing in regional planning guidance. However, this Government have made it clear that assessments of local housing needs are matters for local authorities to undertake in light of their local circumstances.

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the current unmet need for affordable housing in *(a)* London and *(b)* England; and if he will make a statement. [128902]

Mr. Raynsford: While the Government have from time to time commissioned studies of the extent and nature of housing need to inform their views on the requirement for affordable housing in England, they believe that neither national nor regional estimates can adequately reflect the wide diversity of needs and priorities which exist at the local level. For these reasons, the Government believe that local authorities are best placed to carry out robust assessments of housing need in their areas.

Mr. Pound: To ask the Secretary of State for the Environment, Transport and the Regions if he will (1) give local authorities greater discretion to secure affordable housing on sites for developments below the thresholds currently set out in Circular 6/96; and if he will make a statement; [129062]

(2) revise Circular 6/98 to reduce the threshold above which an affordable housing element can be secured through the planning system in *(a)* inner and *(b)* outer London; and if he will make a statement. [129064]

Mr. Raynsford: The thresholds were in fact reduced by Circular 6/98. We have recently issued Planning Policy Guidance Note 3: Housing (PPG3) which reaffirms the detailed policy guidance on affordable housing in Circular 6/98 including the flexibility to facilitate lower thresholds in areas of special need outside Inner London. We have no plans at present to revise the guidance.

Mr. Pound: To ask the Secretary of State for the Environment, Transport and the Regions what recent representations he has received on reducing the threshold set out in Circular 6/98 for securing affordable housing through the planning system; and if he will make a statement. [129067]

Mr. Raynsford: We received a number of representations about affordable housing in response to the consultation draft of revised Planning Policy Guidance note 3: Housing. Of these, 23 raised the question of the thresholds set out in Circular 6/98.

Starter Home Initiative

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what his definition of a key worker is for the purposes of the Starter Home Initiative described in the Housing Green Paper; and if he will make a statement. [128901]

Mr. Raynsford: The Housing Green Paper made clear that the Government were looking for proposals on how the Starter Home Initiative could be operated most successfully and cost effectively, and that we would announce details of the initiative in the light of responses to the Green Paper and the Spending Review. The announcement will cover, inter alia, how a key worker might be defined.

Housing Rents

Mr. Pound: To ask the Secretary of State for the Environment, Transport and the Regions if he will provide a breakdown by registered social landlord of the average rent paid by *(a)* existing tenants and *(b)* new tenants where large-scale voluntary transfers have taken place in each of the three years following transfer. [129066]

Mr. Raynsford: Information on average rents is collected by the Housing Corporation as part of their Regulatory Statistical Returns but information on average rents paid by transfer tenants and by new tenants is not collected separately. The Government have set out their proposals for rent harmonisation in the Housing Green Paper, "Quality and Choice: a decent home for all".

M42 Motorway Service Area Development

Mr. John M. Taylor: To ask the Secretary of State for the Environment, Transport and the Regions when a decision will be announced on the three motorway service area development applications on the M42 in Solihull. [128876]

Ms Beverley Hughes: The Government have set a target for deciding 80 per cent. of planning appeals within eight weeks of receipt of the Inspector's report following the local inquiry. The inquiry into the appeals closed in June, and the Inspector has not yet submitted his report to the Secretary of State. At the inquiry the Inspector indicated his intention to submit his report by September.

European Habitats Directive

Ms Walley: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on progress in the implementation of the European Habitats Directive. [128733]

Mr. Meacher: Last year, the Government submitted a list of [illegible] UK sites as candidate Special Areas of Conservation under the Habitats Directive. The UK site list was, like those of other member states, criticised as inadequate by the European Commission in the autumn of last year. As a result, the country nature conservation agencies, co-ordinated by the Joint Nature Conservation Committee, have conducted a fundamental review of site selection. The advice arising from that review is currently being considered and I hope to be able to make an announcement on a revised site list soon.

Housing (Capital Improvements)

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions what the current year's investment is, for each London borough, per property, of capital improvements to *(a)* council and *(b)* housing association properties; and if he will make a statement. [129120]

Mr. Raynsford *[holding answer 5 July 2000]:* The latest available outturn data for Registered social landlords (RSLs) relate to 1999–2000, and for local authorities to 1998–99. Figures for local authorities in 1999–2000 will become available in the autumn.

Figures for planned expenditure on existing stock by RSLs based on Approved Development Programme (ADP) allocations for 2000–01 are also available. Local authorities reported their planned spend for 2000–01 on the HIP Annual Plan returns last summer but these plans were drawn up before HIP allocations for the year had been decided.

Contaminated Brownfield Sites

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions if he will challenge the European Commission ruling that member state grants to clear contaminated brownfield land violate EU regulations. [128399]

Ms Beverley Hughes: We have accepted the European Commission's ruling of 22 December 1999 that the Partnership Investment Programme breached the state aid rules, and closed the programme from that date. We are discussing with the Commission possible ways forward on joint public/private partnership working in regeneration.

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions what percentage of brownfield sites in *(a)* England, *(b)* the South West and *(c)* Devon are classified by his Department as suffering from contamination preventing redevelopment. [128562]

Ms Beverley Hughes: Sites are not classified in the manner suggested. The potential impact of contamination on any development will depend significantly on the nature and design of the specific development. For example, a site which is "suitable" for development for commercial and retail uses may not be "suitable" for residential use without prior remediation.

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions how many contaminated brownfield sites identified for development *(a)* qualify for Government grants to aid decontamination and *(b)* will be affected by the European Commission's ruling on state aid for decontamination. [128563]

Ms Beverley Hughes: Under the former Partnership Investment Programme, it was the specific development proposal for any given site which may have been eligible for support, not the site itself. Data are not available in the form requested, as sites were not classified as eligible for funding support.

Dartford River Crossings

Mr. Geraint Davies: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about his plans for charging at the Dartford river crossings. [129910]

Mr. Hill: The current legislation authorising the collection of tolls at the Dartford river crossings is forecast to expire in June 2002. The cessation of tolling would be likely to have the effect of significantly increasing demand on the eastern sector of the M25 which would further increase the level of congestion at the crossings and elsewhere and have associated environmental and safety implications.

The Government are therefore minded to continue to charge for the use of the Dartford river crossings when the current legislation expires. Subject to the consent of Parliament we will consult next year on detailed proposals. Revenues from charging would be hypothecated for spending on transport.

Flooding

Mr. Derek Foster: To ask the Secretary of State for the Environment, Transport and the Regions if he will provide financial assistance to Wear Valley District Council under the Bellwin Scheme in respect of costs incurred following flooding in the district on the weekend of 3 and 4 June. [129913]

Ms Beverley Hughes: I am satisfied that financial assistance under the Bellwin scheme is justified in the case of Wear Valley District Council given the exceptional nature of the flooding and the damage caused. A scheme will, therefore, be established under section 155 of the Local Government and Housing Act 1989. Grant will be paid to the authority to cover 85 per cent. of the eligible costs above a threshold, which it has incurred in dealing with the flooding.

AGRICULTURE, FISHERIES AND FOOD

GM Contamination

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food what action he is taking to check if United Kingdom crops have been affected by GM contamination of French maize crops. [129915]

Mr. Nick Brown: Following reports in the French press last week that the French authorities had discovered low levels of GM presence in conventional maize seed imported into France, we contacted the French authorities, who confirmed on 30 June that they had indeed found some GM seed in conventional maize seed, which has been sown in South West France. Further information now indicates that they have found three different modifications in a number of varieties of forage maize imported into France by the company Golden Harvest. The French authorities have not yet confirmed which varieties of maize seed are involved, but have confirmed that sweetcorn varieties are not affected by their current investigations. We are seeking further information from them on the varieties concerned. However, as the varieties concerned are cultivated in Southern France, it is possible that they would be unsuitable for cultivation in UK conditions.

The GMs found in maize samples by the French authorities are BT 176 and BT 11, and one further, as yet unidentified, modification. BT 176 is insect resistant and has Part C consent within the EU under Directive 90/220 for import, food and feed use, and for cultivation. BT 11 is insect resistant and has Part C consent for import and use in animal feed. Pending further information from the French authorities, my Department, the Department of the Environment, Transport and the Regions and the Food Standards Agency are considering what the implications would be should further investigations indicate that affected seed may have been sown in the UK.

SOLICITOR-GENERAL

Departmental Vehicles

Mr. Pearson: To ask the Solicitor-General if he will list for his Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if he will make a statement on his Department's leasing and purchasing policy. [128992]

The Solicitor-General: The Legal Secretariat to the Law Officers and the Treasury Solicitor's Department make use of cars provided by the Government Car Service. I understand that the Cabinet Office will shortly give details of cars leased and purchased by the Government Car Service to my hon. Friend in a written answer.

The Crown Prosecution Service has a car and van leasing scheme. There is no purchase scheme. Under the leasing scheme, there are four approved manufacturers: Ford, Peugeot, Rover and Vauxhall. The Crown Prosecution Service ensures good value for money from its leasing scheme by seeking Competitive quotations for all new leases and, to take account of environmental considerations, there are limits on the size of engine capacities for leased vehicles.

The Serious Fraud Office neither leases nor has purchased cars or commercial vehicles, though it keeps this position under review.

Private Finance Initiative

Mr. Alan Williams: To ask the Solicitor-General if he will list the PFI contracts entered into by the Law Officers' Department, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if his Department has a claw-back entitlement to share in savings arising from refinancing. [129053]

The Solicitor-General: The Legal Secretariat to the Law Officers have not entered into any PFI contract.

Alton Manning

Mr. Cohen: To ask the Solicitor-General if he will make a statement on the action he will take following the High Court ruling in respect of the Crown Prosecution Service's decision not to prosecute officers involved in the death of Alton Manning in Blakenhurst private prison. [129095]

The Solicitor-General: Judgment in this case was handed down on 17 May 2000 when the CPS decision not to prosecute was quashed and the matter was referred back to the CPS to reconsider the decision. The avenue of appeal is to the House of Lords. No appeal is possible unless the Divisional Court certifies that its decision involves a point of law of general public importance and unless leave to appeal is given by either the Divisional Court or the House of Lords. The relevant legislation provides 14 days within which to make an application to the Divisional Court for such certification and leave. The CPS made such an application within the 14-day limit.

DEFENCE

Trees

Mr. Norman: To ask the Secretary of State for Defence what his Department's policy is on the country of origin of trees planted on its land and that of its agencies. [124633]

Mr. Spellar: Conservation is a key element in the Ministry of Defence's stewardship of its woodland and the Defence Estates Agency employs full-time professional foresters who manage this process on Ministry of Defence land. Woodland planning includes a study of the local habitat, the soil and the environmental impact of any planting. Wherever possible, species indigenous to the soil are planted, often using seeds collected on the Defence estate.

Reservists

Dr. Cable: To ask the Secretary of State for Defence how many reservists are currently serving with regular forces as mobilised soldiers; and in each of the last five years what was the total number of *(a)* regular forces, *(b)* reservists and *(c)* reservists serving with regular forces as mobilised soldiers. [126202]

Mr. Spellar: The total number of reservists currently serving as mobilised soldiers is 649. (This figure consists of members of the Army Reserve and Territorial Army)

Total number of regular forces for each of the last five years

Year	*Number*
1995	233,340
1996	221,870
1997	210,823
1998	210,136
1999	208,636

Total number of reservists[1] for each of the last five years

Year	*Number*
1995	348,956
1996	320,636
1997	321,977
1998	317,070
1999	306,440

[1] The total number of reservists consists of members of: the Royal Fleet Reserve, the Royal Naval Reserve, the Royal Marine Reserve, the Army Reserve, the Territorial Army, the Air Force Reserve and the Royal Auxiliary Air Force

Number of reservists serving as mobilised soldiers in each of the last five years

Year	*Number*
1995	[1]441
1996	1,416
1997	973
1998	756
1999	1,177

[1] Records start at the first call-up to Bosnia in December 1995. Figures for the rest of 1995 are not held centrally and could be provided only at disproportionate cost

Note:

The figures include members of the Territorial Army and Army Reserve

Mr. Viggers: To ask the Secretary of State for Defence if he will give the detailed costs and benefits of the Royal Naval Reserve utilising reservists as Sea Harrier pilots, with particular reference to *(a)* the costs of the reservist pilot programme and *(b)* improved aircraft utilisation. [129282]

Mr. Spellar: The Air Branch of the RNR has 13 trained Sea Harrier pilots. All of them are former regular RN Sea Harrier pilots.

Their RNR function is to maintain a close familiarity with current military fast jet operations so that, in the event of call-out, it would take a minimum period of training to bring them up to operational standard and permit them to be deployed alongside, or in support of, their RN counterparts.

The minimum annual training requirement which these pilots are required to achieve is 17 Operational Role Training days. In the period April 1999 to March 2000 they averaged 25 training days. The training is designed to maintain otherwise perishable skills. The cost of 25 days' training, in current individual pilot salary terms, is £2,778.

With regard to the benefits of aircraft utilisation, in recent years one, but very often two, such pilots have at any time been serving in support of Sea Harrier pilot training. Every opportunity is taken to recall these pilots—when their civilian jobs allow—as a very cost-effective way of supporting the Regular forces and ensuring maximum usage of Sea Harrier aircraft.

Clyde Naval Base

Mr. Welsh: To ask the Secretary of State for Defence if he will make a statement on his long-term plans for the Clyde Naval Base, with special reference to the likely impact on the numbers employed there. [128073]

Mr. Spellar: The Defence Logistics Organisation has challenging targets to reduce costs while improving the quality of logistics support to the Front Line. As part of this, discussions are being held with the Dockyard companies and senior Trades Union national officers on the problem of over-capacity in warship support within the Dockyards and Naval Bases, including Clyde. The discussions are not aimed at closing any Dockyards or Naval Bases.

It is too early to say what the outcome of these discussions will be in terms of numbers employed.

Belize

Mr. Key: To ask the Secretary of State for Defence what British forces are stationed in Belize; and if he has any plans to increase their number. [129077]

Mr. Spellar: The British Army Training Support Unit Belize (BATSUB) is the only unit permanently stationed in Belize and consists of 84 British military personnel. There are no plans to increase this number.

Mr. Key: To ask the Secretary of State for Defence what recent representations he has received from the Belize Government regarding military assistance; and if he will make a statement. [129079]

Mr. Spellar: My right hon. Friend the Secretary of State for Defence and I, as well as other Ministers including my right hon. Friend the Foreign and Commonwealth Secretary, met Said Musa, the Prime Minister of Belize, during his recent visit to the United Kingdom. During our meeting we discussed the strong defence relationship between our two countries, and current levels of military assistance funding provided by the UK to Belize. Her Majesty's Government are giving further consideration to representations from Mr. Musa on this subject. I also took the opportunity to express our thanks to Mr. Musa for his country's continuing support for the British Army jungle training unit in Belize, BATSUB.

MLRS

Mr. Key: To ask the Secretary of State for Defence what the Army's inventory is of MLRS; and how many are operationally available. [129123]

Mr. Spellar: The Army has 64 Multiple Launch Rocket Systems (MLRS) including one non-operational training equipment. Three systems are currently in storage or repair. As at 31 May 2000, the latest date for which information is available, 77 per cent. of systems were immediately available for operations increasing to 90 per cent. within 24 hours.

British Forces Post Office

Mr. Dismore: To ask the Secretary of State for Defence when he expects to make an announcement about the future of British Forces Post Office, Mill Hill. [129277]

Mr. Spellar: A study is currently being conducted into the future structure and location of the British Forces Post Office, whose headquarters is at Inglis Barracks, Mill Hill. I expect to receive advice in the autumn of this year and announce my decision soon after.

EDUCATION AND EMPLOYMENT

Employment Zones

16. **Jane Griffiths:** To ask the Secretary of State for Education and Employment what the function is of the personal job account in the operation of employment zones. [127935]

Ms Jowell: The Personal Job Account is a radical and practical way of helping long-term unemployed people into work. Existing funds have been drawn together to make up the Personal Job Account, namely funds for Employment Service Support, training and benefits payments. There is no upper or lower limit to the amount allocated; it is dependent upon the needs of that participant and their most effective route back into work.

Nursery Education

17. **Mr. Pike:** To ask the Secretary of State for Education and Employment what further steps his Department proposes to take to extend the provision of nursery education. [127936]

Ms Hodge: Since September 1998, all four-year-olds have had access to a free nursery education place. By April 2002, we shall have created 190,000 new free places for three-year-olds. 66 per cent. will then have access to such a place.

In line with our Manifesto pledge, we shall announce in this Parliament the date by which we shall achieve universal provision for three-year-olds.

Older People

18. **Mr. Sarwar:** To ask the Secretary of State for Education and Employment if he will make a statement on the impact of the Government's employment policies for older people. [127937]

Ms Jowell: We are making progress in this area. The Code of Practice on Age Diversity in Employment, launched last year, has been widely welcomed. In the first two months since the national launch of New Deal 50 Plus, over 4,000 older people have returned to work and drawn on the Employment Credit. We are evaluating the impact of these initiatives. Overall, employment levels of older people rose by 2.4 per cent. and unemployment fell by 13.3 per cent. since last year.

Aptitude Testing

19. **Dr. Julian Lewis:** To ask the Secretary of State for Education and Employment if he will make a statement on his policy on the testing of aptitude in schools. [127938]

Jacqui Smith: Our policy is set out in the School Standards and Framework Act 1998 which allows schools with a specialism in designated subjects to give priority to up to 10 per cent. of pupils on the basis of aptitude for those subjects.

Small Schools

20. **Mrs. Mahon:** To ask the Secretary of State for Education and Employment if he will make a statement on the small school support fund. [127940]

Ms Hodge: I refer my hon. Friend to the oral answer I gave today, *Official Report*, column 270W to my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham).

Numeracy

21. **Mr. Kidney:** To ask the Secretary of State for Education and Employment what support his Department is continuing to give to schools for the teaching of numeracy skills. [127941]

Jacqui Smith: The National Numeracy Strategy began in primary schools last September, supported by a training programme for all schools. We are continuing to fund over 370 local numeracy consultants to provide a wide range of intensive support and training to those schools in most need. This year, 27,000 teachers will attend our highly successful five-day intensive training course.

Modern Apprenticeships

22. **Ms Dari Taylor:** To ask the Secretary of State for Education and Employment what plans he has to raise standards in foundation and advanced modern apprenticeships. [127943]

Mr. Ben Chapman: To ask the Secretary of State for Education and Employment what plans he has to raise standards in foundation and advanced modern apprenticeships. [128723]

Mr. Wicks: The Government are committed to an apprenticeship culture which meets the needs of the individual in a learning environment, offers greater opportunities for progression and secures higher standards. My right hon. Friend the Secretary of State launched a consultation exercise on 27 June on implementing reforms to strengthen Modern Apprenticeships. The consultation document is available in the House Library.

Physical Education

23. **Dr. Naysmith:** To ask the Secretary of State for Education and Employment what provision he is making for the teaching of physical education in courses of initial teacher training. [127944]

Ms Estelle Morris: We recognise the need to ensure that initial teacher training (ITT) equips trainees with the confidence and skills they need to deliver a broad and balanced curriculum in all the foundation subjects, including PE. We are addressing issues in relation to PE and sport through our wider reforms to improve the quality and flexibility of ITT provision. The Teacher Training Agency is also addressing training in PE and sport as part of its review of the ITT Curriculum and Qualified Teacher Status Standards in DfEE Circular 4/98 "Requirements for Courses of Initial Teacher Training".

Regional Development Agencies

24. **Mr. Loughton:** To ask the Secretary of State for Education and Employment if he will make a statement on the educational responsibilities of the regional development agencies. [127945]

Mr. Wills: The Government set up Regional Development Agencies to improve the economies of the English regions. They have a broad statutory responsibility to enhance the development and application of skills in their area. In addition to producing a Regional Economic Strategy, one of their key tasks is to develop with their partners a plan containing actions to improve the regional skills base.

Child Care Workers

26. **Mr. Bill O'Brien:** To ask the Secretary of State for Education and Employment what steps have been taken to encourage the recruitment of child care workers. [127947]

Ms Hodge: The Government launched earlier this month a National Recruitment Campaign to help raise the status of the early years, childcare and playwork sector and recruit the new workers needed to staff expanding services. The campaign will help support the work of Early Years Development and Childcare Partnerships (EYDCPs), which are implementing strategies for recruiting workers in their area. An extra £5 million has been made available to the EYDCPs this year to help.

Internet

27. **Mr. Savidge:** To ask the Secretary of State for Education and Employment what progress has been made in connecting schools to the internet over the last three years. [127948]

Mr. Wills: Excellent progress is being made under the National Grid for Learning programme in connecting schools to the Internet. The 1999 Survey of Information and Communications Technology in Schools indicated a significant increase in connectivity in primary schools from 3 per cent. in 1996 to 62 per cent. in March 1999 and in secondary schools from 42 per cent. to 93 per cent. over the same period.

Foundation Degrees

29. **Caroline Flint:** To ask the Secretary of State for Education and Employment if he will make a statement on his plans for foundation degrees. [127950]

Mr. Wicks: Following the launch of the proposals for the Foundation Degree in February this year, we established a Foundation Degree Group, comprising all the key stakeholders and including significant employer representation. The work of the Group has informed the prospectus inviting bids from consortia to design and develop the prototype Foundation Degree programmes, which will be issued this month by the Higher Education Funding Council for England. We expect the prototype courses to be delivered from autumn 2001 with further expansion taking place gradually.

New Deal

30. **Mr. John Smith:** To ask the Secretary of State for Education and Employment what estimate he has made of the proportion of people on the New Deal schemes who gain permanent employment on leaving. [127951]

Ms Jowell: Statistics are not collected using a category of "permanent" as this is not a term that adequately describes the realities of the modern labour market. By the end of March 2000, 57 per cent. of leavers to known destinations from the New Deal for Young People and 17 per cent. of leavers to known destinations from the New Deal for long term unemployed adults aged 25 or over, found sustained unsubsidised employment (i.e. a job that lasted for 13 weeks or more).

External Examiners

31. **Dr. Gibson:** To ask the Secretary of State for Education and Employment what progress he has made on standardising the work of external examiners in the higher education sector. [127952]

Mr. Wicks: External examiners are a matter for the higher education sector itself and I have nothing further to add to the replies I gave on 20 January 2000, *Official Report*, column 542W and 9 February 2000, *Official Report*, column 183W.

Class Sizes

32. **Helen Jackson:** To ask the Secretary of State for Education and Employment what progress he is making on reducing class sizes in primary schools. [127953]

Ms Estelle Morris: After rising for the previous 10 years, the size of the average class in primary schools has fallen from 27.7 in January 1998 to 27.1 in January 2000. Over the same period, the size of the average class in primary schools in the Sheffield, Hillsborough parliamentary constituency has fallen from 28.2 to 28.1.

We are well on course to deliver our pledge to limit infant classes to 30 pupils. We have since January 1998 already reduced the number of children in infant classes of over 30 pupils by 300,000. £620 million is available to support the pledge, and allocations so far to Sheffield LEA amount to some £2.8 million. This has helped to reduce the size of the average Key Stage 1 class in Sheffield, Hillsborough to 25.6. The figure in January 1998 was 27.2. The number of children in infant classes of 31 or more pupils in the constituency has fallen from 1,250 in January 1998, to 230 in January 2000.

Skills Training

33. **Mrs. Lait:** To ask the Secretary of State for Education and Employment what representations she has received on skills training for mothers returning to work. [127954]

Ms Jowell: The New Deal for Lone Parents currently provides skills training for lone parents on Income Support wishing to return to work. Help with training, normally up to NVQ level two, is available for up to 12 months, provided that the training is related to the local labour market and has been agreed with a New Deal for Lone Parents adviser. From time to time we receive representations about the nature and level of this training.

Learning and Skills Councils

34. **Mr. Pollard:** To ask the Secretary of State for Education and Employment what action his Department is taking to ensure that learning and skills councils will deliver optimum assistance to small and medium-sized enterprises. [127955]

Mr. Wicks: The Learning and Skills Council (LSC) will establish priorities for developing the skills of the workforce and targeted strategies for engaging, influencing and meeting the needs of employers, including small and medium sized enterprises. Subject to the passage of the Learning and Skills Bill, the LSC will work very closely with the Small Business Service (SBS). In the vast majority of cases, the boundaries of the SBS franchises are coterminous with those of local LSCs to assist with joint working. The local Learning and Skills Councils will contract with the SBS franchises for the provision of LSC—funded workforce development services to small and medium sized enterprises, including advice on Investors in People, Modern Apprenticeships and management development. At national level we will expect the LSC National Council to invite the Chief Executive of the SBS to its meetings, and local LSC Councils will, likewise, be expected to invite a representative of the relevant SBS franchises as observers to their meetings.

Teachers (Performance-related Pay)

35. **Mr. Jim Cunningham:** To ask the Secretary of State for Education and Employment what proportion of teachers have applied for the performance-related pay scheme. [127956]

Ms Estelle Morris: 197,000 teachers in England, which represents over three quarters of the numbers eligible, have applied to cross the performance threshold in the first year of operation.

Oxbridge Intake

36. **Mr. Robathan:** To ask the Secretary of State for Education and Employment what recent research he has undertaken into the proportion of undergraduates at Oxford and Cambridge universities who come from schools in the maintained sector; and what conclusions he has reached. [127957]

Mr. Wicks: CVCP are currently undertaking research into higher education as a follow up to their "Elitism to Inclusion" report which was published in 1998. The Higher Education Funding Council for England are preparing a report entitled "Action on Access"—which will be available in the autumn. The most recent information on access is taken from data collected by the Universities and Colleges Admissions Services (UCAS) which gives information about previous educational establishment for students normally resident in the UK. These statistics published by the Higher Education Funding Council for England are shown in the following tables.

UCAS UK-domiciled applicants and acceptances to Oxford University by previous educational establishment

	Year of entry									
	1995		1996		1997		1998		1999	
	Number	Percentage[1]	Number	Percentage[1]	Number	Percentage[1]	Number	Percentage[1]	Number	Percentage[1]
Applicants:										
Independent	3,399	39	3,501	42	3,393	42	3,361	42	3,416	42
State[2]	5,210	61	4,765	58	4,644	58	4,645	58	4,671	58
Total	8,609	100	8,266	100	8,037	100	8,006	100	8,087	100
Accepted applicants:										
Independent	1,424	50	1,494	51	1,500	51	1,477	49	1,431	48
State[2]	1,424	50	1,454	49	1,442	49	1,567	51	1,533	52
Total	2,848	100	2,948	100	2,942	100	3,044	100	2,964	100

UCAS UK-domiciled applicants and acceptances to Cambridge University by previous educational establishment

	Year of entry									
	1995		*1996*		*1997*		*1998*		*1999*	
	Number	*Percentage*[1]	*Number*	*Percentage*[1]	*Number*	*Percentage*[1]	*Number*	*Percentage*[1]	*Number*	*Percentage*[1]
Applicants:										
Independent	3,413	37	3,603	37	3,764	37	3,518	37	3,491	36
State[2]	6,178	63	6,115	63	6,311	63	5,959	63	6,334	64
Total	9,321	100	9,718	100	10,075	100	9,477	100	9,825	100
Accepted applicants:										
Independent	1,359	45	1,223	44	1,338	45	1,345	45	1,286	43
State[2]	1,630	55	1,544	56	1,663	55	1,637	55	1,699	57
Total	2,989	100	2,767	100	3,001	100	2,982	100	2,985	100

[1] Constituent parts may not sum to total because of rounding.

[2] Includes Sixth Form Centres, other secondary schools, other educational establishments, and students whose previous establishment was not known.

Note:

Information on previous educational establishment is only collected from students normally resident in the UK. HEFCE is now providing:

1. £20 million funding in respect of students recruited and supported from disadvantaged backgrounds which was enhanced by a further £4 million by the Secretary of State when he addressed the AUT on 10 May 2000.
2. £5 million for providing for students with disabilities.
3. Funding premiums for mature and part-time students within the funding model Special funding.
4. £5 million for a special funding programme focusing on developing regional partnerships to improve progression to HE of students from disadvantaged backgrounds, and promotion and dissemination of good practice.
5. £2 million from HEFCE to contribute to a £4 million joint fund with the FEFC to improve pathways from FE to HE for disadvantaged groups, through links between HEIs and the new Lifelong Learning Partnerships.
6. £2 million p.a. for Development funding to improve the quality of provision for disabled students.
7. £4 million for HEFCE to administer the Millennium Summer Schools programme under guidance of the DfEE.

Rapid Response Fund

37. **Mr. Healey:** To ask the Secretary of State for Education and Employment if he will make a statement on the deployment of the Department's rapid response fund within the Yorkshire and Humberside region. [127958]

Mr. Wicks: Departmental officials approved in June the first Rapid Response Fund bid within the Yorkshire and the Humber Region. Up to £236,177 will support the 300 workers being made redundant from RHP Bearings, Ferrybridge, Wakefield. Officials also expect to receive a bid to support those being made redundant from Corus, Rotherham (formerly British Steel). There is also a strong possibility of a bid being received for British Aerospace, Brough, Humberside.

Standard Spending Assessments

Mr. Stunell: To ask the Secretary of State for Education and Employment what recent representations he has made to the Department of the Environment, Transport and the Regions on the review of standard spending assessments for education. [127946]

Ms Estelle Morris: My right hon. Friend has regular discussions with the Deputy Prime Minister about these issues as part of the current review of local authority grant distribution. As you might expect, the future of education funding is an important part of the review, since education accounts for around 40 per cent. of local authority revenue expenditure. We expect to publish a Green Paper later this summer, which will set out a range of options for debate.

ICT Access

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what progress is being made in implementing the Government's policy on increasing access to ICT among families on low incomes. [126115]

Mr. Wills *[holding answer 20 June 2000]:* I refer my hon. Friend to the reply I gave on 29 June 2000, *Official Report*, column 575W.

New Deal for Schools

Mr. Michael J. Foster: To ask the Secretary of State for Education and Employment if he will list the schools in Worcester constituency which have received funding through the New Deal for schools; and in each case for what purpose the money was allocated. [128880]

Jacqui Smith: The table shows the information requested for the Worcester constituency.

School	*Purpose of grant allocation*
Northwick Manor Infants	Replacement of three temporary classrooms
Northwick Manor Infants	Enclosure of open courtyard, development of library and IT areas
St. Clement's CE Primary	Replacement of two temporary classrooms
Nunnery Wood High	Conversion of two science laboratories
St. Barnabas CE Primary	Replacement of four temporary classrooms

School	*Purpose of grant allocation*
Bishop Perowne CE High	Asbestos testing, recording and marking
Christopher Whitehead High	
Nunnery Wood High	
The Elgar High	
Cherry Orchard Primary	Roof-lights risk assessment
Cranham Primary	
Dines Green Primary	
Elbury Mount Primary	
Gorse Hill Primary	
Lyppard Grange	
Northwick Manor Infant	
Northwick Manor Junior	
Nunnery Wood Primary	
Oldbury Park Primary	
Perdiswell Primary	
Pitmaston Primary	
Red Hill CE Primary	
Ronkswood Infants	
Ronkswood Juniors	
St. Barnabas CE Primary	
Stanley Road Primary	
Warndon Infants	
Warndon Juniors	
Our Lady Queen of Peace RC Primary	
St. Clement's CE Primary	
St. George's CE Primary	
St. George's RC Primary	
St. Joseph's RC Primary	
Christopher Whitehead High	
Nunnery Wood High	
The Elgar High	
Bishop Perowne CE High	
Manor Park Special	
Rose Hill Special	
Thornton House Special	
Oakfield Pupil Referral Unit	
The Pines Pupil Referral Unit	
Gorse Hill Primary	Replace boilers and heating system
Pitmaston Primary	Replacement of double mobile classroom
Rose Hill	Replace dilapidated Life Skill post—16 base and science facilities
98 selected First and Primary Schools[1]	Asbestos testing, recording and marking
2 schools[1]	Rewiring
2 schools[1]	Replace heating system and controls
3 Primary schools[1]	Reconstruct paved areas
Perdiswell Primary	Replace warm air heating
Composite Health & Safety Bid[2]	Safety filming and glazing
Composite Health & Safety Bid[2]	H&S Switches—Machines
Cherry Orchard Primary	Refurbishment of library
Christopher Whitehead High	Refurbishment of showers and changing room
Pitmaston Primary	Replace fire alarm
Dines Green Primary	Replace fire alarm
Red Hill CE Primary	Replace distribution boards, lighting and fire alarm
Our Lady Queen of Peace RC Primary	Replace fire alarm and emergency lighting
St. George's RC Primary	Replace fire alarm
Cranham Primary	Replace fire alarm
Ronkswood Junior	Replace fire alarm
Rose Hill Special	Reconstruct concrete play area
St. George's RC Primary	Reconstruct path and reception play area
Rose Hill Special	Craft Design and Technology/Art refurbishment
Elgar High	Disabled access (lift)
Bishop Perowne CE High	Refurbish Craft Design and Technology facilities
St. Joseph's RC Primary	Security/administration improvements

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[1] Individual schools not identified by the LEA at the time of bidding in NDS Phase 3. Some schools in the Worcester constituency may be included.

[2] Individual schools not identified by the LEA at the time of bidding in NDS Phase 2. Some schools in the Worcester constituency may be included.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Education and Employment if he will list for his Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if he will make a statement on his Department's leasing and purchasing policy. [128986]

Mr. Wills: The DfEE and the Employment Service do not operate an approved list of manufacturers for cars and vans.

The DfEE and the Employment Service do not lease vehicles. Cars and vans are bought from the manufacturer that offers the best value for money across a range of vehicle specifications. This is determined by competitive tender. The current contract was awarded to Vauxhall in 1999.

Private Finance Initiative

Mr. Alan Williams: To ask the Secretary of State for Education and Employment if he will list the PFI contracts entered into by his Department, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if his Department has a claw-back entitlement to share in savings arising from refinancing. [129047]

Mr. Wills: The Employment Service has entered into three Private Finance Initiative contracts since 1997. It has established private finance deals for the delivery of procedural guidance via networked personal computers, for the delivery of all IT and related services, and for pay and personnel records. These are listed in the following table:

£ million

PFI contract	*Commencement date*	*Capital value*
ESCOM	February 1997	4.0
IT Partnership	May 1998	116.0
HR Partnership	January 1999	5.8

The commencement date is the date of financial close.

None of these contracts has been subject to refinancing, although there is provision in the IT partnership contract for refinancing. There is no claw-back entitlement to share in savings arising from refinancing of this project. If any refinancing were proposed, the parties would be required to negotiate suitable terms.

National Skills Task Force

Mr. Sarwar: To ask the Secretary of State for Education and Employment what steps he is taking to ensure that the Government's response to the National Skills Task Force study on literacy, numeracy and skills levels will be co-ordinated across the United Kingdom between his Department and the devolved Administrations. [128583]

Mr. Wills: Education and Training are devolved matters for Administrations in Scotland, Wales and Northern Ireland. There are liaison arrangements in place to ensure co-ordination between my Department and these Administrations. These arrangements will apply to work in response to the National Skills Task Force as they do in other areas of policy.

City Academies

Mr. Clappison: To ask the Secretary of State for Education and Employment, pursuant to his oral statement of 27 June 2000, *Official Report*, column 755, if pupils at schools which are to be designated as city academies will have an entitlement to attend the city academy if they so wish. [128592]

Ms Estelle Morris: We expect most pupils at schools replaced by city academies to have the option of transferring to the city academy. In some cases, the establishment of a city academy will be part of a re-organisation involving several schools and where this happens pupils may transfer to the city academy or to another local school. Parents may also choose to send their children to a school other than the city academy.

In all cases, the admission arrangements for each city academy will be agreed with the Secretary of State as a condition of the funding agreement and will be clear, fair and objective.

Special Educational Needs

Mr. Boswell: To ask the Secretary of State for Education and Employment what arrangements are made for the provision of support, including *(a)* regular access to his Department's documentation, *(b)* access to funding for the National Grid for Learning and *(c)* funding for continuing professional development, for local education authority support services for children with special needs. [128324]

Jacqui Smith *[holding answer 4 July 2000]:* At the moment, all local education authority (LEA) support services for children with special educational needs (SEN) receive "SPECTRUM" a monthly update of new DfEE publications from which support services can place orders for documentation. Each month all the publications DfEE has sent automatically to schools are posted on the EASEA website, where there is also a searchable archive of documents from past months. School and LEA staff can register with the service at www.easea.co.uk to receive a regular e-mail alert when new information fitting their personal profile of interest, is on-line. Work is in hand to automatically provide LEA support services for children with SEN with the monthly batch mailing to schools from September. Funding for the National Grid for Learning is made available to LEAs through the Standards Fund. A total of £205 million has been made available for 2000–01 of which £155 million has been provided specifically to allow LEAs to continue to equip schools in line with their ICT development plans. As such it is not available to LEA support services. Additionally, under the Standards Fund for 2000–01, £26 million is being provided to support in-service training in special educational needs. LEA support services are eligible for this funding.

Mr. Boswell: To ask the Secretary of State for Education and Employment how many special education needs tribunal hearings took place in each of the last five years; and what proportion of them in each year resulted in a determination in favour of a material change in provision for the pupil in question. [128791]

Jacqui Smith: The information requested is shown in the table.

Year	*Decisions issued*	*Upheld*	*Dismissed*
1994–95	242	150	92
1995–96	904	522	382
1996–97	981	556	425
1997–98	1,135	701	434
1998–99	1,220	921	299

Note:

'Decisions issued' is the terminology used in the Special Educational Needs Tribunal's Annual Reports where this information is published. It equates to hearings that have taken place.

Veterinary Schools

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will make a statement on the cost of fees and charges for students at veterinary schools. [129275]

Mr. Wicks: There is no special treatment in terms of fees and charges for students at university veterinary schools in England and Wales.

Post-16 Education

Mr. Boswell: To ask the Secretary of State for Education and Employment if he will make a statement on the major changes set out in his second update of the transition plans for post-16 education and training. [129274]

Mr. Wicks: The latest version of the joint DfEE/DTI National Transition Plan was published in June 2000. The early part of the plan sets out the considerable progress made since the plan was last updated in November. The most significant changes are reflected in the plans for the Learning and Skills Council and the Inspectorates, where the plans now set out in much greater detail the steps that need to be taken over the next nine months.

Architects

Mr. Boswell: To ask the Secretary of State for Education and Employment what action he is taking to improve disability awareness in the professional training of architects. [129309]

Mr. Wicks: The design and content of higher education courses leading to professional qualifications in architectural studies is a matter for the professional bodies which accredit and the institutions which offer that training and education. The Royal Institute of British Architects is involved in a number of initiatives aimed at increasing knowledge of disability issues among their members. Architects also undertake Continuing Professional Development and disability awareness training which includes preparation for the full implementation of Part III of the Disability Discrimination Act 1995 in October 2004.

Common Clearance Systems

Mr. Simon Hughes: To ask the Secretary of State for Education and Employment what assessment he has made of the benefits of introducing common clearance systems for school applications. [127942]

Ms Estelle Morris: None. Under admissions legislation any parent can state a preference for any school. Local education authorities have a duty to ensure that a school place is provided if the parent wants one.

Universities

Paddy Ashdown: To ask the Secretary of State for Education and Employment if he will list the universities which were established in England and Wales within the last five years with their dates of establishment; what plans he has to establish new universities over the next five years; and if he will make a statement. [128789]

Mr. Wicks: No universities have been established in the last five years. As far as the establishment of new universities is concerned, it is for the higher education funding councils to offer advice to the Government in the light of representations made locally.

Pupil Costs

Paddy Ashdown: To ask the Secretary of State for Education and Employment what the annual levels of full fees were at independent schools in England and Wales which participated in the former assisted places scheme in the last year of its operation; what the average per capita funding was of pupils in maintained schools in the same year; and if he will make a statement. [128790]

Ms Estelle Morris: The last year in which children could take up assisted places was academic year 1997–98. Existing assisted pupils will continue to hold their places until the end of their current phase of education. The average day tuition fee charged by schools in England for assisted pupils in 1997–98 was £4,598. The average cost to my Department of an assisted place in that year was £4,082 when parental contributions are taken into account. The unit cost of a maintained secondary place in England in 1997–98 was £2,359.

Figures for Wales are the responsibility of my right hon. Friend the Secretary of State for Wales.

HEALTH

Influenza Immunisation

Mr. Pollard: To ask the Secretary of State for Health, pursuant to his answer of 21 February 2000, *Official Report*, column 778W, on influenza immunisation for healthcare workers, when he expects the Joint Committee on Vaccination and Immunisation will publish their recommendations on influenza immunisation of healthcare workers for the coming winter; and if he will make a statement. [124206]

Yvette Cooper: The Department's guidelines on influenza immunisation for healthcare workers for the coming winter are set out in Health Services Circular 2000/016, which was issued on 23 May 2000. A copy of the circular can be found in the Library.

Meningitis C (Immunisation)

Mr. Drew: To ask the Secretary of State for Health if he will issue new advice to practitioners who are immunising against Meningitis C to take account of possible adverse reactions. [126254]

Yvette Cooper *[holding answer 19 June 2000]:* The Deputy Chief Medical Officer wrote to all practitioners immunising against Meningitis C on 13 June 2000, with further advice about possible adverse reactions; a copy is in the Library.

The safety of all new medicines, including vaccines, is continuously monitored by the Medicines Control Agency. Advice is sought from the independent expert advisory committees, the Committee on Safety of Medicines and Joint Committee on Vaccination and Immunisation, when appropriate. Advice to prescribers is contained in the

Summary of Product Characteristics and to patients in the Patient Information Leaflet. Product information is updated as necessary.

Mr. Drew: To ask the Secretary of State for Health what measures he is taking in his evaluation of the Meningitis C immunisation programme to ensure that he receives an accurate assessment of the numbers of individuals who may be suffering an adverse reaction. [126255]

Yvette Cooper *[holding answer 19 June 2000]:* In October 1999 a letter from the Chief Medical Officer advised doctors and pharmacists to report all suspected adverse reactions to the new meningococcal C vaccine to the Medicines Control Agency via the yellow card scheme. In December 1999, following the Committee on Safety of Medicines' advice, nurses were also invited to report suspected adverse reactions to this vaccine via the yellow card scheme. The Medicines Control Agency continuously monitors the safety of all medicines including Meningitis C vaccine. Various data sources are used including spontaneous reports of suspected reactions from health professionals, clinical trials, epidemiological studies and regular safety update reports from manufacturers. This post-licensing monitoring follows the detailed safety and efficacy trials of meningococcal C vaccine undertaken before the vaccine was licensed.

Mr. Drew: To ask the Secretary of State for Health if he will produce a report on the immunisation programme against Meningitis C, including reported incidents of side effects. [126253]

Yvette Cooper *[holding answer 19 June 2000]:* The Department intends to produce a report of the meningitis C campaign after the catch-up programme is complete. The report will cover all aspects, including adverse reactions. A report along these lines was produced after the last major immunisation campaign in the United Kingdom, the measles/rubella (MR) campaign of 1994, when about 8 million children in the UK aged five to 16 were immunised.

HIV-AIDS

Sir Norman Fowler: To ask the Secretary of State for Health what the total financial allocation in respect of HIV/AIDS *(a)* is in the current financial year and *(b)* was in each of the previous three years, broken down into the amounts devoted to (i) treatment and care, (ii) prevention, (iii) AIDs support grants, (iv) Section 64 grants, (v) public education and (vi) research. [127014]

Yvette Cooper *[holding answer 20 June 2000]:* The information requested is given in the table.

£ million

	1997–98	*1998–99*	*1999–2000*	*2000–01*
Treatment and care	199.6	228.1	233.1	[1]184.2
HIV prevention	51.9	53.4	53.4	54.7
AIDS Support Grant	13.7	13.7	15.5	16.0
Section 64	1.6	1.5	1.5	1.3
Public education	4.3	4.4	5.0	3.6
Research	15.4	16.2	[3]20.4	[2]—

[1] We have introduced a new funding formula for the treatment and care budget in 2000–01. The HIV/AIDs allocation was brought in line with actual spending as part of the introduction of residence based funding.

[2] We have not yet committed all Department of Health/National Health Service research and development expenditure for 2000–01, so figures for 2000–01 are not yet available.

[3] Estimate

Cancer Services

Dr. Iddon: To ask the Secretary of State for Health if he will list for *(a)* breast cancer *(b)* cervical cancer and *(c)* cancer of the prostate, (i) the number of cases diagnosed, (ii) the number of recorded and (iii) the amount of Government money spent on research in the financial year 1999–2000. [128117]

Yvette Cooper: Registrations of newly diagnosed cases of breast, cervical and prostate cancer in 1993 in England and Wales are as follows:

	Number
Breast cancer	30,495
Cervical cancer	3,302
Prostate cancer	17,208

The estimated figures for Government spend in 1999–2000 on research supported through the Medical Research Council and the Department are as follows:

	£ million
Breast cancer	9.02
Cervical cancer	1.53
Prostate cancer	1.52

These figures do not include:

Department of Health/National Health Service support for research commissioned by the research councils and research charities taking place in the NHS (with the exception of the Royal Marsden Trust/Institute of Cancer Research). The Department spends £63 million a year of this support on cancer research. Management of budgets is devolved and details of spend at project level are not collected routinely by the Department.

Departmental and Medical Research Council expenditure on research projects relevant to all cancers, for example on the biological basis, causes, prevention, services, psychosocial issues and palliative care.

Government spend via the higher education funding councils to universities (from the Department for Education and Employment)

Government spend via research councils other than the MRC (from the Department of Trade and Industry).

Cobham Cottage Hospital

Mr. Ian Taylor: To ask the Secretary of State for Health if he will increase the level of resources for Epsom and St. Helier NHS Trust in respect of services at Cobham Cottage Hospital. [128463]

Yvette Cooper: The distribution of resources among the units of a National Health Service Trust is not properly a matter for my right hon. Friend the Secretary of State, but is decided instead by the trust itself in conjunction with its commissioning health authorities on behalf of the residents of the area. It is for East Surrey health authority and Mid Surrey Primary Care Group in liaison with Epsom and St. Helier NHS Trust to establish the correct level of funding for local services taking a range of health service priorities into account. Discussions around funding this year were concluded recently as part of the negotiations on the service and financial framework.

Dorset Health Authority

Mr. Fraser: To ask the Secretary of State for Health what additional funds have been made available to NHS trusts in Dorset in the current financial year to deal with administration costs. [128640]

Ms Stuart: The Department does not allocate specific funds to meet National Health Service trusts' administration costs. These are met from within the general allocations to health authorities. Dorset Health Authority's allocation for 2000–01 is £487.3 million, a real terms increase of £25.5 million (5.66 per cent.).

We firmly believe that the NHS needs a sufficient number of good managers to run services efficiently and effectively. Good management is essential to ensure that money is spent prudently on the NHS in order to secure maximum improvements in healthcare. However, we are determined to target wasteful and inefficient practice so that more money is spent on improving health and healthcare services.

Mr. Fraser: To ask the Secretary of State for Health how many surgical procedures he estimates the private health care sector will carry out for the Dorset Health Authority in 2000–01. [128632]

Ms Stuart: This information requested is not collected centrally. The hon. Member may wish to contact Major General Richard Keightley CB, Chairman of Dorset Health Authority, for information on this matter.

Source Informatics

Mrs. Lait: To ask the Secretary of State for Health for what reason he withdrew his Department's application to the House of Lords in its case against Source Informatics. [129017]

Ms Stuart: We have concluded that it would not be in the public interest to pursue this litigation further.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Health if he will list for his Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if he will make a statement on his Department's leasing and purchasing policy. [128989]

Ms Stuart: The Department and the agencies of the Department do not obtain cars or commercial vehicles from an approved list of manufacturers. The Department does not currently purchase vehicles but has a contract for the supply of lease cars. Drivers are free to lease the car of their choice, within the parameters laid down by the Department for the operation of the lease car scheme.

Patient Waiting Times

Mr. Gordon Prentice: To ask the Secretary of State for Health how many people suffered from conditions that became inoperable in the time between diagnosis and treatment in each year since 1990. [128698]

Mr. Denham: The information requested is not available centrally.

Organ Donor Card Scheme

Mr. Swayne: To ask the Secretary of State for Health (1) what recent assessment he has made of the effectiveness of the organ donor card scheme; and if he will make a statement; [128898]

(2) how many transplant operations were carried out last year where the donor was identified as a consequence of carrying a donor card. [128897]

Mr. Denham: This information requested is not available centrally.

Our current organ donation campaign, launched in 1998, is ongoing. It encourages people to join the National Health Service organ donor register, carry the donor card and, most importantly, discuss their wishes with their friends and family.

Cancer Facilities (Merseyside)

Mrs. Curtis-Thomas: To ask the Secretary of State for Health if he will make a statement on investment in cancer facilities in Merseyside. [129222]

Yvette Cooper *[holding answer 5 July 2000]:* Cancer services in Merseyside and Cheshire are being developed as a network of cancer units linked to the Oncology Centre at Clatterbridge Hospital on the Wirral. This is in line with the Calman-Hine report on cancer services and the emerging recommendations of the National Cancer Director, Professor Mike Richards.

Merseyside and Cheshire have received £3.5 million from the New Opportunities Fund to invest in cancer services. In addition to this, local health authorities have received identifiable shares of the £9 million national gynaecological cancer moneys and, within their general allocations, a pro-rata share of £30 million made available nationally to improve access to cancer services.

NHS Dentistry (Yeovil)

Paddy Ashdown: To ask the Secretary of State for Health what plans he has to improve access to NHS dentistry in the Yeovil constituency; and if he will make a statement. [128788]

Mr. Hutton: We have already made good progress towards improving access to dental services in Yeovil, Somerset. Investing in dentistry grants amounting to nearly £200,000 have been paid to dentists in the Somerset Health Authority area in return for promises of up to 17,000 new National Health Service registrations. The NHS Executive is also working with Somerset Health Authority and East Somerset NHS Trust on plans for a dental access centre. The centre would be based on a network of clinic sites, including one in Yeovil. Access centres provide a full range of NHS dental treatment, routine and urgent, to people who are not registered with a dentist.

The NHS Executive wrote on 16 May to all health authority chief executives and regional dental advisers asking them to tell us whether more needs to be done to improve NHS dentistry in their locality and inviting ideas for potential funding.

Further initiatives to improve access to services will form part of our plans for modernising NHS dentistry, which will be published this summer in conjunction with the National Plan for the New NHS.

NHS Funding (Bury and Rochdale)

Mr. Chaytor: To ask the Secretary of State for Health what has been the total increase in revenue and capital budgets to *(a)* Bury and Rochdale health authority and *(b)* Bury NHS Health Care Trust for each financial year since 1995–96. [128003]

Mr. Denham: Health authorities have existed in their current form only since 1 April 1996. Therefore the cash increase for Bury and Rochdale health authority since 1996–97 is as follows:

	£ million
1996–97	6.6
1997–98	6.7
1998–99	8.9
1999–2000	[1]16.4
2000–01	[2]23.7

[1] Allocations for 1999–2000 are not comparable with those for 1996–97 to 1998–99 which cover hospital and community health services only. 1999–2000 is the first year of unified allocations which cover hospital and community health services, prescribing and general practice infrastructure.

[2] Includes an element of the extra £660 million announced by the Secretary of State on 28 March 2000.

Capital budget for Bury and Rochdale health authority

	£
1996–97	50,000
1997–98	50,000
1998–99	50,000
1999–2000	534,000
2000–01	50,000

Increase in the total revenue income for the Bury Health Care NHS Trust from 1995–96 to 1998–99

	£ million
1995–96 to 1996–97	0.170
1996–97 to 1997–98	1.6
1997–98 to 1998–99	4.4

Note:

The data to provide the increase for 1998–99 to 1999–2000 are not yet available

Capital budget for the trust

	£
1996–97	527,600
1997–98	207,800
1998–99	194,700
1999–2000	404,800
2000–01	1,100,000

CABINET OFFICE

Children

Mrs. Golding: To ask the Minister for the Cabinet Office what steps she is taking to develop cross-departmental child well-being indicators to help monitor child outcomes and set policy goals on child well-being. [128998]

Mr. Bayley: I have been asked to reply.

We have pledged to halve child poverty in 10 years and eradicate it over 20.

"Opportunity for All" sets out 13 cross-departmental indicators referring to children and young people that will monitor the success of these and other policy priorities. The indicators are outcome focused and capture a number of aspects of well-being: income, health, education, housing and fuel poverty. It also contains a range of policy milestones, which we will use to monitor our progress in tackling child poverty.

New Deal

Mr. Rooney: To ask the Minister for the Cabinet Office how many people have been employed in the Civil Service under the New Deal for the young and unemployed. [129914]

Marjorie Mowlam: As at 1 April 2000, the information on Civil Service departments (including their agencies) participating as employers in the New Deal is as follows:

New deal starts since programme began as at 1 April 2000

Main department (inc. agencies)	*Number*
Ministry of Agriculture, Fisheries and Food	38
Intervention Board	3
Cabinet Office	9
Charity Commission	18
Culture, Media and Sport	4
Ministry of Defence	95
Education and Employment	1736
Office for Standards in Education	1
Environment, Transport and the Regions	18
Export Credits Guarantee Department	4
Foreign and Commonwealth Office	4
Government Offices for the Regions	4
Health	27
Home Office	73
International Development	1
Law Officers' Departments	10
Lord Chancellor's Department	22
Lord Advocate's Department	3
National Assembly for Wales	33
Northern Ireland Office	11
Scottish Executive	29
Social Security	467
Trade and Industry	46
HM Treasury	2
HM Customs and Excise	35
Office of Government Commerce	1
Inland Revenue	256
Office for National Statistics	10
Royal Mint	3
Total	2,963

Departmental Vehicles

Mr. Pearson: To ask the Minister for the Cabinet Office how many *(a)* cars and *(b)* commercial vehicles operated by her Department were manufactured (i) in the UK, (ii) in the EU and (iii) elsewhere. [122267]

Mr. Ian McCartney *[pursuant to his reply, 17 May 2000, c. 141W]:* I regret that the figures provided were incomplete and should have been as follows:

The Government Car and Despatch Agency operates a fleet of vehicles, as shown in the table, for the Government as a whole. Seven of these vehicles are owned by GCDA but operated by the Cabinet Office (Infrastructure Division).

	(a) *Cars*	*(b)* *Commercial vehicles*	*Total*
(i) UK	60	16	76
(ii) EU	130	41	171
(iii) Elsewhere	0	0	0
Total	190	57	247

In addition, one vehicle is leased by the Cabinet Office (Infrastructure Division) from Lex, which is made in the UK; one car is leased by the Civil Service College from A. A. Clark Ltd. which is made in the EU, as well as three commercial vehicles made in the UK.

The following table shows the vehicles operated by the Cabinet Office (Security Facilities Division):

	(a) *Cars*	*(b)* *Commercial vehicles*	*Total*
(i) UK	19	8	27
(ii) EU	4	17	21
(iii) Elsewhere	0	0	0
Total	23	25	48

CULTURE, MEDIA AND SPORT

National Lottery

Miss Geraldine Smith: To ask the Secretary of State for Culture, Media and Sport how much Lottery money has been awarded to projects in the Lancaster City council district since the National Lottery began; and if he will list the projects concerned. [128346]

Kate Hoey: According to my Department's National Lottery Awards Database, there have been 134 awards in the Lancaster City council district since the Lottery began, with a total value of £16,913,630. I have placed a list of these projects in the Libraries of the House.

Free TV Licences

Shona McIsaac: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the cost of extending free TV licences for pensioners aged over 75 years to *(a)* 70 to 74 and *(b)* 65 to 69-year-olds. [128564]

Janet Anderson: For the UK in the year 2000–01 the additional annual cost of extending free TV licences to

(a) 65–69 year olds is £200 million, and

(b) 70–74 year olds is £200 million.

Lottery Awards

Mrs. Virginia Bottomley: To ask the Secretary of State for Culture, Media and Sport how much Lottery money was spent on arts projects, and how many arts projects were funded in *(a)* 1997 and *(b)* 1999; since the commencement of the Lottery, how much money has been spend on arts projects; and how many arts projects have been funded in total. [128701]

Mr. Chris Smith: I have asked the Arts Council of England, as the main distributing body of lottery money for the arts, to provide this information. When it is available, I will write to the right hon. Member and place a copy in the Library of the House.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport (1) if he will make a statement on the amount of Lottery funds dedicated to good causes in the North-West and to *(a)* London, *(b)* the South-East, *(c)* Scotland and *(d)* Wales; [128829]

(2) if he will make a statement on the amount of Lottery funds dedicated to good causes in *(a)* Chorley and *(b)* the North-West as a whole. [128828]

Kate Hoey: The table shows the allocation of Lottery funds to Scotland and Wales under various Lottery programmes. There is no formal allocation of Lottery funds set out in statute or Government directions for Funds distributed to charities, projects to mark the year 2000 and the beginning of the third millennium, or the national heritage; nor is there any formal allocation within England for any Lottery funds.

Programme	*Percentage of funds* *Scotland*	*Wales*
Arts	8.9	5
Sport	8.1	4.5
ICT training for teachers and school library staff (New Opportunities Fund)	10.1	5.5
ICT training for public library staff (New Opportunities Fund)	11.85	4.35
All other New Opportunities Fund programmes	11.5	6.5

The amount of Lottery funds awarded in Chorley, the North-West, London, the South-East, Scotland and Wales, according to my Department's National Lottery Awards Database, are set out in the table.

£

Region	*Amount awarded*
Chorley	2,176,661
North West	492,379,174
London	1,254,454,386
South East	485,686,749
Scotland	733,900,053
Wales	416,234,366

Ministerial Code

Mr. Robathan: To ask the Secretary of State for Culture, Media and Sport (1) on how many occasions since May 1997 Ministers in his Department have made a declaration of interest to their colleagues under circumstances envisaged in Paragraph 110 of the Ministerial Code; [129164]

(2) how many times ministers in his Department have sought the advice of the Permanent Secretary under the circumstances envisaged in Paragraphs 118, 121 and 123 of the Ministerial Code; and on which occasions such advice was sought. [129175]

Mr. Chris Smith: Information relating to internal advice and consultation is not disclosed under Exemption II of the code of Practice on Access to Government Information.

FOREIGN AND COMMONWEALTH AFFAIRS

Lord Levy

Mr. Viggers: To ask the Secretary of State for Foreign and Commonwealth Affairs what facilities have been made available to Lord Levy by the Foreign and Commonwealth Office in the last 12 months. [128162]

Mr. Hain: I refer to the answer by my right hon. Friend the Prime Minister of 30 March 2000, *Official Report*, column 245W, and to my answers of 7 June 2000, *Official Report*, column 291W, and 30 March 2000, *Official Report*, columns 261–62W. Since those answers, Lord Levy has also stayed in the Ambassador's residence in Egypt.

Northern Cyprus

Mr. Cox: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he has taken on the Cuco report to the Council of Europe on Turkish settlers in Northern Cyprus; and if he will make a statement. [128891]

Mr. Vaz: The UK is in regular contact with all those with an interest in the Cyprus settlement process. As recommended in the Cuco report, the UK continues to promote person-to-person contact on the island and to urge the parties involved in the UN process to co-operate with Kofi Annan in a constructive and flexible manner.

Step Change Project

Mr. Stephen O'Brien: To ask the Secretary of State for Foreign and Commonwealth Affairs which Ministers and officials have participated in the Step Change Project efforts, initiatives and visits; and if he will list those efforts, initiatives and visits. [128722]

Mr. Vaz: As part of the Government's Step Change initiative, all Departments have taken steps to increase contacts with EU member states and the applicants. It is impossible to quantify the precise number of initiatives and visits which have arisen from the process. Ministers and officials with an interest in EU business across all Departments have participated in the initiative.

Mr. Stephen O'Brien: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those backbench hon. Members who have participated in the Step Change Project efforts, initiatives and visits. [128719]

Mr. Vaz: The Step Change initiative is designed to build on and extend Government-to-Government links. As such, it involves Ministers and officials in increasing contacts with EU member states and applicant countries. Activities arising from the Government's increased engagement with its partners may involve other participants, including MPs (from all parties).

Mr. Stephen O'Brien: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the cost to date of the Step Change Project; and if he will itemise those costs. [128720]

Mr. Vaz: It is not possible to quantify the costs arising solely from the Step Change initiative since it is an integral part of the Government's European policy, which builds on and extends existing contacts.

MINECOR

Mr. Stephen O'Brien: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the cost to date of MINECOR; and if he will itemise those costs. [128721]

Mr. Vaz: The monthly meetings of the Ministerial Group for European Co-ordination incur no additional costs.

Ministerial Code

Mr. Robathan: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) how many times Ministers in his Department have sought the advice of the Permanent Secretary under the circumstances envisaged in Paragraphs 118, 121 and 123 of the Ministerial Code; and on which occasions such advice was sought; [129168]

(2) on how many occasions since May 1997 Ministers in his Department have made a declaration of interest to their colleagues under circumstances envisaged in Paragraph 110 of the Ministerial Code. [129155]

Mr. Robin Cook: Information relating to internal advice and consultation is not disclosed under Exemption II of the Code of Practice on Access to Government Information.

Armenia

Ms Osborne: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the export of demining equipment to Armenia. [129911]

Mr. Vaz: The Government have recently approved the export of demining equipment for operations in Armenia. These will be used by the HALO Trust during humanitarian landmine clearance operations. This licence was granted for humanitarian purposes. It also reflects the determination of the Government to eliminate the scourge of landmines.

The UK remains committed to the OSCE arms embargo against both Azerbaijan and Armenia, which the UK interprets as covering all goods and technology in Part III of Schedule 1 to the Export of Goods (Control) Order 1994 (commonly known as the military list).

Visas (Istanbul)

Mr. Brady: To ask the Secretary of State for Foreign and Commonwealth Affairs what the current waiting time is for a person applying in Istanbul for a visa to visit the UK for business purposes to be granted an initial interview. [129284]

Mr. Vaz: 91 per cent. of visit visa applications in Istanbul are processed without the applicant requiring a full interview and would look to process their application within 24 hours. The few visitors who require a full interview, including any applicants travelling for business purposes, currently have to wait 10 days.

LORD CHANCELLOR'S DEPARTMENT

PFI Contracts

Mr. Alan Williams: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the PFI contracts entered into by his Department indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if his Department has a claw-back entitlement to share in the savings arising from refinancing. [129054]

Jane Kennedy: The Lord Chancellor's Department has signed the following PFI contracts:

1. LOCCS (Courts computer system):
   - *(a)* commenced October 1996;
   - *(b)* capital value £14m;
   - *(c)* no;
   - *(d)* no.
2. ARAMIS (A Resource Accounting and Management Information System):
   - *(a)* commenced December 1997;
   - *(b)* capital value £39.52m;
   - *(c)* no;
   - *(d)* no.
3. Libra (Magistrates' courts IT system):
   - *(a)* commenced December 1998;
   - *(b)* capital value £75m;
   - *(c)* no;
   - *(d)* yes.
4. Probate Records Centre (New facility for holding and issuing probate records):
   - *(a)* commenced July 1999;
   - *(b)* capital value £10.89m;
   - *(c)* no;
   - *(d)* yes.

In addition, the Lord Chancellor's Department supports the following magistrates' courthouse PFI projects which have been signed by local authorities:

1. Hereford and Worcester Magistrates' Courts:
   - *(a)* commenced February 2000;
   - *(b)* capital value £21m;
   - *(c)* no.
   - *(d)* no.
2. Humberside Magistrates' Courts:
   - *(a)* commenced March 2000;
   - *(b)* capital value £22m;
   - *(c)* no;
   - *(d)* yes.

Housing Act 1996

Mr. Love: To ask the Parliamentary Secretary, Lord Chancellor's Department how many appeals were heard against reviews undertaken under section 2.4 of the Housing Act 1996 in *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000, in each county court. [128907]

Mr. Lock: Statistics specifically on appeals against reviews undertaken under section 204 of the Housing Act 1996 are not collected and could be provided only at disproportionate cost.

Departmental Vehicles

Mr. Pearson: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list for his Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if he will make a statement on his Department's leasing and purchasing policy. [128996]

Mr. Lock: I refer my hon. Friend to the written answer, covering the Government Car and Despatch Agency, given today in another place by my noble and learned Friend the Minister of State at the Cabinet Office to the noble Lord Hoyle. For the Lord Chancellor's Department and its agencies, HM Land Registry, the Public Record Office and the Northern Ireland Court Service the current manufacturers on approved lists for cars are: Citroen, Fiat, Ford, Honda, Land Rover, Peugeot, Rover and Vauxhall.

There are no approved lists of manufacturers for commercial vehicles.

Vehicles are purchased through Government contracts, which determine the choice that is available.

Vehicles are procured in line with the Government's policy to secure value for money for the taxpayer and the EC procurement rules.

New Deal

Mr. Brady: To ask the Parliamentary Secretary, Lord Chancellor's Department how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage this represents of total staff. [129100]

Mr. Lock: I refer the hon. Member to the written answer given today, *Official Report*, column 292W, by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Bradford, North (Mr. Rooney). The number of New Dealers within my Department, its executive agencies and the Land Registry and Public Records Office represents 0.1 per cent. of total staff. This figure does not include those participants in the New Deal scheme who have joined the Court Service and Public Trust Office agencies or the Land Registry or Public Records Office through normal open recruitment schemes and have taken up unsubsidised places. Statistics on these members of staff are not currently held centrally; however, centralisation of these records is planned.

HOUSE OF COMMONS

Government Bills

Mr. Brady: To ask the President of the Council how many amendments to Government Bills tabled during the present Parliament by *(a)* Opposition spokesmen, *(b)* Opposition backbench hon. Members and *(c)* Government backbench hon. Members which had been selected were not debated on the Floor of the House as a result of timetabling of the report Stage of Bills. [127857]

Mrs. Beckett: The information requested could be provided only for Sessions 1998–99 and 1999–2000 (to 30 June) and is included in the following table[1]. Information for session 1997–98 could be provided only at disproportionate cost.

	Amendments tabled by Opposition spokesmen but not debated	*Amendments tabled by Opposition backbenchers but not debated*	*Amendments tabled by Government backbenchers but not debated*
Session 1998–99			
Local Government Bill: Further consideration, 24 March 1999	11	0	0
Greater London Authority Bill: Consideration, 4 May 1999	11	0	0
Greater London Authority Bill: Further consideration, 5 May 1999	1	0	0
Welfare Reform and Pensions Bill: Further consideration, 20 May 1999	1	1	0
Health Bill [*Lords*]: Further consideration, 15 June 1999	47	0	1
Immigration and Asylum Bill: Consideration, 15 June 1999	0	0	0
Immigration and Asylum Bill: Further consideration, 16 June 1999	13	1	0
Access to Justice Bill [*Lords*]: Consideration, 22 June 1999	0	0	0
Youth Justice and Criminal Evidence Bill [*Lords*]: Consideration, 8 July 1999	0	0	0
Food Standards Bill: Consideration 22 July 1999	8	0	0
Session 1999–2000 (up to 30 June 2000)			
Representation of the People Bill: Further consideration, 20 January 2000	0	0	0
Financial Services and Markets Bill: Further consideration, 9 February 2000	0	0	0
Transport Bill: Consideration, 9 May 2000	21	1	1
Transport Bill: Further consideration, 10 May 2000	9	2	0
Nuclear Safeguards Bill: Consideration, 22 May 2000	0	15	0
Sea Fishing Grants (Charges) Bill: Consideration, 22 May 2000	0	0	0
Royal Parks (Trading) Bill: Further consideration, 22 May 2000	0	1	0
Television Licences (Disclosure of Information) Bill: Consideration, 22 May 2000	0	3	0

Note:

Figures include amendments only selected for debate

[1] Standing Committee and Committee of the Whole House amendments are excluded. We have not distinguished between "Guillotine" and "Programme" motions.

PRIME MINISTER

UK Delegations

Mr. Win Griffiths: To ask the Prime Minister if there are any changes in the composition of the United Kingdom delegation to the Parliamentary Assembly of the Council of Europe and the assembly of the Western European Union. [129909]

The Prime Minister: The hon. Member for Ruislip, Northwood (Mr. Wilkinson) has been appointed as a representative in place of the late Michael Colvin.

HOME DEPARTMENT

Criminal Conviction Certificates

Mr. Cohen: To ask the Secretary of State for the Home Department with respect to the Criminal Conviction Certificates to be issued by the Criminal Records Bureau what plans he has *(a)* to issue advice to employers requesting access to such certificates of job applicants and *(b)* to extend the statutory code of practice which covers other certificates to the Criminal Conviction Certificate; what research he has undertaken on the impact of the certificate on recidivism; for what activities, other than employment and visa applications, the Criminal Conviction Certificate will be used; and if he will make a statement. [129187]

Mr. Charles Clarke: Guidance to employers and others on the use of Criminal Convictions Certificates (CCCs) is in course of preparation. We shall consult widely, including with representatives of employers' organisations, before issuing the guidance. We have not undertaken specific research on the impact of the certificate on recidivism. But the guidance will encourage employers to consider the relevance of information contained in certificates to the particular position being applied for. We shall be working closely with employers' organisations and other interests to ensure that employers are discouraged from rejecting applicants solely on the basis of their criminal records without careful consideration of all the relevant factors.

The Code of Practice prescribed by section 122 of the Police Act 1997 applies to the use of information provided to registered persons. As the registration arrangements apply only to the higher levels of certificate, the code will not apply to CCCs. We shall be using the code to ensure that Registered Bodies fully understand their obligations under the legislation, and to promote good practice in the handling, interpreting and disposal of information received from the Criminal Records Bureau in connection with Criminal Record Certificates and Enhanced Criminal Record Certificates. To the extent that similar guidance is needed in relation to CCCs, we shall include it in the guidance we shall be issuing to applicants, employers and other interested parties.

While the main reason for introducing CCCs is to improve the quality of employment decisions, anyone may apply for a certificate in relation to their own records, and use it as they wish.

Police (Out-of-court Settlements)

Mr. Cohen: To ask the Secretary of State for the Home Department if he will list the out-of-court settlements agreed to by UK police forces since 1 January 1998 which included a requirement of *(a)* non-disclosure of the terms of the settlement and *(b)* non-publication of the circumstances surrounding actions complained of. [128742]

Mr. Charles Clarke: In the reply I gave my hon. Friend on 5 July 2000, *Official Report*, columns 239–40W, I gave details of out-of-court settlements. Information is not recorded centrally on which out-of-court settlements were subject to a non-disclosure or non-publication requirement.

Prisoners (Mental Health)

Mr. Cohen: To ask the Secretary of State for the Home Department what response he has made to the report of the Prison Inspectorate team on the care of prisoners with mental health problems; and if he will make a statement. [129107]

Mr. Boateng: All prisons and the local health authorities in which they are situated have been asked, in line with the programme of reform set out in "The Future Organisation of Prison Healthcare" (March 1999), by March 2001 at the latest jointly to assess prisoners' health needs and identify appropriate services to meet them and effective means of delivery.

These should include inreach into prisons from community mental health teams as part of the broader development of mental health services as set out in the National Service Framework for Mental Health. Implementation of improvements through individual prison health plans is scheduled to begin from April 2001, although reforms are well underway in a number of prisons already.

Sir Peter Lloyd: To ask the Secretary of State for the Home Department if he will make a statement on progress in implementing the recommendation of the Joint Prison Service and NHS Executive Working Group in its report, "Future Organisation of Prison Health Care" published in March 1999, with particular reference to progress made in securing the care of mentally ill prisoners in line with NHS mental health policy in respect of its arrangements for referral and admission of such prisoners to high and medium secure psychiatric services. [129004]

Mr. Boateng: All prisons and the local health authorities in which they are situated have been asked, in line with the programme of reform set out in "The Future Organisation of Prison Healthcare" (March 1999), by March 2001 at the latest jointly to assess prisoners' health needs and identify appropriate services to meet them and effective means of delivery.

These should include in reach into prisons from community mental health teams as part of the broader development of mental health services as set out in the National Service Framework for Mental Health. Implementation of improvements through individual prison health plans is scheduled to begin from April 2001, although reforms are well underway in a number of prisons already.

The Prison Service and the NHS are now actively monitoring the number of prisoners awaiting transfer to secure psychiatric hospitals and waiting times, referring particularly difficult cases to the newly established NHS Regional Specialist Commissioning Groups for review or transfer action, as appropriate.

Anti-social Behaviour Orders

Mr. Edwards: To ask the Secretary of State for the Home Department (1) how many anti-social behaviour orders have been served in each police authority area in Wales; [128581]

(2) what advice he has given to local authorities in Wales on the use of anti-social behaviour orders. [128582]

Mr. Charles Clarke: As far as we are aware, no anti-social behaviour orders (ASBO's) have been granted in Wales.

In March 1999, the Home Office issued guidance on anti-social behaviour orders. In June 2000, this was supplemented by guidance on drawing up local ASBO protocols. Both documents have been sent to all local authorities in England and Wales. In addition to the guidance, my officials have spoken at three seminars on ASBO's, which were attended by representatives from local authorities in Wales: at Conwy in December last year, and at Liverpool and Bridgend in March and April this year respectively.

Dr. Kumar: To ask the Secretary of State for the Home Department how many anti-social behaviour orders have been issued for *(a)* juveniles, *(b)* adults and *(c)* in total (i) nationally, (ii) on Teesside and (iii) in the constituency of Middlesbrough, South and Cleveland, East; and if he will make a statement. [128639]

Mr. Charles Clarke: Figures for the number of anti-social behaviour orders granted are being collected centrally with effect from 1 June. However, we understand that at least 80 such orders were issued in England and Wales between 1 April 1999 and 31 May this year, including one against an adult in the Cleveland police area. We understand that the order does not apply in the constituency of Middlesbrough, South and Cleveland, East. At lease 27 anti-social behaviour orders nationally have been issued against people under the age of 18.

Mr. Chaytor: To ask the Secretary of State for the Home Department how many anti-social behaviour orders have been issued to date in each district of Greater Manchester. [128001]

Mr. Charles Clarke: Figures for the number of anti-social behaviour orders granted are being collected centrally with effect from 1 June. However, we understand that at least 80 such orders were issued in England and Wales between 1 April 1999 and 31 May this year, including at least seven in Greater Manchester. The figure is not broken down by district.

Speed Cameras

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many speed camera fines were issued in each of the last 10 years; what was the income from speed camera fines in each of those years; and if he will make a statement. [128389]

Mr. Charles Clarke *[holding answer 3 July 2000]:* The information currently available is for the years 1993–97 and concerns fixed penalties issued and prosecutions undertaken for speeding offences detected by automatic cameras. Details are published in the Home Office Statistical Bulletin, Motoring Offences, England and Wales 1997. A copy is available in the Library.

The precise income to the Treasury from the penalties imposed is not known, but the fixed penalty for speeding offences during the period was £40 and the average fine imposed by a court for a speeding offence in 1997 was £119.

The table shows average fines at magistrates' courts for certain motoring offices[1] and average fines revalued to 1987 prices[2] (shown in brackets).

England and Wales

Year	*Speed limit offences (£)*
1987	57
1988	63 (60)
1989	77 (68)
1990	83 (67)
1991	85 (65)
1992	87 (64)
1993	127 (92)
1994	113 (80)
1995	107 (73)
1996	101 (67)
1997	119 (77)

[1] Only fines which are principal sentences are included

[2] As estimated by the general index of retail prices

CCTV Schemes

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many CCTV schemes have been funded by the Government in each of the last 10 years; and what is the planned expenditure in future years. [128386]

Mr. Charles Clarke *[holding answer 3 July 2000]:* The available information is shown in the table:

	Funded schemes		*Cumulative totals*	
Year	*Number*	*Value £ million*	*Number*	*Value £ million*
1994–95	106	5	106	5
1995–96	0	—	106	5
1996–97	259	17	365	22
1997–98	190	15	555	37
1998–99	32	1.5	587	38.5
1999–2000	342	59.6	929	98.5

Between 1994–95 and 1998–99, schemes were funded under a Home Office Closed Circuit Television (CCTV) Challenge Competition. From 1999–2000, schemes are funded under the Crime Reduction Programme CCTV initiative. Around £90 million remains to be allocated under this initiative, which runs to the end of December 2001.

Information prior to 1994–95 is not available. CCTV measures under the earlier Safer Cities and Single Regeneration Budget Programmes (pre 1994) are not separately identifiable.

Special Units (Prisons)

Dr. Lynne Jones: To ask the Secretary of State for the Home Department how many alarm bells were rung in each calendar year from 1986 to date *(a)* in the Special Close Supervision Unit in C Wing Parkhurst Prison, *(b)* in the remainder of Parkhurst Prison and *(c)* on average in the remainder of the other Special CS Units, with particular reference to Lincoln, Hull, Woodhill and Durham. [128618]

Mr. Boateng: The information requested in relation to Parkhurst could be obtained only at disproportionate cost. The information requested in relation to the special units at Lincoln or Hull is not available. In relation to Durham and Woodhill, the information requested is only available from 1998, when the Close Supervision Centre (CSC) system came into operation. Since 1998, there has been an annual average of four other occasions when the alarm bell has rung. At Woodhill, there has been an annual average of 12 occasions when the alarm bell has rung.

Young Offenders

Dr. Kumar: To ask the Secretary of State for the Home Department what health services are available to young people *(a)* sentenced and *(b)* remanded in custody; what specialist mental health services are available to repeat young offenders; and if he will make a statement. [128784]

Mr. Boateng: Young people held in prison custody, whether on remand or sentenced, have access to a full range of primary and specialist healthcare services through the institution's healthcare centre. Prison doctors will arrange for any necessary specialist treatment to be provided either within the institution or as an in or out patient at an outside hospital, as appropriate.

Young offenders needing in-patient treatment for mental disorder may be transferred to psychiatric hospitals. The care and treatment of inmates who do not need to be admitted to hospital is generally undertaken by prison healthcare staff under the supervision of visiting NHS specialists. Part of the substantial programme of reform to prison healthcare now underway is aimed at extending inreach from community mental health teams into prison to improve standards of care for such prisoners.

Dr. Kumar: To ask the Secretary of State for the Home Department what academic and vocational education and training is available to young people serving custodial sentences; and if he will make a statement. [128630]

Mr. Boateng: Education in Prison Service establishments is provided by education contractors. For all prisoners it focuses on a core curriculum of basic educational skills (literacy and numeracy), life and social skills, information technology and generic preparation for work. Prisoners of compulsory school age as defined in section 8 of the Education Act 1996 must be provided with at least 15 hours a week of education or training, plus five hours of physical education. For juveniles, life and social skills must include citizenship, sex and relationships education, and preparation for work.

Education contractors are expected to support students taking General Certificate of Secondary Education examinations by liaising with their previous school.

Education for prisoners over school leaving age is entirely voluntary. Prisoners aged between 17 and 21 should be offered at least two hours a week of physical education.

There is a wide range of accredited vocational training available in Young Offender Institutions. Areas covered includes construction industry training; engineering; motor vehicle maintenance; industrial cleaning; catering; office skills; information technology; and agriculture and horticulture.

Life Tariffs

Mr. Stinchcombe: To ask the Secretary of State for the Home Department how many prisoners have a whole life tariff. [129219]

Mr. Boateng: There are at present 23 people in custody in England and Wales with whole life tariffs.

Hilda Murrell

Mr. Paul Marsden: To ask the Secretary of State for the Home Department if he will make a statement on progress made to establish the identity of the DNA tested by the Forensic Science Service in connection with the Hilda Murrell murder case. [128864]

Mr. Charles Clarke: I understand from West Mercia Constabulary that they are awaiting the outcome of investigations by the Forensic Science Service into the remaining forensic evidence.

Women Prisoners

Mr. Stinchcombe: To ask the Secretary of State for the Home Department how many women prisoners are held in prison establishments *(a)* over 25 miles, *(b)* over 50 miles and *(c)* over 100 miles from their committal Crown court. [129198]

Mr. Boateng: The following information is based on the distance that female prisoners are held from their committal court town. The Prison Service does not distinguish between prisoners who have been committed from Crown court or magistrates' court. The data were collected on 15 June 2000 and are set out in the table in the nearest format to that requested. There are in the region of 1,000 female prisoners held under 25 miles from their committal court town.

Distance from home area	*Number of female prisoners*[1]
Between 25 and 50 miles	800
Between 50 and 100 miles	900
Over 100 miles	600
Total over 25 miles	2,300

[1] Rounded to nearest hundred

Prison Facilities

Mr. Stinchcombe: To ask the Secretary of State for the Home Department how many prisons have visiting areas with a supervised children's play area. [129200]

Mr. Boateng: We estimate that there are around 90 play areas in visiting areas of prison establishments. Not all of these are supervised at all times.

Mr. Stinchcombe: To ask the Secretary of State for the Home Department which prisons *(a)* have and *(b)* do not have prisoner representation on their anti-bullying committees. [129197]

Mr. Boateng: Prison Service Order number 1702 (PSO 1702) sets out the requirement for all prison establishments to have a local strategy to reduce bullying. It defines the elements that the strategy must contain and those that may be considered for inclusion.

The expected practice is that every establishment will have an anti-bullying committee. PSO 1702 suggests that committees may include prisoner representatives, but urges establishments to exercise caution to avoid these prisoners being viewed as informants. It also suggests there are alternative ways of enabling prisoners to put their views forward.

The statistics required are not held centrally and could not be obtained reliably in time to answer the question. A brief audit of copies of some local strategies held in Prison Service headquarters suggests that establishments have opted for the cautious approach and do not have prisoner representatives on their committee.

Incentives Scheme

Mr. Stinchcombe: To ask the Secretary of State for the Home Department in which prisons, prisoners who maintain their innocence are ineligible for progression to the enhanced stage of the incentives and earned privileges scheme. [129201]

Mr. Boateng: Under the national framework for incentives and privileges the criteria for the earning and retention of privileges do not include acceptance of guilt by the prisoner but do include constructive participation in the sentence planning process.

Sentence planning may include the completion of an offending behaviour programme. If a prisoner then refuses to address his or her offending behaviour this will be of relevance in assessing his or her privilege level and may be sufficient to deny him or her enhanced status.

Mobile Police Units

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will make a statement on the use of mobile police units to help police rural areas. [128534]

Mr. Charles Clarke *[holding answer 5 July 2000]:* The Government welcome imaginative and innovative ways of working by the police, including the use where appropriate of mobile units. To enhance policing in rural areas we have recently announced the allocation of a specific £15 million from the Police Modernisation Fund. This will provide a significant boost to police capabilities and bring direct benefit to the countryside. How the best use is made of the resources available and how the police operate in particular local circumstances are matters for the local Chief Constable.

Burns Inquiry

Mr. Clifton-Brown: To ask the Secretary of State for the Home Department in respect of the implementation of the Burns report on banning hunting with hounds, (1) what estimate he has made of the number of jobs that will be lost *(a)* directly and *(b)* indirectly as a result of the ban; [129039]

(2) what estimate he has made of the *(a)* number of additional firearms licences that will be required to control foxes, *(b)* safety of lamping foxes at night with high-powered rifles and *(c)* total cost of compensation broken down by (i) value of animals to be destroyed, (ii) redundant property and (iii) fees and other expenses. [129127]

Mr. Mike O'Brien: The consequences of a ban on hunting with dogs will be considered as the legislative options for a Hunting Bill are drawn up.

Fraud

Mr. Cousins: To ask the Secretary of State for the Home Department how many fraud cases were investigated in each police authority area in *(a)* 1979, *(b)* 1983, *(c)* 1987, *(d)* 1992 and *(e)* each year since 1995; what was the clear-up rate in each year; and what estimate he has made of the value of such fraud in each year since 1995. [129129]

Mr. Charles Clarke: Fraud offences comprise part of the offence group covering both fraud and forgery. The number of fraud and forgery offences recorded in the years requested in each police force, and the clear-up rate, are given in the tables.

The counting rules for recorded crime changed from 1 April 1998. The effect on the number of fraud and forgery offences recorded was substantial, resulting in an estimated increase of 61 per cent. due to counting rules changes in England and Wales as a whole.

The Economic Cost of Fraud, a report for the Home Office and the Serious Fraud Office, will be published by National Economic Research Associates (NERA) on Tuesday 11 July. The report will provide estimates of expenditure on investigations, court proceedings and preventative measures, and the amounts of money defrauded across all sectors of the economy, for the years 1997 and 1998.

Fraud and forgery offences

	1979		*1983*		*1987*		*1992*	
Police force	*Offences recorded*	*Clear-up rate (%)*	*Offences recorded*	*Clear-up rate (%)*	*Offences recorded*	*Clear-up rate (%)*	*Offences recorded*	*Clear-up rate (%)*
Avon and Somerset	2,570	90	3,507	78	5,537	75	5,699	46
Bedfordshire	1,783	90	1,199	60	1,648	59	2,101	42
Cambridgeshire	928	87	910	70	967	66	1,764	49
Cheshire	982	98	1,690	91	1,642	83	2,414	74
Cleveland	2,140	78	1,501	65	2,598	58	1,679	36
Cumbria	1,094	91	622	74	935	81	858	63
Derbyshire	2,547	94	1,973	90	1,489	84	1,349	55
Devon and Cornwall	2,289	86	3,628	87	3,849	79	3,601	46
Dorset	2,271	92	2,178	84	2,824	83	3,726	87
Durham	1,391	97	1,497	86	1,840	18	2,572	75
Essex	2,281	86	1,734	61	1,966	60	3,670	40
Gloucestershire	780	92	876	69	1,356	82	2,087	46
Greater Manchester	8,066	96	13,746	87	12,426	83	11,819	74
Hampshire	4,231	91	2,826	67	3,862	73	5,146	61
Hertfordshire	3,437	97	1,660	84	2,531	90	1,594	51
Humberside	1,217	84	1,525	76	2,827	55	3,184	44
Kent	2,672	89	1,482	[illegible]	1,842	60	4,356	40
Lancashire	2,512	94	2,791	84	4,384	92	3,833	80
Leciestershire	1,349	93	2,107	81	2,048	76	3,156	51
Lincolnshire	690	82	809	70	933	61	1,404	64
City of London	407	52	372	56	499	46	485	45
Merseyside	3,342	83	5,416	81	4,680	73	5,098	73
Metropolitan police district	25,954	60	29,714	49	27,892	47	39,664	44
Norfolk	1,108	86	1,001	77	1,096	72	1,814	57
Northamptonshire	1,285	86	1,058	78	1,237	65	1,556	52
Northumbria	2,413	89	2,204	57	3,081	71	3,507	37
North Yorkshire	1,267	93	895	77	1,070	77	1,033	72
Nottinghamshire	2,850	78	2,116	54	2,760	57	4,023	37
South Yorkshire	1,845	89	1,648	73	1,638	75	2,009	60
Staffordshire	1,668	84	1,128	65	1,371	68	2,246	46
Suffolk	1,364	89	831	71	1,086	71	1,772	73
Surrey	2,156	91	1,136	62	1,178	66	2,078	44
Sussex	3,062	90	1,745	65	2,692	64	3,820	53
Thames Valley	5,049	91	4,214	74	4,352	67	7,651	43
Warwickshire	584	91	505	69	553	66	1,129	52
West Mercia	1,685	91	1,344	77	1,039	74	1,342	56
West Midlands	4,640	76	6,111	53	5,609	55	8,293	39
West Yorkshire	3,717	70	4,123	71	4,388	73	6,183	64

Fraud and forgery offences

	1979		1983		1987		1992	
Police force	*Offences recorded*	*Clear-up rate (%)*	*Offences recorded*	*Clear-up rate (%)*	*Offences recorded*	*Clear-up rate (%)*	*Offences recorded*	*Clear-up rate (%)*
Wiltshire	1,046	80	1,023	76	851	66	1,711	66
Dyfed-Powys	1,019	96	1,116	93	1,660	91	906	79
Gwent	1,262	96	1,292	91	1,479	92	1,095	72
North Wales	2,125	90	1,615	85	1,949	87	1,354	66
South Wales	2,955	92	2,923	83	3,339	74	3,819	43
Total	118,033	82	121,791	69	132,976	67	168,600	53

Fraud and forgery offences

	1995		1996		1997		1998–99	
Police force	*Offences recorded*	*Clear-up rate (%)*	*Offences recorded*	*Clear-up rate (%)*	*Offences recorded*	*Clear-up rate (%)*	*Offences recorded*	*Clear-up rate (%)*
Avon and Somerset	4,017	45	4,293	49	3,584	44	9,950	39
Bedfordshire	1,781	37	2,033	49	1,799	41	4,114	27
Cambridgeshire	1,369	41	1,498	44	1,391	42	2,389	42
Cheshire	2,639	79	2,359	83	1,845	80	2,146	72
Cleveland	1,481	53	1,475	46	1,425	34	2,261	41
Cumbria	930	70	995	67	1,099	68	1,388	78
Derbyshire	1,399	46	1,355	44	1,308	48	4,200	48
Devon and Cornwall	2,674	57	2,374	59	2,232	59	7,064	47
Dorset	1,501	68	1,303	64	1,300	65	6,334	51
Durham	1,661	62	1,279	64	1,163	75	1,311	74
Essex	2,465	42	2,485	41	2,443	44	4,366	41
Gloucestershire	1,986	52	1,652	48	1,517	49	2,527	50
Greater Manchester	5,840	48	5,532	42	5,773	39	15,830	41
Hampshire	3,892	59	3,907	58	3,781	60	5,130	61
Hertfordshire	1,232	47	1,237	47	1,345	39	2,312	46
Humberside	2,966	52	2,610	44	2,316	55	3,582	54
Kent	3,627	44	3,155	54	2,932	47	5,687	42
Lancashire	3,484	77	3,446	73	3,412	70	4,446	63
Leciestershire	2,681	47	3,365	52	2,870	46	7,227	39
Lincolnshire	1,163	63	1,148	61	1,382	78	2,723	78
City of London	488	51	439	54	502	42	862	36
Merseyside	4,259	64	4,288	60	4,269	59	4,884	59
Metropolitan police district	32,838	46	38,983	45	42,687	41	80,541	15
Norfolk	1,345	62	1,251	62	1,045	74	2,488	63
Northamptonshire	1,217	61	1,246	63	1,266	76	4,425	39
Northumbria	2,606	43	2,109	44	2,221	46	4,991	58
North Yorkshire	1,032	55	1,052	58	980	55	2,563	67
Nottinghamshire	3,701	34	3,352	36	2,874	36	4,736	32
South Yorkshire	2,524	35	2,651	32	2,367	40	3,951	59
Staffordshire	1,905	46	2,004	50	2,200	55	3,830	44
Suffolk	1,243	70	1,333	69	1,116	74	2,099	49
Surrey	1,442	55	1,389	52	1,332	55	2,994	51
Sussex	2,763	57	2,815	56	2,994	54	7,790	25
Thames Valley	4,732	46	4,551	44	4,174	38	11,778	25
Warwickshire	901	51	975	51	898	51	2,401	38
West Mercia	1,739	50	1,894	44	1,881	39	3,961	57
West Midlands	7,624	27	6,365	33	4,844	44	15,675	31
West Yorkshire	4,818	55	5,071	55	5,244	55	10,608	45
Wiltshire	1,012	63	920	56	830	53	1,933	56
Dyfed-Powys	577	84	604	75	482	82	1,402	86
Gwent	933	71	1,305	64	1,415	65	2,395	67
North Wales	1,130	71	1,022	68	844	68	1,869	74
South Wales	3,399	33	3,105	38	3,016	36	6,340	44
Total	133,016	50	136,225	49	134,398	48	279,503	36

Mr. Cousins: To ask the Secretary of State for the Home Department how many cases of credit card fraud there have been in each year since 1995; what the clean up rate was in each year; and if he will make a statement on the outcome of his recent meeting with credit card systems and providers. [129128]

Mr. Charles Clarke: A separate recorded crime figure for cheque and credit card fraud has been collected since 1 April 1998. The number of offences in the year ending March 1999 was 141,948, with the clear-up rate for these offences being 31 per cent.

On 27 June, I chaired a constructive and positive meeting with cheque and credit card systems providers, retailers and law enforcement agencies. The discussion was wide-ranging: information-sharing, cross-border co-operation, the European and international dimension to fraud, the role of law enforcement agencies, hotspots, education and training were all given serious consideration.

It was agreed that, in addition to the work already being taken forward by the banking and retail industries on the development of new technologies, the Home Office would lead work on information sharing and the involvement of the relevant law enforcement agencies, with a particular remit to consider how to target and tackle hotspots. The group will reconvene in autumn to review progress.

Restorative Justice

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what plans he has to extend the use of restorative justice approaches for *(a)* young offenders and *(b)* adult offenders; and if he will make a statement. [128541]

Mr. Charles Clarke: For young offenders the final warning scheme, reparation order and action plan order under the Crime and Disorder Act 1998, were implemented across England and Wales on 1 June 2000; and the referral order under the Youth Justice and Criminal Evidence Act 1999 is being piloted in seven areas from summer 2000 ahead of national implementation. These measures reflect the restorative justice principles of responsibility, reparation and reintegration in tackling offending and requiring offenders to make amends for their actions. The Youth Justice Board for England and Wales is funding and evaluating a number of local schemes in support of these measures. For adult offenders, community service orders provide the opportunity for offenders to undertake work for the benefit of the community. In addition, a review of best practice, focused on restorative justice schemes for adult offenders, is being undertaken under the Government's crime reduction programme, on the basis of which further schemes may be funded and evaluated.

Crime Statistics

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what assessment he has made of the change in recorded crime rates over the last 10 years *(a)* in the United Kingdom and *(b)* in other European Union countries; and if he will make a statement. [128543]

Mr. Charles Clarke: Information covering recorded crime in all the European Union member states (including the parts of the United Kingdom) for the period 1988 to 1998 was published by the Home Office in the Statistical Bulletin 04/00, "International comparisons of criminal justice statistics 1998", on 22 February 2000. A copy is in the Library.

Voice Tagging

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will make a statement on the use of voice tagging; what pilot projects are being undertaken; what plans he has to extend the use of voice tagging. [129293]

Mr. Boateng: There are currently two pilots using voice verification technology being undertaken in England and Wales; the first is a pilot using VoiceTrack technology (which is licensed to Group 4 in the United Kingdom) and after an initial six month pilot in the Kent Probation Service region, they have been extended to cover the North Wales area. The Youth Justice Board is also undertaking pilots using a voice verification system developed by Group 4 with Kent and Medway Youth Offending Teams. The Board is currently in discussions about extending the pilots but there are no firm plans at present to extend either of them. Both of these pilots will be evaluated by the Home Office Research, Development and Statistics Directorate. No decision about whether to extend the pilots will be made until after they have been evaluated.

Sexual Offences Review

Miss Widdecombe: To ask the Secretary of State for the Home Department if he will list the members of the External Reference Group of the Sexual Offences Review. [129363]

Mr. Charles Clarke: The membership of the External Reference Group of the Sex Offences Review was:

Julie Barnard (Rape Crisis Federation) (from April to September 1999)

Nick Bent (from May 1999)

Mark Blake (Blackliners) (until December 1999)

David Congdon (Mencap)

Penny Dean (The Children's Society)

Dina Gold (Board of Deputies of British Jews)

Steve Hodges (NCH Action for Children) (from March until October 1999)

Helen Jones (Rape Crisis Federation) (from September 1999)

Dr. Liz Kelly, CBE (University of North London)

Shaun Kelly (NCH Action for Children) (from November 1999)

Dan Lambeth (Solicitor)

Sandra McNeill (Campaign to End Rape)

Anita Mansley (St. Mary's Sexual Assault Referral Centre, Manchester)

Angela Mason, OBE (Stonewall)

Deryk Mead (NCH Action for Children) (February 1999)

Dr. Gillian Mezey (Royal College of Psychiatrists) (from July 1999)

Margaret Pedler (Mind)

Nerys Rees (Women's National Commission and Soroptimist International)

Dr. Deborah Rogers (British Medical Association)

Imam Dr. Abduljalil Sajid, JP (Muslim Council of Britain (from September 1999)

Sara Swann (Barnardo's)

Professor Jennifer Temkin (Department of Law, University of Sussex)

Ruth Vincent (Association of Directors of Social Services) (from May 1999)

David Watts (Essex Social Services) (from July 1999)

Reverend Neil Whitehouse (Kairos in Soho and The Methodist Church)

Claire Wilson-Thomas (CARE, Christian Action, Research and Education).

Kosovan Humanitarian Evacuation Programme

Mr. Paul Clark: To ask the Secretary of State for the Home Department what plans he has to reimburse local authorities for their expenditure on the Kosovan Humanitarian Evacuation programme during the current financial year. [129759]

Mr. Straw: The arrangements for reimbursement are set out in Special Grant Report Number 68, which I have laid before Parliament today. The Report explains the areas of expenditure that will be eligible for the grant and invites local authorities to submit interim claims by 30 September. This will ensure the prompt repayment of the bulk of the expenditure incurred by local authorities during 2000–01.

Immigration Adjudicators

Mr. Cox: To ask the Secretary of State for the Home Department how many immigration adjudicators come from an ethnic minority background. [128874]

Mr. Lock: I have been asked to reply.

There are currently 43 full-time and 295 part-time immigration adjudicators. The ethnic background of the 43 full-time adjudicators is 29 white, three black, four Asian, and seven unknown or not specified. The ethnic background of the 295 part-time adjudicators is 199 white, nine black, 14 Asian, two Chinese, seven other and 64 unknown or not specified.

Written Answers to Questions

Friday 7 July 2000

ENVIRONMENT, TRANSPORT AND THE REGIONS

Advertising

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions how much has been spent by his Department on advertising in each year since May 1997. [125689]

Ms Beverley Hughes *[holding answer 12 June 2000]:* The Department's financial year starts 1 April and the advertising spend from April to March for each financial year from 1994 is as follows:

Year	*£*
1994–95	8,988,000
1995–96	9,293,000
1996–97	7,219,000
1997–98	6,500,000
1998–99	6,000,000
1999–2000	12,000,000

Note:

Figures exclude VAT

The figures for 1994–95 to 1996–97 show the combined spends of the then Departments of Transport and of the Environment.

Expenditure in 1999–2000 includes £3 million for the campaign to encourage voting in the GLA election and £4.6 million for the "Are You Doing Your Bit" campaign.

Liquid Petroleum Gas

Ms Atherton: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to promote the use of liquid petroleum gas in cars. [128276]

Mr. Hill: The Government have introduced a number of measures to promote the wider use of liquefied petroleum gas (LPG) in recognition of the fuel's environmental benefits. The Energy Saving Trust's Powershift programme, which is funded by my Department, provides grants towards the additional cost of vehicles fuelled by LPG. Funding for this programme was increased to £10 million following the last Budget. LPG and other road gas fuels also benefit from a relatively low rate of fuel duty compared to petrol and diesel. From 1 March 2001, Vehicle Excise Duty for new cars will be graduated on the basis of CO_2 emissions. Under the new scheme, LPG cars will benefit both from a modest discount and from generally having lower CO_2 emissions than equivalent petrol cars. The Government are currently consulting on further tax discounts under the new company car tax regime, which comes into effect from 6 April 2002, for gas and electric cars.

Exchange Flags Building (Liverpool)

Mrs. Ellman: To ask the Secretary of State for the Environment, Transport and the Regions what progress he has made in recovering the regeneration grant awarded to the Walton Group in respect of Exchange Flags Liverpool; and if he will make a statement. [128635]

Ms Beverley Hughes: Under section 175 of the Leasehold Reform, Housing and Urban Development Act 1993, the Secretary of State appointed the Urban Regeneration Agency ("English Partnerships") to act as his agent in respect of the agreement to pay a City Grant to the Walton Group for the refurbishment of the Exchange Flags building, Liverpool. In that capacity English Partnerships carried out a review of the project and are pressing for repayment of the grant.

Inquiries are in progress, and therefore it would be inappropriate for me to make any further statement at this time.

Homelessness

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions (1) what plans he has to introduce common arrangements for monitoring homelessness throughout the UK; [128896]

(2) what assessment he has made of the effectiveness of current arrangements for monitoring homelessness in England. [128895]

Mr. Raynsford: Local housing authorities in England make quarterly and annual returns to the Department of the Environment, Transport and the Regions of data concerning their activities under the homelessness legislation. They also provide annually an estimate of the number of people sleeping rough in their area on any one night in June. The extent of the rough sleeping problem in England is monitored through single-night street counts, co-ordinated by local authorities and carried out in partnership with the local voluntary sector and volunteers. We are satisfied that these arrangements provide an effective means of monitoring homelessness in England. The Government currently have no plans to introduce common arrangements for monitoring homelessness throughout the UK.

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions (1) what assessment he has made of the effectiveness of the arrangements for reviewing homelessness decisions made by local authorities under sections 202 and 203 of the Housing Act 1996; and if he will make a statement; [128905]

(2) how many reviews were undertaken by authorities of decisions taken under section 202 of the Housing Act 1996 in *(a)* 1997–98, *(b)* 1998–99 and *(c)* 1999–2000 in each local authority area. [128906]

Mr. Raynsford: We will consider the effectiveness of the current arrangements for local housing authorities' review of homelessness decisions when we take forward the proposals for reform of the homelessness legislation set out in the Housing Green Paper, "Quality and Choice: A decent home for all". Information about the number of reviews undertaken by local authorities is not held centrally.

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to seek amendments to the provisions of Part VII of the Housing Act 1996 relating to intentional homelessness; and if he will make a statement. [128904]

Mr. Raynsford: The Housing Green Paper, "Quality and Choice: A decent home for all", sets out the Governments proposals for introducing more choice for existing and prospective tenants of social housing and for strengthening the protection available to homeless people. The Paper suggests that it may be possible to modify the rules of intentional homelessness if these proposals were adopted. The Government will consider responses to the Green Paper before deciding whether to take this forward, and would wish to discuss any proposals with representatives of local government, Shelter and others before introducing amending legislation.

Planning (South-east)

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions (1) what proportion of the potential growth areas and long-term potential growth areas in the draft regional planning guidance for the south-east are at risk or likely to be at risk in the future from potential flooding; [129072]

(2) what area of land in the south-east planning area *(a)* consists of flood plains and *(b)* is liable to tidal or coastal flooding according to the Environment Agency's indicative maps; [129071]

(3) what proportion of brownfield land available for development in the south-east planning area is at risk or likely to be at risk in the future from flooding. [129070]

Mr. Raynsford: Information about areas at risk from fluvial and other tidal or coastal flooding is based on best estimates and information about recorded events. It is provided in the form of maps held by the Environment Agency regional offices and supplied to local authorities.

Ministerial Code

Mr. Robathan: To ask the Secretary of State for the Environment, Transport and the Regions (1) on how many occasions since May 1997 Ministers in his Department have made a declaration of interest to their colleagues under circumstances envisaged in Paragraph 110 of the Ministerial Code; [129161]

(2) if he will list the occasions since May 1997 on which Ministers in his Department have sought the advice of the permanent secretary under the circumstances envisaged in Paragraphs 118, 121 or 123 of the Ministerial Code. [129181]

Ms Beverley Hughes: Information relating to internal advice and consultation is not disclosed under Exemption II of the Code of Practice on Access to Government Information.

West Coast Main Line

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions if he will make improved timekeeping and extended boarding times on the Euston to Liverpool Lime Street line a condition for renewal of the West Coast main line franchise. [129601]

Mr. Hill: The present franchise for the West Coast main line is not due to be replaced until 9 March 2012. When replacing franchises, the Franchising Director will be seeking to improve services to passengers and improvements in performance. Boarding times at stations are an operational matter for Train Operating Companies and it is not envisaged that they will be the subject of specific franchise requirements.

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received about making the level of on-board service a condition of franchise renewal for the West Coast main line. [129600]

Mr. Hill: The Secretary of State has not received any representations about making the level of on-board service a condition of franchise renewal for the West Coast Main Line. The present franchise for the West Coast Main Line is not due to be replaced until 9 March 2012. This franchise, in common with all the other passenger rail franchises, does not contain any provisions stipulating which on-board services must be provided. It is not envisaged that there will be any such provisions in any of the replacement franchises.

Rail Franchises

Mr. Burstow: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will ensure that, where a new franchise is awarded by the Strategic Rail Authority, the performance standards in the new franchise agreement are applied during the unexpired period of the old franchise agreement; [129687]

(2) what powers the Strategic Rail Authority has to ensure a smooth and rapid transfer when it awards a new franchise to a company different from the one currently providing the service and the existing company decides to continue until its contract expires. [129705]

Mr. Hill: This would be a matter for negotiation between the Franchising Director and the existing and potential franchisees. In the event of failure to agree transfer arrangements in advance of expiry of the existing franchise, the existing franchisee would be obliged to continue to honour its contractual commitments.

Atomic Energy

Mr. Cousins: To ask the Secretary of State for the Environment, Transport and the Regions what changes he plans to make to the location of intermediate and high level nuclear waste by the United Kingdom Government in the returns to the International Atomic Energy Agency for 2000; and what requests for environmental sampling have been received by the Government from the Agency since 15 May 1997. [129135]

Mr. Meacher: I am not aware of any requests from the International Atomic Energy Agency for returns about the location of intermediate and high-level nuclear waste, or on environmental sampling.

New Trains

Ms Osborne: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the further exemption order for the fleet of new trains to be introduced into service by Anglia

Railways Ltd. and ScotRail Railways Ltd. in respect of provisions of the Rail Vehicle Accessibility Regulations 1998. [130052]

Mr. Hill: We have received further applications from Anglia Railways Ltd. relating to their Class 170/2 trains and ScotRail Railways Ltd. relating to their Class 170/4 trains. These seek to revoke the original Orders and replace them with new Orders. These have been discussed with our statutory advisers the Disabled Persons Transport Advisory Committee.

Exemption Orders relating to the exemption of the Class 170/2 and 170/4 trains have been laid in Parliament today. Copies are available from the Library.

Abandoned Vehicles

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions if his Department will commission research into possible links between abandoned vehicles, vandalism and other crime; and if he will make a statement. [128490]

Mr. Charles Clarke: I have been asked to reply.

While we have no current plans for research into links between abandoned vehicles, vandalism and other forms of crime, we will consider this area when we next review the forward work programme. We are mindful that abandoned vehicles can be an indicator of problems affecting a neighbourhood, and the local Crime and Disorder Partnerships do take into account action to address such issues when devising the local strategy.

WALES

Council House Sales

Mr. Barry Jones: To ask the Secretary of State for Wales what discussions he has had with the First Secretary on the release of additional council house sales receipts; and if he will make a statement. [129501]

Mr. Paul Murphy: I refer my right hon. Friend to the reply I gave to him on 13 June 2000, *Official Report*, column 571W.

Lords Lieutenant

Mr. Baker: To ask the Secretary of State for Wales how much money his Department has spent in each of the last 10 years for which figures are available on *(a)* Lords Lieutenant and *(b)* their deputies in Wales. [129680]

Mr. Paul Murphy: My Department holds information on Lords Lieutenant's expenditure for the financial years 1996–97 onwards. The total expenditure for each of these years is as follows:

£

	Expenditure
1996–97	20,277.19
1997–98	21,120.85
1998–99	18,500.45
1999–2000	[1]19,566.55
2000–01	[2]4,539.00

[1] This figure includes payments made by the Welsh Office to 30 June and by the Wales Office from 1 July.

[2] To date.

Information on expenditure prior to 1996 could only be obtained at a disproportionate cost.

PRIME MINISTER

Adoption

Ms Buck: To ask the Prime Minister if he will make a statement concerning his review of adoption of children from care. [130095]

The Prime Minister: I have today published a study from the Performance and Innovation Unit (PIU), which forms the first part of my review of adoption. Copies of the study have been placed in the Vote Office and the Libraries. I asked the PIU to provide an initial assessment of the main problem areas, identify options and make recommendations to the Government on the use of adoption for children in the care of local authorities. The report contains a range of options for promoting greater use of adoption, and for making it faster and more straightforward. To ensure that there is the fullest possible debate on this issue, the report is published for consultation. In the light of views expressed in consultation we will then publish a White Paper before the end of the year setting out the Government's new approach to adoption, and including proposals for new legislation, to be introduced next year.

Ministerial Code

Mr. Robathan: To ask the Prime Minister (1) on how many occasions since May 1997 Ministers in the Cabinet Office have made a declaration of interest to their colleagues under circumstances envisaged in Paragraph 110 of the Ministerial Code; [129149]

(2) how many times he has been consulted by Ministers under the procedures outlined in paragraph 109 of the Ministerial Code; on what occasions any such consultations took place; and if he will make a statement; [129182]

(3) what discussions he has had with the Deputy Prime Minister on Paragraph 109 of the Ministerial Code *(a)* with respect to his tenancy of a flat in Clapham and *(b)* other matters. [129236]

The Prime Minister: Information relating to internal advice and consultation is not disclosed under Exemption 2, Part II of the Code of Practice on Access to Government Information.

Internet Broadcasts

Mr. Baker: To ask the Prime Minister how many weekly prime ministerial internet broadcasts he has given; on which dates each was available on the No. 10 website; how many hits each broadcast experienced during the week following its posting on the website; and for what reason he has discontinued his weekly internet broadcasts. [129223]

The Prime Minister *[holding answer 5 July 2000]:* There have been 14 broadcasts, all of which are still available on the website. They are:

30 June 2000—Economic Policy
19 May 2000—Sierra Leone
2 May 2000—Strategic Direction of Government
21 April 2000—Northern Ireland
14 April 2000—Russia
7 April 2000—New Deal for over-50s
31 March 2000—Health
24 March 2000—The Budget
17 March—Streamlining Public Services
10 March—Drugs
3 March—Mozambique
25 February—Health
18 February—Drugs
11 February—Education.

The broadcasts can be accessed in a number of different ways—either as a streamed file, a downloadable MP3 version or as a transcript. The streamed versions of the broadcasts have been requested nearly 37,000 times, an average of 254 requests per day, since the first one was posted on the site on 11 February. Downloads of the MP3 version and hits on the transcript page will be in addition to this figure, but the site statistics do not show how often these have been accessed. The site as a whole received over 37 million hits in the three months since it was re-launched on 11 February.

I will continue to regularly record broadcasts for the website. The latest broadcast, on economic policy, was published on the website on 30 June.

Lord Levy

Mr. Baker: To ask the Prime Minister if he will make it his policy to increase the accountability to Parliament of Lord Levy. [129707]

The Prime Minister: I have nothing further to add to the reply I gave to the hon. Member on 5 July 2000, *Official Report*, column 218W.

Engagements

Mr. Gill: To ask the Prime Minister if he will list his official engagements for 16 May 1998. [129738]

The Prime Minister: I was hosting the G8 Summit in Birmingham.

INTERNATIONAL DEVELOPMENT

Former Civil Servants (Pensions)

Mr. Paterson: To ask the Secretary of State for International Development if she will make a statement on outstanding pension commitments to former Rhodesian civil servants agreed at the time Zimbabwe became independent. [129136]

Mr. Foulkes: At Independence, the pension rights of both retired and serving public servants were preserved under the Zimbabwe Constitution, determined during the Lancaster House negotiations. The Government of Zimbabwe are responsible for the payment of pensions to former Rhodesian civil servants. That constitution guarantees the continued payment of pensions to former Zimbabwe public servants, wherever they reside. Occasionally, there have been delays in pension payments being made as a result of shortages in foreign exchange, but, these apart, the Government of Zimbabwe have consistently honoured their obligations. There is no provision in the Constitution to protect the value of externally paid pensions against the effects of fluctuating exchange rates.

EU Aid

Mr. Robertson: To ask the Secretary of State for International Development what discussions she has had with European commissioners about the EU's delivery of aid to developing countries; and if she will make a statement. [129515]

Clare Short: I have frequent exchanges with Commissioners Nielson and Patten about EC aid to developing countries. It is in sore need of reform. We are working for full implementation of our detailed strategy (a copy of which is in the Library of the House) which requires the European Commission and other EU member states radically to improve the poverty focus and effectiveness of EC development assistance. There is a growing commitment to reform. The reduced number of Commissioners responsible for development, the improvements incorporated in the renegotiation of the Lomé convention and the recently published strategy for development are significant advances, but implementation of the promised reform remains to be achieved.

Dr. Tonge: To ask the Secretary of State for International Development what recent discussions she has had with her European counterparts regarding the provision of EU development aid to countries in conflict. [128712]

Clare Short: The general issue of the role of development assistance in countries in conflict has been discussed frequently, most recently at the informal meeting of European Community Development Ministers in Lisbon in January, which the Parliamentary Under-Secretary of State attended. Further discussion was also held during part of a seminar held in Paris, jointly hosted by the French and Portuguese Development Ministers, on 30 June. The position in a number of specific countries, notably Sierra Leone, the Democratic Republic of the Congo and Ethiopia and Eritrea, was discussed at the meeting of the Development Council on 18 May.

All development programmes, including the European Community's, need to develop more effective methods for targeting development assistance to countries in conflict. The UK and other member states have urged the Commission to undertake work in this area. Provisions on the issue of peace-building and conflict prevention and resolution were included in the new EU-ACP Cotonou Agreement. The Commission are currently developing guidelines to help officials design programmes that address potential sources of conflict.

CABINET OFFICE

Civil Service Recruitment

Ms Bridget Prentice: To ask the Minister for the Cabinet Office when she will publish the Fifth Annual Civil Service Fast Stream Recruitment report. [129927]

Marjorie Mowlam: The annual Civil Service Fast Stream Report was placed in the Libraries of the House earlier today. It covers the year from 1 April 1999 to 31 March 2000, and reports the results of Fast Stream competitions completed during that period and action undertaken for future competitions.

The report shows that there has been progress in broadening the diversity of Fast Stream recruits. In particular, for the first time the Civil Service has reached parity in the numbers of successful men and women applicants to open Fast Stream schemes. The standard of entry to the Fast Stream Development Programme has remained consistently high. In line with the experience of other major employers, the Civil Service did not fill all its Fast Stream vacancies in 1999, with specialist areas a particular source of concern.

Constituency Statistics

Mr. Baker: To ask the Minister for the Cabinet Office, pursuant to her answer to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes) of 28 June 2000, *Official Report*, column 564W, how many requests her Department has received from hon. Members for statistics compiled at constituency level since 1 May 1997; if she will state in each case *(a)* the name and party allegiance of the hon. Member, *(b)* the date the request was received, *(c)* the date the information was provided and *(d)* the subject matter; and what has been the total cost since 1 May 1997 of meeting such requests. [129723]

Mr. Stringer: The information is not held centrally and can be obtained only at disproportionate cost.

TREASURY

Stamp Duty

Mr. Pendry: To ask the Chancellor of the Exchequer if he will bring forward the stamp duty relief for transfers of local authority housing stock, which was announced in the Budget, to include all such transfers made since the announcement. [130094]

Mr. Andrew Smith: I am pleased to say that measures will be brought forward in Report Stage of the Finance Bill to ensure that transfers of housing from local authorities to registered social landlords taking place after 21 March will benefit from the new exemption. This will apply whether or not the social landlords concerned are constituted as charities.

Transfers under the large-scale voluntary transfer programme offer benefits for tenants and the programme reflects the Government's commitment to generate private finance to repair and improve the condition of social housing. Bringing forward the extension of the Stamp Duty relief to the earliest possible date following the Budget announcement will help local authorities making transfers between 22 March and Royal Assent to the Finance Bill.

Local authorities who have made relevant transfers upon which Stamp Duty has been paid will be able to make claims to the Stamp Office for repayments as soon as Finance Act 2000 becomes law.

Spectrum Auction

Mr. St. Aubyn: To ask the Chancellor of the Exchequer (1) if the receipts from the third generation mobile spectrum auction which have already been received are to be treated under resource accounting rules as capital receipts; [128068]

(2) if the future receipts from the third generation mobile spectrum auction are to be treated as capital receipts; [128069]

(3) if the future receipts from the third generation mobile spectrum auction are to be treated under resource accounting rules as an accrual at the time the obligation was secured. [128070]

Mr. Andrew Smith *[holding answer 28 June 2000]:* The Office for National Statistics (ONS) has provisionally decided to classify the receipts from the auction of licences for the third generation mobile spectrum as current receipts (rents) in the UK national accounts, and to accrue the receipts over the period of the licences, according to the treatment it sees as best fitting the principles of the European System of Accounts 1995 (ESA95). ONS are consulting Eurostat about the classification. The treatment of the proceeds under resource accounting will require an accruals, rather than a cash, basis of accounting for the receipts.

Fuel Duty

Mr. Swinney: To ask the Chancellor of the Exchequer what recent discussions he has had with his European partners with regard to revenue loss as a result of differential road fuel duty rates between member states; and if he will make a statement. [128181]

Mr. Timms *[holding answer 5 July 2000]:* EU member states are free to set excise duty levels in accordance with an agreed structure and current UK policy on the taxation of road fuel is fully in accordance with the provisions of the relevant EC Directives.

Euro

Mr. Bercow: To ask the Chancellor of the Exchequer which foreign target group in the UK is to receive material as part of the Euro 2002 Information Campaign of the European Central Bank. [128136]

Miss Melanie Johnson: We understand from the European Central Bank that there are no plans at present to distribute Euro 2002 information campaign material within the UK.

Ministerial Code

Mr. Robathan: To ask the Chancellor of the Exchequer (1) on how many occasions since May 1997

Ministers in his Department have made a declaration of interest to their colleagues under circumstances envisaged in Paragraph 110 of the Ministerial Code; [129152]

(2) how many times Ministers in his Department have sought the advice of the Permanent Secretary under the circumstances envisaged in Paragraphs 118, 121 and 123 of the Ministerial Code; and on which occasions such advice was sought. [129173]

Miss Melanie Johnson: Information relating to internal advice and consultation is not disclosed under Exemption II of the "Code of Practice on Access to Government Information".

Disabled Drivers

Mr. Wyatt: To ask the Chancellor of the Exchequer if he will introduce a tax allowance on petrol for disabled drivers who are dependent on their cars. [128873]

Dawn Primarolo: The Chancellor keeps all tax issues under review as part of the Budget process. Drivers who receive the higher rate mobility component of Disability Living Allowance can already get help leasing or buying a car from the Motability scheme. They also qualify for the Blue Badge scheme (formerly Orange Badge scheme) of parking concessions and are exempt from Vehicle Excise Duty.

TRADE AND INDUSTRY

SMEs

Mr. Cox: To ask the Secretary of State for Trade and Industry what assistance his Department gives to help develop small and medium-sized business organisations in the Greater London area. [127866]

Ms Hewitt: The nine Business Links in London receive financial support from the DTI's Business Link core services budget to deliver a range of help to small and medium-sized enterprises (SMEs) across the Greater London area.

From next April, one New Business Link operation covering the whole of London will take over as the primary source of help to SMEs. My Department will be providing substantial funding for the new business support arrangements.

Lesotho

Mr. Austin: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 22 June 2000, *Official Report*, column 236W, on Lesotho, if he will list the payments by Her Majesty's Government in respect of loans underwritten through the ECGD to the companies listed. [128569]

Mr. Caborn: No claims payments have been made direct to the companies concerned as they are not the beneficiaries of the ECGD cover. ECGD's guarantee is given to the lending bank for any defaults arising under any loan agreement.

Only one of the loans listed has so far given rise to claims payments, namely the loan made by HSBC to finance the Cairo Waste Water project in Egypt. On a closer examination of records, it is regretted that the value of this loan was incorrectly shown as £32.0 million in the answer provided to my hon Friend's earlier question on 22 June 2000, *Official Report*, column 236W. The total value of this loan was, in fact, £142.8 million. Claims including interest of the value of £190.8 million have been paid to the lending bank following a series of defaults under this loan of which some £43 million has been recovered to date. The balance of the debt has been rescheduled under debt rescheduling arrangements with Egypt.

Post Office Counters

Mrs. Browning: To ask the Secretary of State for Trade and Industry if he will allow Post Office Counters to contract with parcel companies in the private sector. [129672]

Mr. Byers: This is a commercial matter for the Post Office.

Royal Mail

Mrs. Browning: To ask the Secretary of State for Trade and Industry if he will list the acquisitions made by Royal Mail in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000. [129674]

Mr. Byers: None.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Trade and Industry if he will list for his Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if he will make a statement on his Department's leasing and purchasing policy. [128981]

Dr. Howells: The Department does not purchase vehicles. The primary purpose of the Department's policy on leased vehicles is to achieve value for money on official travel. There is no restriction on the make of *(a)* cars and *(b)* commercial vehicles that can be obtained through the Department's leasing arrangements.

Regional Aid Map

Mr. Redwood: To ask the Secretary of State for Trade and Industry when he expects the EU to approve a regional aid map for the United Kingdom. [129218]

Mr. Byers: In the near future.

National Insurance

Mr. Webb: To ask the Secretary of State for Trade and Industry what has been the policy since 1989 on writing annually to those of his Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129479]

Dr. Howells: The Department has not previously issued annual reminders to staff paying reduced rates of National Insurance contributions but this policy is currently under review.

NORTHERN IRELAND

Police Authority

Mr. McNamara: To ask the Secretary of State for Northern Ireland when the Secretary and Chief Executive of the Police Authority for Northern Ireland was appointed; what the term of his appointment is; how many official visits he made outside Northern Ireland in each year since his appointment; what expenses were reimbursed to him for *(a)* entertainment, *(b)* subsistence, *(c)* travel and *(d)* car mileage or the use of a vehicle; and what vehicle allowance was paid to him in each year since his appointment. [128360]

Mr. Ingram: The current Secretary and Chief Executive of the Police Authority for Northern Ireland was appointed on 1 July 1995 on a 4-year contract. This contract was renewed on 1 July 1999 for a further 4 years.

The first table shows the number of official journeys made each year by the Secretary and Chief executive outside Northern Ireland since his appointment in July 1995 until 30 June 2000. The second table details expenses reimbursed to the Secretary over each financial year.

Year	*Journeys*
1995	8
1996	14
1997	9
1998	11
1999	14
2000	4

£

Financial year	*Travel*	*Mileage*	*Subsistence*	*Hospitality*
1995–96	0	0	0	0
1996–97	[1]—	[1]—	[1]—	[1]—
1997–98	549	622	158	41
1998–99	492	1,192	169	79
1999–2000	0	578	79	357
2000–30 June 2000	0	0	0	0

[1] Total £669

Note:

All figures rounded to the nearest £

Mr. McNamara: To ask the Secretary of State for Northern Ireland if the Secretary and Chief Executive of the Police Authority for Northern Ireland is authorised to use fuel charge cards issued for the use of the *(a)* RUC and *(b)* Police Authority. [128362]

Mr. Ingram: Use of fuel charge cards issued to the Royal Ulster Constabulary is at the discretion of the RUC's Chief Engineer and the Head of Transport. The Police Authority is not in possession of fuel charge cards.

Mr. McNamara: To ask the Secretary of State for Northern Ireland if the terms of employment of the Secretary and Chief Executive of the Police Authority for Northern Ireland provide for *(a)* use of official vehicles (i) on and (ii) off duty, or *(b)* reimbursement for mileage or the use of a vehicle and *(c)* a vehicle allowance. [128361]

Mr. Ingram: The Secretary and Chief Executive of the Police Authority for Northern Ireland has access to official vehicles when on duty. The Secretary and Chief Executive is entitled to claim mileage allowance for the use of a private vehicle on official business in accordance with the Northern Ireland Civil Service Code.

Firearms

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many firearms certificates have been withdrawn in Northern Ireland in each of the last five years and the current year; and how many *(a)* shotguns, *(b)* .22 rifles, *(c)* fullbore rifles and *(d)* handguns were affected by the withdrawal of certificates. [128613]

Mr. Ingram: The Chief Constable has advised that the information requested is not readily available and could be obtained only at disproportionate cost.

Readily available information is set out in the table.

Revocations of and refusals to renew firearm certificates under the Firearms (NI) Order 1981

Year	*Revocations*	*Refusals to renew*	*Partial refusals*[1]	*Total*
1999	133	57	10	200
2000[2]	74	37	7	188

[1] When only one, or more than one, of a number of firearms on a firearm certificate has been refused to be renewed.

[2] January to June

Drugs Offences

Mr. William Ross: To ask the Secretary of State for Northern Ireland how many persons have been arrested and charged with drugs offences in Northern Ireland since 1 January; and what is his estimate of the street value of each type of illegal substance seized. [128614]

Mr. Ingram: The table shows the number of persons arrested and charged with drugs offences during the period 1 January to 31 May 2000, together with the type of drugs seized and the estimated street value.

Street values of drugs seized (January to May 2000)

Drug	*Form*	*(£)*
Class A		
Cocaine	Powder	5,600
	Wraps	—
'Crack' Cocaine	Powder	4,900
Ecstasy	Tablets	5,448,988
	Powder	22,176
	Capsules	—
LSD	Tablets	1,280
Opiates (inc. Heroin)	Powder	2,800
	Tablets	240
	Ampoules	—
	Wraps	—
Class B		
Cannabis	Resin	1,407,560
	Herbal	24,489
	Plants	35,400
	Joints	126
	Oil	—

Street values of drugs seized (January to May 2000)

Drug	Form	(£)
Amphetamines	Powder	9,530
	Tablets	555
	Wraps	70
Total value of drugs seized (January to May 2000)		6,963,714

Note:

April to May 2000 figures are provisional and may be subject to change

Arrested 539

Charged 228

Armed Robberies

Mr. William Ross: To ask the Secretary of State for Northern Ireland if he will list for each week in each RUC sub division in Northern Ireland since 1 January the number of armed robberies which have taken place and his estimate of the total sums of money and the value of goods stolen. [128615]

Mr. Ingram: The table shows the number of armed robberies recorded in Northern Ireland each month during the period 1 January to 28 June 2000 together with the estimated value of goods or money stolen. This information could be further broken down into weekly statistics only at a disproportionate cost.

Security situation statistics: armed robberies, 1 January 2000–28 June 2000

	January		February		March	
Sub-division	*Number*	*Amount stolen*	*Number*	*Amount stolen*	*Number*	*Amount stolen*
Musgrave Street	2	103,000	3	283	2	121
Mountpottinger	6	1,700	2	203	2	480
Donegall Pass	2	1,945	3	100	1	—
Dunmurry	4	6,641	—	—	—	—
Grosvenor Road	—	—	2	470	2	30,000
Lisburn	1	2,000	1	—	—	—
Woodbourne	1	4,000	1	1	3	242
North Queen Street	1	4,000	1	200	1	61
Antrim Road	1	—	—	—	1	6,000
Antrim	2	250	1	—	—	—
Newtownabbey	2	13,700	1	150	7	4,042
Carrickfergus	—	—	—	—	1	—
Tennent Street	—	—	—	—	—	—
Bangor	—	—	2	425	2	51
Strandtown	6	2,834	2	3,500	2	210
Castlereagh	5	4,792	1	5,000	2	2
Newtownards	—	—	—	—	1	1,706
Downpatrick	3	1,000	—	—	1	800
Newcastle	—	—	1	2,098	—	—
Armagh	3	5,401	1	—	4	7,651
Newry	2	1,300	—	—	2	100
Portadown	—	—	—	—	—	—
Lurgan	2	5,000	1	2,600	2	80
Banbridge	—	—	—	—	—	—
Cookstown	1	25,460	1	—	—	—
Dungannon	—	—	1	250	—	—
Enniskillen	1	100,000	—	—	—	—
Lisnaskea	—	—	—	—	—	—
Omagh	—	—	1	4,500	—	—
Strand Road	2	270	—	—	1	1
Strabane	—	—	—	—	2	1,062
Waterside	—	—	1	260	—	—
Coleraine	—	—	—	—	1	305
Limavady	—	—	—	—	—	—
Magherafelt	2	1,570	—	—	—	—
Ballymena	2	6,000	—	—	—	—
Ballymoney	—	—	1	—	—	—
Larne	—	—	1	1	—	—
Total	51	290,863	29	20,041	40	52,914

	April		May		June (to 28)	
Sub-division	*Number*	*Amount stolen*	*Number*	*Amount stolen*	*Number*	*Amount stolen*
Musgrave Street	2	820	2	81,930	1	2,200
Mountpottinger	—	—	—	—	1	300
Donegall Pass	2	9	3	38,895	—	—
Dunmurry	—	—	2	1	2	5,001
Grosvenor Road	1	600	1	1	—	—
Lisburn	—	—	1	434	2	34,313
Woodbourne	3	20,330	1	200	3	20,357

	April		*May*		*June (to 28)*	
Sub-division	*Number*	*Amount stolen*	*Number*	*Amount stolen*	*Number*	*Amount stolen*
North Queen Street	1	—	—	—	1	—
Antrim Road	1	50	—	—	—	—
Antrim	1	23,024	—	—	—	—
Newtownabbey	2	90,919	1	260	3	17,123
Carrickfergus	—	—	—	—	—	—
Tennent Street	1	751	3	269	—	—
Bangor	2	3,402	1	2,900	1	12,000
Strandtown	—	—	—	—	—	—
Castlereagh	—	—	—	—	1	5,177
Newtownards	—	—	—	—	—	—
Downpatrick	—	—	1	2,100	—	—
Newcastle	—	—	—	—	1	10,000
Armagh	2	940	1	—	—	—
Newry	—	—	—	—	—	—
Portadown	—	—	1	3,500	—	—
Lurgan	—	—	—	—	—	—
Banbridge	1	3,000	—	—	—	—
Cookstown	1	—	—	—	—	—
Dungannon	1	10,000	—	—	—	—
Enniskillen	—	—	—	—	—	—
Lisnaskea	1	5,420	—	—	1	180
Omagh	—	—	—	—	—	—
Strand Road	—	—	1	3,500	1	3,000
Strabane	1	170	1	6,500	—	—
Waterside	—	—	1	33,979	—	—
Coleraine	1	2,061	1	6,500	—	—
Limavady	—	—	2	16,700	1	14,300
Magherafelt	—	—	—	—	—	—
Ballymena	2	1,500	—	—	—	—
Ballymoney	—	—	1	400	—	—
Larne	1	150	—	—	—	—
Total	27	163,146	25	198,069	19	123,951

RUC (Vehicle Accident)

Mr. McNamara: To ask the Secretary of State for Northern Ireland if he will make a statement on the circumstances of the road traffic accident involving an RUC vehicle driven by the Secretary and Chief Executive of the Police Authority for Northern Ireland; what arrangements were made for the repair of the vehicle; and if he will make a statement. [129215]

Mr. Ingram: No official report has been received of any RUC vehicle being used by the Secretary and Chief Executive of the Police Authority being involved in a road traffic accident.

CULTURE, MEDIA AND SPORT

Parliamentary Questions

Mr. Maclennan: To ask the Secretary of State for Culture, Media and Sport how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, excluding those not answered for reasons of *(a)* disproportionate cost, *(b)* information not available, not held centrally, or not held in the form requested and *(c)* commercial or other confidentiality. [127677]

Mr. Chris Smith *[holding answer 26 June 2000]:* I assume the right hon. Member is referring to parliamentary questions where Ministers indicate in their response that they will write to hon. Members. If so, there have been 44 such cases out of a total of 1,044 parliamentary questions answered by my Department in the period in question. In 13 of these cases, I undertook to write to the hon. Member in my capacity as Chairman of the Millennium Commission.

National Lottery

Miss Geraldine Smith: To ask the Secretary of State for Culture, Media and Sport how much money is currently held in the National Lottery distribution fund which is not committed to projects. [128348]

Kate Hoey: As at March 2000, just under £200 million of the money held in the National Lottery Distribution Fund was not committed to specific projects. Nearly three-quarters of uncommitted funds are for the New Opportunities Fund (NOF), but NOF anticipate that all its funds will be committed during the course of this financial year.

Free Television Licences

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport (1) how many households have been sent an application form concerning the availability, to people aged 75 and over, of free television licences; and at what total cost to the public purse; [128817]

(2) what has been the cost to the public purse of *(a)* printing expenses and *(b)* postage, of sending out communications publicising the availability of free television licences for people aged 75 and over. [128816]

Mr. Chris Smith *[holding answer 3 July 2000]:* The BBC is responsible for administering this scheme and has advised that the information is not readily available and could be obtained only at disproportionate cost and by diverting resources which would otherwise be devoted to the successful implementation of the scheme.

Mr. Robertson: To ask the Secretary of State for Culture, Media and Sport what the administrative cost is, including postage, of informing people aged over 75 years about their entitlement to concessionary television licences; and if he will make a statement. [129035]

Mr. Willetts: To ask the Secretary of State for Culture, Media and Sport how many households have been sent letters regarding the concessionary TV licence scheme for people aged over 75 years; how much the total cost was of printing and posting the letters; and how many replies have been received. [128531]

Janet Anderson *[holding answer 4 July 2000]:* The BBC is responsible for administering this scheme and has advised that the information is not readily available and could be obtained only at disproportionate cost and by diverting resources which would otherwise be devoted to the successful implementation of the scheme.

Junior Sport

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what support and assistance he will give to local cricket clubs in promoting junior cricket. [128832]

Kate Hoey: Junior cricket is eligible for funding from Sportsmatch, the Government's sports sponsorship incentive scheme. Since its inception in 1992, Sportsmatch has made 336 awards worth a total of over £2.08 million to grass roots and junior cricket applications in England, attracting a similar amount in commercial sponsorship.

Funding is also available to cricket through the Lottery Sports fund which has made 523 awards to cricket projects, worth a total of over £60 million, towards total project costs of over £106 million. One of the priorities of the Lottery Sports Fund is that projects should attempt to target young people.

Cricket is a sport selected by Sport England for a five year sports development programme aimed at young people. The programme is England-wide, delivered at local level and involves local clubs, local authorities, education services, schools and the England and Wales Cricket Board (EWCB) all working in partnership.

The England and Wales Cricket Board spends approximately 11 per cent. of the £26 million per annum it receives from broadcasting revenue for the development of cricket.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport what support and assistance he gives to local tennis clubs in order to promote junior tennis. [128834]

Kate Hoey: Junior tennis is eligible for funding from Sportsmatch, the Government's sports sponsorship incentive scheme. Since its inception in 1992 Sportsmatch has made 194 awards worth a total of over £1.15 million to grass roots and junior tennis applications in England, attracting a similar amount in commercial sponsorship.

Funding is also available to tennis through the Lottery Sports fund which has made 473 awards to tennis projects, worth a total of over £54 million, towards total project costs of over £92 million. One of the priorities of the Lottery Sports fund is that projects should attempt to target young people.

Tennis is also one of the nine sports selected by Sport England for a five-year sports development programme aimed at young people. The programme is England-wide, delivered at local level and involves local clubs, local authorities, education services, schools and the Lawn Tennis Association (LTA) working in partnership.

King Edward VII Convalescent Home

Mr. Blunt: To ask the Secretary of State for Culture, Media and Sport if the Edward VII convalescent home at Osborne will accept further patients after 31 October. [129233]

Mr. Alan Howarth: No. The King Edward VII convalescent home is due to close on 31 October 2000.

Mr. Blunt: To ask the Secretary of State for Culture, Media and Sport what steps are taken to publicise the widening of eligibility for admission to Edward VII convalescent home at Osborne to include non-commissioned ranks of the armed services under the Osborne Estate Order 1998. [129234]

Mr. Alan Howarth: No steps are currently being taken to publicise the widening of eligibility for admission because the convalescent home is due to close on 31 October 2000. Following the granting of the Osborne Estate Order 1998, the Civil Service Benevolent Fund, who have been managing the convalescent home on behalf of the Secretary of State for Culture, Media and Sport, advertised the widening of eligibility to use the facilities at the home in a variety of publications. Additionally, they brought it to the attention of the Chief Welfare Officers of the armed forces and a number of Government Departments.

Mr. Blunt: To ask the Secretary of State for Culture, Media and Sport how many of the convalescents at Edward VII convalescent home at Osborne were from *(a)* commissioned and *(b)* other ranks of the armed services in (i) 1998 and (ii) 1999. [129235]

Mr. Alan Howarth: The information for the years requested is as follows:

	1998	*1999*
Commissioned Officers	82	76
Other Ranks	0	15

HEALTH

London Health Expenditure

Ms Buck: To ask the Secretary of State for Health what was the expenditure per head of population in each health authority area in London for each year from 1996–97 to 2000–01. [127010]

Mr. Denham: Expenditure per weighted head of population for 1996–97 to 1998–99 is shown for each health authority area in London in the table.

These figures are not comparable between years or between health authorities as a result of changes in accounting practice and other technical accounting differences.

Expenditure by health authority area for later years is not available.

London—expenditure by weighted head of population

£

Health authority	*1996–97*	*1997–98*	*1998–99*
Barking and Havering	565.45	562.37	647.90
Barnet	600.88	643.58	658.78
Bexley and Greenwich	579.39	622.77	671.51
Brent and Harrow	608.69	641.56	703.11
Bromley	524.58	580.83	751.02
Camden and Islington	673.66	647.73	791.10
Croydon	542.71	575.61	646.81
Ealing, Hammersmith and Hounslow	615.88	626.99	678.25
East London and the City	614.61	611.16	658.96
Enfield and Haringey	561.91	584.89	626.57
Hillingdon	585.23	594.37	648.70
Kensington, Chelsea and Westminster	697.38	670.40	752.56
Kingston and Richmond	644.27	677.07	748.79
Lambeth, Southwark and Lewisham	593.35	611.17	650.40
Merton, Sutton and Wandsworth	612.03	635.97	691.65
Redbridge and Waltham Forest	584.88	621.48	684.47
London	603.11	620.28	684.53

Note:

1. Expenditure is taken from HA Annual Accounts which are prepared on a resource basis and therefore differ from cash allocations in each year. (These are not the total amounts spent on healthcare. General Dental Services expenditure is separately accounted for and cannot be analysed by health authority over the three years). Also, since 1997–98 drugs expenditure has been mainly accounted for by the Prescription Pricing Authority. For consistency, figures have been reduced by the amount of non-cash limited prescribing expenditure accounted for by the health authority in each year.

2. However, there are a number of other reasons why the figures shown cannot be directly compared between years and between health authorities. These will include:

(a) Non medical education and training expenditure (NMET): some authorities account for NMET on behalf of local consortia, and those HAs will have different levels of NMET funding over different years;

(b) The levels of non-recurrent allocations (such as strategic assistance) will have varied between years and authorities;

(c) The differential impact of cash limited prescribing, eg as a result of differential levels of general practitioner fundholding;

(d) Services (eg HIV/AIDS) that are accounted for on a district of treatment basis will distort the expenditure per capita figures which are based on resident populations;

(e) Changes in accounting policy over the years;

(f) There could also be different interpretations by auditors which may affect direct comparison; and

(g) Changes in the weighted population figures between years.

3. The expenditure per weighted head figures in the answer do not therefore reflect real changes in the resources available for spend on healthcare locally over the period or provide robust comparisons between HAs.

Sources:

The accounts of health authorities in London for 1996–97, 1997–98 and 1998–99.

Weighted population estimates for 1996–97, 1997–98 and 1998–99.

Parliamentary Questions

Mr. Maclennan: To ask the Secretary of State for Health how many of the written parliamentary questions tabled to his Department between 19 October 1999 and 20 April have not received substantive answers, excluding those not answered *(a)* citing disproportionate cost, *(b)* stating that the information is not available, not held centrally, or not held in the form requested and *(c)* citing commercial or other confidentiality. [128020]

Ms Stuart: Two written questions remain substantively unanswered for the period specified.

Guillain-Barre Syndrome

Mr. Andrew George: To ask the Secretary of State for Health (1) if he will list the mortality rate for patients suffering from Guillain-Barre Syndrome admitted to National Health Service hospitals for treatment in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000; [122625]

(2) what proportion of patients suffering from Guillain-Barre Syndrome and being treated in National Health Service hospitals were admitted to intensive care units in *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000; [122629]

(3) what assessment he has made of the adequacy of data collection in relation to the number of patients suffering from Guillain-Barre Syndrome who have been treated in National Health Service hospitals. [122630]

Mr. Denham: The table shows a mortality rate for patients with a primary diagnosis of Guillain-Barre Syndrome in National Health Service hospitals in England for the financial years 1996–97 to 1998–99. Data for 1999–2000 are not yet available. Information on admissions to intensive care units is not available.

In terms of data adequacy the Hospital Episode Statistics (HES) are compiled from data sent by over 300 NHS trusts in England. Every effort is made to minimise inaccuracies.

Mortality rate derived from number of people diagnosed with Guillain-Barre Syndrome; NHS hospitals England 1996–97 to 1998–99

	1996–97	*1997–98*	*1998–99*
Primary diagnoses	1,489	1,650	1,875
Deaths	29	36	35
Proportion of deaths/diagnoses (per cent.)	1.9	2.2	1.9

Note:

The figures for 1998–99 and 1997–98 are provisional, no adjustment have as yet been made for shortfalls in data (i.e. the data are ungrossed) but for 1996–97 figures are grossed for both coverage and unknown/invalid clinical data.

Source:

Hospital Episode Statistics, Department of Health

Mr. Andrew George: To ask the Secretary of State for Health (1) what plans he has to encourage clinical governance subcommittees of National Health Service trusts to raise awareness of Guillain-Barre Syndrome; [122626]

(2) what plans he has to encourage clinical governance groups within primary care groups to raise awareness of Guillain-Barre Syndrome, particularly among general practitioners. [122627]

Mr. Denham: Clinical governance sub-committees have been put in place to co-ordinate National Health Service organisations' clinical governance activity. They are accountable for ensuring that clinical services across the whole organisation are effectively managed and that the quality of all clinical services improves. There are no plans at this stage to encourage committees to focus on any particular condition.

Eye Tests

Mr. Crausby: To ask the Secretary of State for Health what his policy is on the frequency with which eye tests should be taken. [128726]

Mr. Denham: This is a matter of clinical judgment for optometrists and ophthalmic medical practitioners. In order to ensure probity, we have proposed that a requirement be introduced for a practitioner to give a reason when claiming for a National Health Service sight test at an interval of less than two years since the previous test. Officials will be meeting with representatives of the professions to discuss this proposal on 12 July.

Epilepsy

Mr. Mudie: To ask the Secretary of State for Health what steps are being taken to implement the Clinical Standards Advisory Group's report on epilepsy. [128807]

Mr. Hutton: Departmental officials have recently met with representatives from the Joint Epilepsy Council (JEC) to discuss the findings of the Clinical Standards Advisory Group report and take stock of recent service developments and medical research. As a result of this meeting, officials will be working with the JEC to establish the best way forward.

New Hospitals

Mrs. Spelman: To ask the Secretary of State for Health how many new hospitals were opened in each year since 1979. [129036]

Mr. Denham *[holding answer 4 July 2000]:* Eighty-seven major hospital developments (over £25 million at current prices) have taken place and become operational since 1980. Details are set out in the table. The low figure for 1999 is a consequence of the small number of major hospital developments which started during 1996 and 1997. This was due to all major developments having to test for private funding during this time.

Since 1 May 1997, 38 major hospital developments worth over £3.1 billion have been given the go ahead. The introduction of the private finance initiative into the National Health Service capital building programme will result in a dramatic increase in the number of major hospital developments in future years. The first of these developments, the new hospital at Carlisle, was officially opened on 16 June 2000.

Information collection began in 1980 and we therefore do not hold information for 1979.

Year	*Number of major hospital developments completed*
1980	0
1981	0
1982	0
1983	3
1984	4
1985	4
1986	6
1987	6
1988	9
1989	4
1990	6
1991	9
1992	8
1993	6
1994	1
1995	6
1996	6
1997	5
1998	4
1999	0
Total	87

NHS Pay Review Body

Mr. Keetch: To ask the Secretary of State for Health when biomedical scientists will form part of the NHS Pay Review Body; and if he will make a statement. [129237]

Mr. Denham: Our proposals for modernising National Health Service pay, which were published in February 1999 in "Agenda for Change", include bringing some groups of highly qualified staff within the scope of the Nursing Pay Review Body (NRPB), without changing its fundamentally professional character.

Initial discussions with NHS trade unions on pay modernisation resulted in a Joint Framework of Principles and Agreed Statement on the Way Forward, which was published on 8 October 1999. This sets out the following starting point for more detailed discussions with trade unions on the qualifying criteria for groups to come within the scope of the NRPB:

> Professions with a minimum entry requirement of three years educational study (or equivalent) to diploma level or higher, in a health specific area (other than medicine or dentistry) and which are state registered and have a substantial majority of members employed in health care.
>
> Exceptions might be agreed for staff groups which met the majority but not all of these conditions.
>
> Staff groups which support professions added to the NRPB remit, and who have a direct connection with the transferred groups similar to that between nursing auxiliaries and registered nurses would also need to be considered for transfer.

The widening of the membership of the Review Body is conditional upon an agreement being reached in the current talks about pay modernisation.

Fluoridation

Mr. Baker: To ask the Secretary of State for Health (1) what the cost was of the report his Department commissioned the National Health Service Centre for Reviews and Dissemination at the University of York to prepare, into the safety and efficacy of fluoride in drinking water; if the work being undertaken is *(a)* new research or *(b)* a review of existing research; and if animal testing forms a part of this research; [129659]

(2) when he expects *(a)* to receive and *(b)* to publish the report which his Department commissioned the National

Health Service Centre for Reviews and Dissemination at the University of York to prepare, into the safety and efficacy of fluoride in drinking water; and if he will make a statement on his policy regarding the fluoridation of drinking water. [129684]

Yvette Cooper: The contract for the review was for £79,648. The review has been considering existing research rather than undertaking new research. To structure its approach the centre has concentrated on primary research on the effect of fluoride on populations which have been exposed to fluoridated water. The report is due to reach the Department later this month and should be published shortly afterwards. We will take decisions on the way forward after having considered the report.

Mr. Baker: To ask the Secretary of State for Health if he will make a statement on his Department's policy towards the British Fluoridation Society; and what contributions were made to the Society by the Government in each year since 1975–76. [129658]

Yvette Cooper: The main role the Department funds the British Fluoridation Society to fulfil, is to collect and maintain evidence on the effects of fluoridation. Our support for the British Fluoridation Society since 1975–76 has been:

£

Year	*Amount*
1975–76	4,500
1976–77	5,500
1977–78	5,500
1978–79	5,500
1979–80	5,500
1980–81	11,000
1981–82	14,000
1982–83	15,000
1983–84	15,000
1984–85	15,000
1985–86	30,000
1986–87	20,000
1987–88	20,000
1988–89	30,000
1989–90	31,000
1990–91	45,784
1991–92	51,491
1992–93	56,000
1993–94	62,247
1994–95	63,000
1995–96	74,000
1996–97	117,609
1997–98	90,000
1998–99	76,000
1999–2000	78,000

Single European Currency

Mr. Gill: To ask the Secretary of State for Health (1) what budget he has set for expenditure under the national changeover plan in anticipation of joining the single European currency; and how much has been spent to date; [129739]

(2) by whom the decision was taken to incur expenditure in NHS hospitals in anticipation of joining the single European currency; and on what date. [129740]

Ms Stuart: In his statement to the House in October 1997, my right hon. Friend the Chancellor of the Exchequer said that the Government would

> begin to prepare ourselves so that, should we meet the economic tests, we can make a decision to join a successful single currency early in the next Parliament.

The National Health Service is carrying out a measure of pre-planning for the possible introduction of the euro as set out in the second Outline National Changeover Plan published on 9 March 2000. The costs of this ongoing exercise are contained within normal running costs and cannot be separately identified.

Children's Commissioner

Mr. Robertson: To ask the Secretary of State for Health if he will appoint a commissioner for children; and if he will make a statement. [129441]

Mr. Hutton: We have no plans to appoint a children's commission for England, although as our response to the Waterhouse Report made clear, we are keeping this matter under review. In the meantime, we have already embarked on a major programme to improve children's services and strengthen the safeguards protecting children from abuse.

We consider that this ambitious legislative and policy programme which includes the Care Standards Bill, the Children (Leaving Care) Bill, the Protection of Children Act 1978, the £375 million Quality Protects programme and the new Children's Rights Director post within the National Care Standards Commission together amount to a step-change in the provision of safeguards for children.

Overdoses (Deaths)

Mr. Ronnie Campbell: To ask the Secretary of State for Health how many people have died from overdoses of prescribed medication in the Northumberland health authority area in each of the last three years. [129011]

Ms Stuart: The information requested is not held centrally.

New Deal

Mr. Brady: To ask the Secretary of State for Health how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage this represents of total staff. [129103]

Ms Stuart: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office on 6 July 2000, *Official Report*, column 286W.

The number of New Dealers within the Department and its executive agencies as at 1 April 2000 represents 0.52 per cent. of total staff.

Cochlear Implants (Essex)

Mr. Bob Russell: To ask the Secretary of State for Health how many cochlear implants for children were undertaken in each of the last five years in *(a)* North Essex health authority and *(b)* Essex Rivers Healthcare Trust; and how many children were waiting for more than a year in each case. [125433]

Mr. Hutton: There were no cochlear implants for children treated in North Essex health authority or Essex Rivers Healthcare National Health Service Trust in the last five years. However, there have been seven cochlear implant operations for children resident in the North Essex health authority in the last five years carried out outside the area. Of these, no children waited over three months.

DEFENCE

Armoured Vehicles

Mr. Key: To ask the Secretary of State for Defence what the Army's current inventory is of *(a)* Challenger I, *(b)* Challenger II and *(c)* Warrior vehicles; and how many are operationally available. [129132]

Mr. Spellar *[holding answer 6 July 2000]:* The current inventories for these vehicles are *(a)* 414, *(b)* 250 and *(c)* 786. Information on availability is collated separately in respect of vehicles held by front-line Units and vehicles deployed on operations. The former category excludes certain training vehicles, vehicles in deep repair, vehicles used as reference vehicles and vehicles in storage (e.g. some 300 tanks being stored at Ashchurch as part of the withdrawal from service programme).

Vehicles held by front-line units on operations (measured against an immediate availability target only)

Vehicle type	*Percentage operationally available*
Warrior	96
Challenger I	No CRIs deployed on operations
Challenger II	87

Vehicles held by front line units (other than on operations)

Vehicle type	*Percentage which could be fully operational within 24 hours*
Warrior	88
Challenger I	98
Challenger II	89

Submarines

Mr. Duncan Smith: To ask the Secretary of State for Defence what the operational availability is of each of the Royal Navy's Fleet submarines. [129670]

Mr. Hoon: Of the Royal Navy's 12 Fleet (hunter-killer) submarines, six are operationally available and six are in refit, extended maintenance or repair.

Operational or engaged in preparing for service, trials or training

Sovereign
Superb
Splendid
Trafalgar
Turbulent
Triumph

Undergoing refit maintenance or repair

Sceptre
Spartan
Talent
Tireless
Torbay
Trenchant.

The specific operational readiness of each submarine is classified for security reasons and is being withheld under Exemption 1 of the Code of Practice on Access to Government Information.

Otterburn Ranges

Mr. Key: To ask the Secretary of State for Defence what assessment he has made of the impact on army training of the delay in making improvements to the Otterburn ranges; and if he will make a statement. [129134]

Mr. Spellar *[holding answer 6 July 2000]:* In 1995 my Department submitted a Notice of Proposed Development (NOPD) to the Northumberland National Park Association for the redevelopment of infrastructure at Otterburn Training Area (OTA). This redevelopment is essential to enable training of AS90 and MLRS units at regimental level. This remains an absolute requirement that cannot occur anywhere else in the UK. Since the NOPD was submitted our proposals have been thoroughly examined by two Public Inquiries (PI) and we are still awaiting the outcome.

As a result of our inability to develop OTA, AS90 and MLRS units have not been able to conduct the full range of special-to-arm training that is a necessary precursor to deploying with other formations on combined arms training. As a result, individual Brigades will not be trained sufficiently in all aspects of combined arms war fighting that would enable them to react to short notice operational deployments world wide, as envisaged under the Strategic Defence Review. This has direct consequence for our ability to meet readiness liabilities for the Joint Rapid Reaction Force (JRRF).

The results of the Public Inquiries are currently being considered by the Department for Environment, Transport and the Regions and I am hopeful that a decision will be forthcoming later this year. If our application is successful and allowing time for the necessary construction work on the training area, we expect that AS90 and MLRS units will be able to commence manoeuvre training at Otterburn in 2004.

RAF Feltwell

Mr. Baker: To ask the Secretary of State for Defence, pursuant to his answer of 20 June 2000, *Official Report*, column 135W, regarding RAF Feltwell, when an official of his Department last visited RAF Feltwell. [129719]

Mr. Spellar: Officials from my Department visit daily.

Mr. Baker: To ask the Secretary of State for Defence, pursuant to his answer of 19 June 2000, *Official Report*, column 37W, regarding RAF Feltwell, how much notice it is necessary for RAF Commander Lakenheath to give prior to access to RAF Feltwell being granted by the US forces at the base. [129716]

Mr. Spellar: None.

Mr. Baker: To ask the Secretary of State for Defence, pursuant to his answer of 19 June 2000, *Official Report*, column 37W, regarding RAF Feltwell, if there are areas of RAF Feltwell from which RAF Commander Lakenheath is excluded; and on how many days in each of the last 12 months for which figures are available RAF personnel other than RAF Commander Lakenheath visited RAF Feltwell. [129717]

Mr. Spellar: The RAF Commander Lakenheath is not excluded from any area of RAF Feltwell. Records are not maintained in such a way as to identify separately all visits by RAF Personnel to RAF Feltwell.

Mr. Baker: To ask the Secretary of State for Defence, pursuant to his answer of 12 May 2000, *Official Report*, column 513W, regarding RAF Feltwell, if he will make a statement on the support function afforded to RAF Lakenheath by RAF Feltwell. [129718]

Mr. Spellar: RAF Feltwell provides support facilities such as accommodation, schooling and warehousing to RAF Lakenheath.

Mr. Baker: To ask the Secretary of State for Defence, pursuant to his answer of 20 June 2000, *Official Report*, column 135W, regarding RAF Feltwell, what plans Ministers from his Department have to visit RAF Feltwell. [129720]

Mr. Spellar: None.

RAF Lakenheath

Mr. Baker: To ask the Secretary of State for Defence what the operational purpose of RAF Lakenheath is; and how many *(a)* United Kingdom and *(b)* United States personnel are stationed there. [129682]

Mr. Spellar: RAF Lakenheath is a United States administered main operating base and hosts the United States Air Force's 48th Fighter Wing. 589 UK and 5,343 US personnel are stationed there.

Eurofighter

Mr. Quentin Davies: To ask the Secretary of State for Defence if his Department will derate, or otherwise downgrade, the performance specifications of the Eurofighter EJ200 power plants; and if he will make a statement. [128480]

Mr. Hoon: We are not planning any change in the performance specification of the EJ200 engine. However, for training purposes only, we are investigating the effect of limiting the thrust of the EJ200 engine fitted to Eurofighter. This, if implemented, should extend the engine life and reduce support costs. The change would be practically invisible to the pilot and have no effect on tactical training. During all operational flying full thrust levels will be available.

HMS Tireless

Mr. Duncan Smith: To ask the Secretary of State for Defence when he anticipates that the repairs to HMS Tireless will be complete. [129671]

Mr. Spellar: We anticipate that the repair to HMS Tireless will be completed in the autumn.

Mr. Keetch: To ask the Secretary of State for Defence what work will be carried out on HMS Tireless; when it is due to be completed; and if he will make a statement. [129510]

Mr. Spellar: The repair work on HMS Tireless is a standard repair following a contained leak of coolant water in her reactor compartment. This work will be carried out in Gibraltar and completed in the autumn.

Mr. Keetch: To ask the Secretary of State for Defence what representations he has received on the repair of HMS Tireless in Gibraltar; and if he will make a statement. [129512]

Mr. Spellar: No representations concerning the repair to HMS Tireless have been made. However, the Chief Minister of Gibraltar continues to be fully briefed on this issue. He understands the reasons for carrying out the repair in Gibraltar and will continue to take a close interest in the safety aspects to ensure that no risk is posed to civilian or service personnel.

Mr. Keetch: To ask the Secretary of State for Defence what additional safety guidelines have been issued to staff at HM Naval Base in Gibraltar in relation to the repair of HMS Tireless; and if he will make a statement. [129511]

Mr. Spellar: Stringent safety guidelines relating to nuclear safety and nuclear propelled warships are in place at all HM Naval Bases. Additional guidance relating to this repair has been issued to HM Naval Base Gibraltar.

Export Licences

Mr. Alan Simpson: To ask the Secretary of State for Defence what export licences have recently been issued in respect of L3A1 CS irritant cartridges by SME industries in Malaysia. [128900]

Dr. Howells: I have been asked to reply.

The control of exports from Malaysia is a matter for the Malaysian Government. Any export of licensable goods from the UK to Malaysia would be subject to UK export controls. In addition, I refer my hon. Friend to the answer I gave him on 6 July 2000, *Official Report*, columns 246–49W.

Budget Allocations

Mr. Duncan Smith: To ask the Secretary of State for Defence what the budget allocation for the Defence Clothing and Textiles Agency is for the financial year 2000–01; and when the agency received its budget allocation. [125093]

Mr. Spellar *[pursuant to his reply, 8 June 2000, c. 344–35W]:* I can now advise that the budget allocation for the Defence Clothing and Textiles Agency for the financial year 2000–01 is £163.541 million. This was agreed on 26 June 2000.

SOCIAL SECURITY

Disability Benefits (Medical Reports)

Mr. Brake: To ask the Secretary of State for Social Security what percentage of applicants for *(a)* Disability

Living Allowance and *(b)* Attendance Allowance were refused allowances following an examining medical practitioner's report in each of the last five years. [129306]

Mr. Bayley: The information is in the table.

Decisions to refuse Disability Living Allowance and Attendance Allowance following an examining medical practitioner's report expressed as percentages of all decisions on those benefits

Percentage

	Disability Living Allowance	*Attendance Allowance*
1995	10	6
1996	17	8
1997	20	8
1998	20	7
1999	23	9

Source:

DSS Information Centre: 100 per cent. data

Housing Benefit

Dr. Iddon: To ask the Secretary of State for Social Security if he will list the occasions when he has used his powers under the Social Security Act 1992 *(a)* to require local authorities to improve administration of housing benefit and *(b)* to impose financial penalties on local authorities for failing to comply with a direction from him to improve housing benefit administration. [129468]

Angela Eagle: The Secretary of State has the power to require a local authority to achieve and to maintain specified standards of performance if, following a report by the Benefit Fraud Inspectorate (BFI), the authority fails to propose adequate remedies for any deficiencies identified by BFI.

Of the 64 reports published by the BFI, none have yet required the issue of a direction. My right hon. Friend remains ready to use his powers if appropriate.

State Pension

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to his oral answer of 15 May 2000, *Official Report*, column 4, if he will set out the basis for his estimate that the Government are spending £2.5 billion more on pensioners than would have been spent by restoring the earnings link; and what the reasons are for the difference between this estimate and that given in his answer of 11 April, *Official Report*, column 144W. [129741]

Mr. Rooker: The assumptions underlying the estimate my right hon. Friend the Secretary of State gave in his written answer on 11 April 2000, *Official Report*, columns 143–44W, are given in my written answer to my hon. Friend the Member for Newport, West (Mr. Flynn) on 11 May 2000, *Official Report*, column 479W. The assumptions underlying the estimate given in my right hon. Friend's oral answer on 15 May 2000, *Official Report*, column 4, are the same.

The difference between the figures is due to the inclusion of estimated expenditure on free TV licences for those aged 75 and over in the latter estimate.

Mr. Webb: To ask the Secretary of State for Social Security, pursuant to his answer of 27 June 2000, *Official Report*, column 480–81W, on the state pension, if he will estimate the cost of Option (a), linking the basic pension to earnings and introducing an age addition of £5 for pensioners aged 75 to 79 years and £10 for pensioners aged 80 years and above, on the basis that real earnings grow in line with the Government Actuary's Department's central assumption for long-term growth rates of real earnings. [129516]

Mr. Rooker: The information is in the table.

£ billion

	Gross	*Net of means-tested benefits and income tax*
2001–02	2.3	1.5
2002–03	2.9	1.9
2003–04	3.5	2.2
2004–05	4.2	—
2005–06	4.8	—

Notes:

1. Annual real earnings growth of 1.5 per cent. is assumed throughout the period in line with the Government Actuary's central assumption for long-term growth of real earnings.

2. It is assumed that the age addition is paid in full to basic State pension recipients and is not uprated. Figures include the cost of benefits whose rates are linked to the rate of basic Retirement Pension.

3. Figures are rounded to the nearest £0.1 billion and are in 2000–01 price terms.

4. Gross costs estimated by the Government Actuary's Department. Costs net of income-related benefit savings are estimated using the Policy Simulation Model. Income tax revenues estimated by the Inland Revenue.

5. Estimates of income tax revenues not available beyond 2003–04

Minimum Income Guarantee

Mr. Webb: To ask the Secretary of State for Social Security if, for each of the last 12 months, in respect of the Minimum Income Guarantee, he will estimate *(a)* the number of applications, *(b)* the number of successful applications and *(c)* the average value of payments made. [129744]

Mr. Bayley: The information is not available in the format requested. Such information as is available is in the table.

Minimum Income Guarantee pensioners and average weekly amounts, Great Britain May 1999 to February 2000

Quarter	*Number of claimants (thousand)*	*Average weekly payment*
May 1999	1,624	45.30
August 1999	1,628	45.16
November 1999	1,626	45.03
February 2000	1,604	44.88

Notes:

1. Figures are based on a 5 per cent. sample and are therefore subject to a degree of sampling error.

2. Pensioners are defined as where the claimant, and/or partner are aged 60 or over.

3. Figure are rounded to the nearest thousand.

4. Figures include claimants who may be in Residential Care/Nursing Homes.

Source:

Income Support Quarterly Statistical Enquiries, May 1999–February 2000.

Mr. Webb: To ask the Secretary of State for Social Security if, for the Minimum Income Guarantee take-up campaign, he will estimate *(a)* the total administrative costs to date, *(b)* the administrative costs for the project team and teleclaims service, *(c)* the cost of the televised advertising campaign, *(d)* the total number of calls to the MIG claimline and *(e)* the number of claim packs issued, and of that number (i) the number of completed claim forms so far returned, (ii) the number of successful applications, (iii) the number of those successful claims that have so far been paid and (iv) the value of those claims so far paid. [129745]

Mr. Bayley: The information is not available in the format requested. Such information as is available is as follows.

The total administrative costs, to the end of June, for the project team and teleclaims service is £2,639,236. The cost of the televised advertising campaign is estimated at £3,427,000 in total. To date the Minimum Income Guarantee claimline has received over 75,000 calls and from these calls over 35,000 claim packs have been issued.

FOREIGN AND COMMONWEALTH AFFAIRS

European Council Political Committee

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs what are the terms of reference of the Political Committee of the European Council established under Article 25 of the Treaty on European Union; what is its membership; what opinions from it *(a)* have been requested by the European Council and *(b)* have been produced under its own initiative; and where each has been published. [128849]

Mr. Vaz: The Political Committee monitors the international situation in the areas covered by the common foreign and security policy and contributes to the definition of policies by delivering opinions to the Council at the request of the Council or on its own initiative. It also monitors the implementation of agreed policies. It consists of representatives of member states (usually the Political Director of the Ministry of Foreign Affairs) and of the Commission.

The Political Committee submits advice to the Council on all areas covered by the common foreign and security policy. It does not submit advice to the European Council.

Decisions taken by the Council on the basis of advice submitted by the Political Committee are published in the Official Journal of the European Communities.

Iranian Jews

Mr. Clappison: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement regarding the conviction of members of the Jewish community in Shiraz, Iran. [129270]

Mr. Hain *[holding answer 6 July 2000]:* We are deeply concerned at the news of the sentences imposed on 1 July on 10 Jewish and two Muslim defendants tried for espionage in Shiraz. We and our EU partners have consistently raised our concerns about the conduct of the trial, in particular at its closed nature, despite earlier assurances to the contrary. We note that provision is made for appeal to the Shiraz Revolutionary Court within 20 days of sentencing, and if need be, to the Supreme Court. We will continue to follow proceedings closely and will register our concerns with the Iranian authorities.

Mobile Telephones

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* mobile telephones and *(b)* pagers are used by (i) the Minister for Europe and (ii) his officials; and what the cost was of *(a)* the mobile telephones and pagers and *(b)* calls made on the mobile telephones during the last year for which figures are available, identifying separately the figure for calls to non-UK telephone numbers. [129251]

Mr. Battle: It is imperative for the Minister for Europe to remain in close contact both at home and overseas. The Minister is provided with one mobile telephone. His officials have three. There is also a mobile telephone in the ministerial car. FCO mobile telephone line rental and call costs are at competitive commercial rates.

To provide details of the costs incurred would be in breach of commercial confidentiality.

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs how many *(a)* mobile telephones and *(b)* pagers are used by his Department; and what the cost was of (i) the mobile telephones and pagers and (ii) calls made on mobile telephones during the last year for which figures are available, identifying separately the cost for calls to non-UK telephone numbers and the persons to whom the facility is made available. [129252]

Mr. Battle: It is imperative for the FCO's staff to remain in close contact both at home and overseas. In the UK the FCO has 900 mobile telephones and 253 pagers. FCO mobile telephone line rental and call costs are at competitive commercial rates.

To provide details of the costs incurred would be in breach of commercial confidentiality.

Japanese Investment

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) which other Departments were sent copies of Sir Stephen Gomersall's telegram on Japanese investment in the UK; [129756]

(2) if he has ordered a inquiry into the leaking of Sir Stephen Gomersall's telegram on Japanese investment in the UK; [129742]

(3) if he will list the people in his Department who had access to the telegram on Japanese investment in the UK by Sir Stephen Gomersall; [129746]

(4) when his Department received Sir Stephen Gomersall's telegram on Japanese investment in the UK; and what action was taken after it was received. [129743]

Mr. Battle: I deplore the leaking of Sir Stephen Gomersall's telegram on Japanese investment in the UK.

Reports of this kind are routinely circulated to all Government Departments with an interest in the subject. This includes the Treasury, the Cabinet Office, the Department for Trade and Industry, the Invest in Britain

Bureau (now Invest UK), British Trade International, the Ministry of Defence, the Department for International Development, the Ministry of Agriculture, Fisheries and Food, the Scotland Office, the Northern Ireland Office and the Office of the Secretary of State for Wales. On the same basis, such reports are also widely circulated within the Foreign and Commonwealth Office.

Sir Stephen Gomersall's telegram was received in the Foreign and Commonwealth Office on 22 June 2000. It was then distributed in the normal way, through a mix of paper and electronic copies.

An inquiry into the leak has been launched.

EU Food Agency

Mr. Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress in establishing an EU food agency. [128508]

Ms Stuart: I have been asked to reply.

We have responded to the European Commission's White Paper on Food Safety which contains proposals to establish a European food authority. The submission of our response was announced via a Food Standards Agency press release of 1 June. The response has been placed in the Library of the House and is also available on the Food Standards Agency website at www.foodstandards.gov.uk/pdf—files/response.pdf.

The Commission is now considering all the comments it has received from member states and is awaiting the opinion of the European Parliament. The Commission has indicated its intention to come forward with firm proposals by late October.

SCOTLAND

Drugs Misuse

Mr. Sarwar: To ask the Secretary of State for Scotland if he will make a statement on the application of the Government's national policy on drugs in Scotland. [128584]

Dr. Reid: Action in Scotland against drugs misuse is being taken forward by the Scottish Executive within the common UK framework established by the 1998 White Paper, "Tackling Drugs to Build a Better Britain" (Cm 3945). Scotland's drug strategy is set out in "Tackling Drugs in Scotland: Action in Partnership" which was launched in March 1999. Copies are available in the Library of the House.

AGRICULTURE, FISHERIES AND FOOD

Flax and Hemp

Mr. Wigley: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on progress made to date in the negotiations to reform European support arrangements for flax and hemp. [125072]

Ms Quin: There have been lengthy discussions of the flax and hemp reform proposals at official level, but no discussion as yet at ministerial level.

The proposals were due to be discussed at the May Agriculture Council—and then the June Agriculture Council—but on both occasions they were removed from the agenda because the European Parliament had not provided its opinion. The Parliament's opinion was finally delivered on 6 July, clearing the way for discussion at the forthcoming Agriculture Council to be held on 17–18 July.

GM Crops

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food what the number and nature is of the responses he has received as a result of his paper of 8 June on Review of Separation Distances for GM Crops; and if he will place copies of the responses in the Library. [126087]

Ms Quin: At the time of writing 36 responses to the consultation letter have been received expressing a range of views. Copies of the responses will be placed in the House Libraries after the end of the consultation period, unless respondents specifically ask for their comments not to be made public.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food if he will list the parties consulted regarding the review of separation distances for GM crops announced on 8 June. [126096]

Ms Quin *[holding answer 15 June 2000]:* The review consultation document has been sent to the following organisations.

Review of separation distances for GM crops: list of consulted organisations

ACRE members
Advanced Technologies (Cambridge) Ltd.
Advanta Seeds Ltd.
Agra-Europe
Agrevo UK
Agrevo UK Crop Protection
Agricultural Risk Management Ltd.
AGROW World Crop Protection News
Apple and Pear Research Council
Areas of Outstanding Natural Beauty
ASDA Stores Ltd.
Association of Independent Crop Consultants
BASF plc—Agriculture Division
BBSRC
BCCA (Biscuit, Cake, Chocolate and Confectionary Alliance)
Bee Farmers Association
Bio-Dynamic Agricultural Association
Bioindustry Association—Amersham International
BOCM Pauls Ltd.
British Agrochemicals Association
British Association for Bio Fuels and Oils
British Association of Agricultural Consultants
British Beekeeping Association
British Confectioners Association
British Crop Protection Council
British Honey Packers and Importers Association of the UK

British Institute of Agricultural Consultants
British Potato Council
British Retail Consortium
British Society of Plant Breeders
British Sugar Beet Producers Association
British Sugar plc
Burson-Marsteller
Cambridge Environmental Research Consultants Ltd.
Cameron McKenna
Campden and Chorleywood
CCC—Technology
Centre for Food Policy
Chemical Industries Association
Coceral. Belgium
Consumers Association
Consumers in Europe Group
Council for the Protection of Rural England
Council of the National Beekeeping Associations of the UK
Country Landowners Association
CSL National Bee Unit
CWS Corporate Affairs
Cyanamid Agriculture UK
Dairy Industry Federation
Daiwa Institute of Research Europe Ltd.
Dalgety Agriculture Ltd.
DANI Plant Testing Station
Dawes and Moore
Department of Agriculture, Fisheries and Food
ECOTEC
ENDS
English Nature
Euro PA Associates
European Commission
European Public Policy Advisers
Farm and Food Society
Farmers Union of Wales
Farming and Wildlife Advisory Group
Federation of Oils, Seeds, and Fats Association
Fertiliser Manufacturers Association
Food and Drink Federation
Food Certification (Scotland) Ltd.
Food From Britain
Forestry Commission
Friends of the Earth
Game Conservancy Trust
GEN
Genewatch
Genetics Forum
Government and Public Affairs—Europe
Grain and Feed Trade Association
Green Alliance
Green Network
Greenpeace
Hoescht UK Ltd.—Agriculture Division
Home Grown Cereals Authority
Horticultural Research International
Iceland Stores
Institute of Arable Crop Research
Institute of Environmental Science and Research
Institute of Food Research
Institute of Grassland and Environmental Research
Institute of Terrestrial Ecology
International Bee Research Association
Irish Organic Farmers and Growers Association
ITE
Jetro London
John Innes Centre
Joint Nature Conservation Committee
Lion Seed Ltd.
Marks and Spencer plc
May and Dawson Ltd.
McBain Associates Ltd.
Milk Development Council
Monsanto UK
Moorland Association
Morely Research Centre
Naish Jones Ltd.
National Agriculture Centre
National Farmers Union
National Farmers Union (Wales)
National Federation of Consumer Groups
National Institute for Agricultural Botany
National Trust
Nestle UK Ltd.
NFU
NFU Scotland
Nickerson Seeds Ltd.
North of England Assembly of Local Authority
Northern Ireland Horticulture and Plant Breeding Station
Novartis Crop Protection UK Ltd.
Novartis Nutrition UK Ltd.
Novartis Seeds Ltd.
Organic Farmers and Growers Ltd.
Organic Food Federation
Pendragon Innovations Ltd.
Pioneer Overseas Corporation
Plant Breeding International Cambridge Ltd.
Proctor and Gamble Technical Centres Ltd.
Public Interest Consultants
RBG Kew
Rhone Polnec Agriculture Ltd.
Richard Gard Associates
Rikilt-Dlo
Royal Agricultural Society of England
Royal and Sun Alliance
Royal Commission on Environmental Pollution
Royal Society for the Protection of Birds (RSPB)
RURAL
SAC
SAFE Alliance
Safeway Stores plc
SAGE (Scarborough Against Genetic Engineering)
Sainsbury's Supermarkets
Schuttelaar and Partners
Scottish Agricultural College
Scottish Agriculture Science Agency
Scottish Beekeepers Association
Scottish Crop Research Institute

Scottish Natural Heritage

Scottish Organic Producers Association

Seed Crushers' and Oil Processors' Association

SERAD

Sharps International Seeds

Silsoe College

Silsoe Research Institute

Soft Drinks Association

Soil Association

Soil Association Certification Ltd.

South West Industrial Crops Ltd.

Teagasc, Rural Economy Research Centre

Tesco Technical Centre

The Apiary

The Countryside Agency

The Family Farmers' Association

The Institute of Agricultural Management

The National Trust

The Pesticides Trust

The Royal Society

The Tenant Farmers' Association

Tim Brigstocke Associates

Trading Standards Department

Trading Standards Department, Quality Food and Agricultural Division, Warwick

Trowers and Hamlin

Twickenham and Thames Valley Beekeepers' Association

UK Agricultural Supply Trade Association

UK Register of Organic Food Standards

UKREP

Ulster Beekeepers Association

Uniroyal Chemicals Ltd.

United Kingdom Register of Organic Food Standards

United Kingdom Sunflower Association

United Oilseeds

University of East Anglia

University of Newcastle

University of Portsmouth

University of Reading

University of Surrey

University of the West of England

Vegetarians International Voice for Animals

Welsh Beekeepers Association

West Country Co-op

Wildlife Trust

Wine Standards Board

Womens Farmers Union

World Wildlife Fund for Nature

Zeneca Agrochemicals

Zeneca Crop Protection

Zeneca Plant Science

Jackie Ballard: To ask the Minister of Agriculture, Fisheries and Food what representations he has received concerning the proposal to add GM maize Chiodon LL to the NIAB approved list; and what plans he has to hold further consultations on this proposal. [127796]

Ms Quin: I refer the hon. Member to the reply given to my hon. Friend the Member for Lewisham, Deptford, (Joan Ruddock) on 22 May 2000, *Official Report*, columns 383–84W.

As required by the Seeds (National Lists of Varieties) Regulations 1982 (as amended), each of the 227 parties who have submitted formal written representations under regulation 21(2) have been supplied with copies of all of the written representations made. In view of the wide interest in the proposed decision, Ministers have agreed that all the parties who submitted such representations should be given an opportunity to comment, by 31 July, on the other representations made. No fees will be charged for making such further representations.

Jackie Ballard: To ask the Minister of Agriculture, Fisheries and Food what plans he has to review the fee for challenging the addition of a variety to the National Institute for Agricultural Botany approved list. [127795]

Ms Quin: The National Institution for Agricultural Bottany's recommended list is funded by industry and is not part of the statutory process of considering varieties for addition to the National List.

Fees for all National List services, including fees for making written representations and requesting a hearing, are reviewed at least once a year. The next review will start this autumn.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food if his inquiries have established the separation distance used between GM and non-GM crops in the production of the recently contaminated Advanta seeds from Canada. [127219]

Ms Quin *[holding answer 27 June 2000]:* The separation distances used between GM and non-GM crops in the production of the recently contaminated Advanta seeds are still under investigation by the Canadian Authorities. The results of these investigations are not yet available.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food if he will list the contracts between his Department and the Central Science Laboratory that are connected with GMOs. [127220]

Ms Quin *[holding answer 27 June 2000]:* At present CSL are contracted by the Ministry of Agriculture, Fisheries and Food to undertake two GM-related research projects. One is a desk modelling study to assess the risks to the agricultural environment from the release of GM crops. The other is a review of the consequences for agriculture of the introduction of GM crops.

CSL are also contracted to provide advice on the plant health and agronomic aspects of GMOs.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food when he will publish the findings of the inquiry into the causes of the Advanta seeds contamination incident. [127217]

Ms Quin *[holding answer 27 June 2000]:* The possible causes of the Advanta seeds contamination continue to be investigated by the Canadian authorities. The results of their investigations are not yet available the Department.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food, pursuant to his answer of 8 June 2000, *Official Report*, column 357W, on what occasions in the last 12 months the Government have received information on GM seed contamination incidents from EU member states; and what information was received. [126818]

Mr. Nick Brown *[holding answer 19 June 2000]:* At the meeting of EU and EEA/EFTA seed certification agencies, on 2–5 May this year, Greece reported an incident involving the suspected adventitious presence of GM seed in conventional cotton seed.

Information on the recent discovery of GM rapeseed in conventional rapeseed has been shared between the affected member states.

Following reports in the French press last week that the French authorities have discovered low levels of GM presence in conventional maize seed imported into France, we contacted the French authorities, who confirmed on 30 June that they had indeed found some GM seed in conventional maize seed, which has been sown in South West France. Further information now indicates that they have found three different modifications in a number of varieties of forage maize imported into France by the company Golden Harvest. The French authorities have not yet confirmed which varieties of maize seed are involved, but have confirmed that sweetcorn varieties are not affected by their current investigations. We are seeking further information from them on the varieties concerned. However, as the varieties concerned are cultivated in Southern France, it is possible that they would be unsuitable for cultivation in UK conditions.

The GMs found in maize samples by the French authorities are BT 176 and BT 11, and one further, as yet unidentified, modification. BT 176 is insect resistant and has Part C consent within the EU under Directive 90/220 for import, food and feed use, and for cultivation. BT 11 is insect resistant and has Part C consent for import and use in animal feed. Pending further information from the French authorities, my Department, the Department of the Environment, Transport and the Regions, and the Food Standards Agency are considering what the implications would be should further investigations indicate that affected seed might have been sown in the UK.

Mr. Alasdair Morgan: To ask the Minister of Agriculture, Fisheries and Food when his Ministry was informed of the contamination of seed by GM seed in crops planted before this calendar year. [126630]

Ms Quin: I refer the hon. Member to the information given by my right hon. Friend the Minister in the debate on 8 June 2000, *Official Report*, column 493.

Milk

Mr. Robertson: To ask the Minister of Agriculture, Fisheries and Food what recent discussions he has had with the main supermarkets on the price of milk; and if he will make a statement. [126956]

Ms Quin: My right hon. Friend the Minister and his fellow Ministers have regular meetings with various organisations concerned with the dairy industry, including the main supermarkets. The price of milk has been one of a number of issues discussed.

Pig Farmers

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what estimate he has made of the number of pig farmers that *(a)* are eligible and *(b)* will participate in an outgoers scheme. [129399]

Ms Quin *[holding answer 6 July 2000]:* In general terms, all pig producers who can show they were involved in commercial pig breeding in June 1998 are eligible to take part in the outgoers element of the Pig Industry Restructuring Scheme. There may, however, be further conditions applied as a result of the recently concluded consultation exercise on this part of the scheme and by the terms of the European Commission's clearance document. No formal estimate on the number of pig farmers likely to take part has been made.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what criteria he has established for eligibility for a pig farmers' outgoers scheme; and when these will be announced. [129397]

Ms Quin *[holding answer 6 July 2000]:* As things stand, the eligibility criteria for the outgoers element of the Pig Industry Restructuring Scheme is that applicant must be able to show they were involved in commercial pig breeding in June 1998, that they have pig breeding facilities to destroy or dismantle and that they are prepared to enter into binding undertakings to cease pig production for a minimum of 10 years. These criteria may, however, change as a result of the recently concluded consultation exercise on this part of the scheme or to comply with the views of the European Commission. The final terms of the scheme will be announced following European Commission clearance.

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what recent representations he has received regarding an outgoers scheme for pig farmers; and if he will make a statement. [129400]

Ms Quin *[holding answer 6 July 2000]:* We have received a number of representations from hon. Members of this House and others regarding the outgoers element of the Pig Industry Restructuring Scheme (PIRS). This part of PIRS has also just completed its consultation period and responses to that consultation are being assessed, pending clearance of the scheme by the Commission.

HOME DEPARTMENT

Football Hooligans

Mr. Jim Murphy: To ask the Secretary of State for the Home Department (1) if he will list those football hooligans who *(a)* are Category C hooligans and *(b)* have (i) restriction and (ii) banning orders against them; [128149]

(2) how many football hooligans have been added to the Category C list in each year; [128148]

(3) how many Category C football hooligans there are in *(a)* England, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland. [128150]

Mr. Straw: The National Criminal Intelligence Service (NCIS) maintains lists of convicted or suspected hooligans, but does not apply the term "Category C" to individuals on those lists. The individuals currently subject to Restriction Orders or other category of football banning orders have been placed in the Library.

Metropolitan Police

Mr. Galloway: To ask the Secretary of State for the Home Department how many crimes remained unsolved in the Metropolitan police area on Monday 26 June; and if he will make a statement. [128275]

Mr. Charles Clarke: I understand from the Metropolitan police that the information requested is not yet available for Monday 26 June; but that on the latest Monday for which the information is available, 32,303 crimes of all types were classified as unsolved.

Asylum Seeker Vouchers

Dr. Cable: To ask the Secretary of State for the Home Department what plans he has to allow shops which accept asylum seeker vouchers to give change. [128882]

Mrs. Roche: We remain of the opinion that the "no change" policy is an essential part of our strategy. It is designed to be a disincentive to those who intend using the asylum process for economic migration. We are giving further consideration to increasing the flexibility of the present voucher scheme by providing more low denomination vouchers given to asylum seekers.

Criminal Cases Review Commission

Sandra Gidley: To ask the Secretary of State for the Home Department how many people have been waiting *(a)* six to 12 months, *(b)* 13 to 18 months and *(c)* more than one and a half years, for the Criminal Cases Review Commission to allocate their case to a case review manager; and if he will make a statement. [128608]

Mr. Charles Clarke: I understand that, at the end of May, the total number of eligible cases awaiting allocation to a case review manager was 899. The kind of breakdown requested is not readily available from the Criminal Cases Review Commission's current management information system, though it will be from a new system that is expected to be in use by the end of August.

Sandra Gidley: To ask the Secretary of State for the Home Department what effect the recent increase of case review managers for the Criminal Cases Review Commission has had on the waiting time for allocation to a case review manager; and if he will make a statement. [128607]

Mr. Charles Clarke: It is not yet possible to say. The Commission was notified at the end of March that it would be given additional funding for 2000–01, and allowed to increase its complement of case review managers from 40 to 50. I understand that the Commission has recently completed a recruitment exercise, but that the successful applicants have not yet all taken up post, and further recruitment will anyway be necessary to bring the number of case review managers up to complement. The impact of these additional staff on the waiting time for the allocation of cases will also depend on the nature of the cases to be allocated to them, and the rate of receipt of applications.

Asylum Seekers

Ms Oona King: To ask the Secretary of State for the Home Department how many asylum applicants whose cases fall to be considered under concessions announced in the White Paper on Asylum and Immigration, published in 1998, have not received a decision on their case. [128763]

Mrs. Roche: As at 30 June, outstanding cases are 1,250 (plus 50 pre-1993 cases).

Ms Oona King: To ask the Secretary of State for the Home Department if those asylum applicants whose cases fall to be considered under concessions announced in the White Paper on Asylum and Immigration, published in 1998, will be notified of a decision by the end of July. [128762]

Mrs. Roche: The Integrated Casework Directorate aims to clear such cases by the end of July, subject to timely receipt of requested information and the case being clearly identified as falling for consideration under the White Paper criteria. Any cases which come to light beyond that date will be given priority criteria in Liverpool.

Ms Oona King: To ask the Secretary of State for the Home Department for what reason the remaining cases held in Croydon of asylum applicants whose claim falls to be considered under the concession announced in the White Paper, have been transferred to the Asylum Arrears Group at the Nationality Directorate in Liverpool; and what effect this has had on the time taken to make decisions on those claims. [128730]

Mrs. Roche: Sharing the load of such cases among a greater number of caseworkers was seen as the best means of ensuring prompt resolution. There was also an operational requirement to provide appropriate work for a growing casework unit in Liverpool.

Ministerial Code

Mr. Robathan: To ask the Secretary of State for the Home Department on how many occasions since May 1997 Ministers in his Department have made a declaration of interest to their colleagues under circumstances envisaged in Paragraph 110 of the Ministerial Code. [129163]

Mr. Straw: Information relating to internal advice and consultation is not disclosed under Exemption II of the Code of Practice on Access to Government Information.

Custody

Mr. Stinchcombe: To ask the Secretary of State for the Home Department how many *(a)* men and *(b)* women have been given a sentence of immediate custody by the courts in the Greater London area in each of the last three years. [129193]

Mr. Charles Clarke: Available information, taken from the Home Office Court Proceedings Databases, is given in the table.

Number of persons given a sentence of immediate custody for all offences at all courts within the Greater London area[1] by sex, 1996–98

	1996	*1997*	*1998*
Males	14,074	15,613	16,237
Females	1,060	1,339	1,459

[1] Courts within areas policed by the Metropolitan Police Service and the City of London Police.

CS Sprays

Mr. Matthew Taylor: To ask the Secretary of State for the Home Department how many police forces in England and Wales do not hold stocks of CS sprays; how many make it their policy not to use CS sprays; and if he will make a statement. [129248]

Mr. Charles Clarke: Three police forces in England and Wales do not use CS spray: Northamptonshire, Nottinghamshire and Sussex. The remaining 40 forces will hold stocks of CS spray for issue to their officers.

Firearms

Mr. Cox: To ask the Secretary of State for the Home Department if he will estimate the number of unlicensed shotguns held in the UK; and if he will make a statement. [129454]

Mr. Charles Clarke: So far as I am aware, no reliable estimate exists of the number of unlicensed shotguns in the United Kingdom.

Young Offenders (Barnet)

Mr. Dismore: To ask the Secretary of State for the Home Department what the average length of time was from arrest to sentence of persistent young offenders at the magistrates courts in Barnet in the last 12 months; and if he will make a statement. [129278]

Mr. Charles Clarke *[holding answer 6 July 2000]:* The average time from arrest to sentence for persistent young offenders sentenced at Barnet magistrates court is estimated to have been 100 days in the period April 1999 to March 2000. This estimate is based on data collated by the Lord Chancellor's Department. It is calculated from the average time from charge to sentence for persistent young offenders sentenced at Barnet magistrates court between April 1999 and March 2000 and on the police force level results of a survey on the average time between arrest and charge for persistent young offenders dealt with in 1999. The figure excludes any cases that were dealt with at Barnet magistrates court but were committed to the Crown Court for trial or sentence. It is based on only 19 sentencing occasions and therefore should be interpreted cautiously.

Lords Lieutenant

Mr. Baker: To ask the Secretary of State for the Home Department how much money his Department has spent in each of the last 10 years for which figures are available on *(a)* Lords Lieutenant and *(b)* their deputies in England. [129678]

Mr. Mike O'Brien: Expenditure incurred by the Home Office in support of Lords Lieutenant in each of the last 10 years was:

Year	*£*
1990–91	249,529
1991–92	302,793
1992–93	369,522
1993–94	475,504
1994–95	568,509
1995–96	731,830
1996–97	670,307
1997–98	781,063
1998–99	660,066
1999–2000	686,173

No expenditure is incurred on Deputy Lieutenants.

Policing (Cleveland)

Mr. Fabricant: To ask the Secretary of State for the Home Department how many police officers were employed by Cleveland Constabulary in each of the last five years. [129519]

Mr. Charles Clarke: The information requested is as follows:

Officers available for ordinary duty, Cleveland Constabulary, 1995–99 (as at 30 September)

Year	*Number*
1995	1,430
1996	1,444
1997	1,481
1998	1,453
1999	1,373

Mr. Fabricant: To ask the Secretary of State for the Home Department how many criminal offences were recorded in the Cleveland Constabulary area by category in *(a)* 1999 and *(b)* 1986. [129518]

Mr. Charles Clarke: The requested information is given in the table. The data are not comparable because of changes to the counting rules for recorded crime which came into effect on 1 April 1998.

Notifiable offences recorded by the police, Cleveland

Offence category	*Year ending September 1999*	*Calendar year 1986*
Violence against the person	3,016	1,959
Sexual offences	372	284
Robbery	836	121
Burglary	16,476	15,089
Theft and handling	30,668	29,640
Fraud and forgery	2,606	2,097
Criminal damage	10,956	8,876
Drug and other offences	1,532	67
Total	66,462	58,133

Youth Justice Board

Mr. Lidington: To ask the Secretary of State for the Home Department if he will place in the Library an analysis of how the Youth Justice Board plans to spend the budget and Development Fund set out on page 77 of the Home Office Annual report 1999–2000. [129523]

Mr. Charles Clarke: An analysis will be placed in the Library on Wednesday 12 July.

Research and Statistics

Mr. Lidington: To ask the Secretary of State for the Home Department what proportion of his Department's expenditure on the Research and Statistics Service supports *(a)* the preparation and publication of statistics and *(b)* research. [129530]

Mr. Straw: My Department's Research, Development and Statistics Directorate (RDS) conducts a wide range of social research, development and statistics work, often using multidisciplinary teams working on a range of statistical and research outputs and for this reason details of expenditure cannot be broken down in the way requested. The available information on RDS expenditure as a whole for the 1999–2000 financial year is shown in the table:

Research, development and statistics expenditure: 1999–2000 financial year

Category	*Total (£)*	*Percentage of total expenditure*
Staff running costs[1]	7,827,877	43.9
Costs of RDS publications	495,230	2.8
Other non-pay running costs	3,184,347	17.9
Total running costs	11,507,454	64.5
External research and grants	6,356,819	35.5
Total expenditure[2]	17,828,772	100

[1] RDS staff running costs includes £206,985 on communications and publications staff.

[2] RDS received a total of £454,021 in receipts in 1999–2000, which is excluded from this total.

In addition, a number of other areas of the Department undertake research, including the Fire Research and Development Group, which spent £542,998 (including £42,456 VAT recovered) on fire research in 1999–2000 in addition to pay-running costs of £761,787 in support of fire research. The Animal Procedures Committee plan to spend £295,000 on research and the Committee of Inquiry into Hunting with Dogs has spent £225,000 (35 per cent. of the total inquiry expenditure).

Refugees

Mr. Lidington: To ask the Secretary of State for the Home Department if he will place in the Library an analysis for *(a)* 1999–2000 and *(b)* 2000–01 of the main items of expenditure included under reception and resettlement of refugees referred to on page 80 of the Home Office Annual report 1999–2000. [129529]

Mr. Straw: The main items of expenditure included under reception and resettlement of refugees referred to on page 80 of the Home Office Annual report 1999–2000 are as follows:

	£
1999–2000—grants to:	
Refugee Council	2,500,000
Refugee Arrivals Project	2,400,000
Refugee Action	850,000
Other	2,449,000
2000–01—grants to:	
Migrant Helpline	2,200,000
Refugee Arrivals Project	2,900,000
Refugee Action	2,500,000
Refugee Council	7,700,000
Other	2,091,000
Other expenditure	
Section 4 Support	7,000,000

Grants

Mr. Lidington: To ask the Secretary of State for the Home Department if he will list the beneficiaries in *(a)* 1999–2000 and *(b)* 2000–01 of grants to assist organisations or projects working to reduce racial disadvantage, giving the sums of money paid in each such grant. [129524]

Mr. Mike O'Brien: The following organisations have received funding under the Reduction of Racial Disadvantage grant programme:

	£	
	Financial year	
Organisation	*1999–2000*[1]	*2000–01*[2]
Account Finance Forum	6,707	—
Account 3—PMN	52,920	78,698
Alert in WF	7,500	—
An-Nisa Society	3,450	—
Arachne	15,000	—
ASHA Foundation	210,000	—
Association of British Hujjaj	20,650	—
Blackliners	1,500	—
CEMVO	—	60,000
Community Self-Build	50,000	50,000
Council Disabled Warwickshire	6,000	—
Council Education World Citizenship	5,000	—
Council of Europe	10,000	—
Euro Internet ICARE	5,000	—
Global Cultural Diversity Congress	50,000	—
Greenwich REC	5,500	—
Heartstone	177,012	—
Joseph Rowntree Trust	20,000	—
KENTE	89,830	—
Knights Foyer	230,000	—
Limehouse Project	21,335	63,160
Maternity Alliance	60,000	—
Montserrat Community Support Project	250,000	—
Muslim News	34,000	—
Powys Victim Support	5,500	—
PRIAE Bradford University	80,000	—
Reproductive Health	400	—
Runnymede Trust	16,778	—
Serious Music Ltd.	—	2,500
Southall Black Sisters	990	—
Stephen Lawrence Charitable Trust	100,000	100,000
Theatre Museum (Paul Robeston)	38,000	—
Windsor Fellowship	123,500	6,500
Worcestershire REC	8,250	—
Total	1,644,342	374,858

[1] Paid

[2] Budget

Crime Reduction Programme

Mr. Lidington: To ask the Secretary of State for the Home Department what grants and items of expenditure were included in the Crime Reduction Programme in *(a)* 1999–2000 and *(b)* 2000–01. [129522]

Mr. Charles Clarke: Around £7.5 million was spent on grants and evaluation under the Crime Reduction Programme in 1999–2000. Planned expenditure for 2000–01 is £160 million. The programme covers a variety of crime reduction initiatives, including Closed Circuit Television (CCTV) in public areas, Reducing Burglary and Targeted Policing Initiatives and schemes to cut vehicle and property crime, youth crime, offender reconviction rates and violence against women.

Written Answers to Questions

Monday 10 July 2000

HEALTH

NHS Staff Vacancies

Mr. Cox: To ask the Secretary of State for Health how many vacancies for *(a)* doctors and *(b)* nurses there are in NHS hospitals in the Greater London area. [126268]

Mr. Denham: The information requested is provided in the table.

NHS Hospital and Community Health Services (HCHS): nursing, midwifery and health visiting staff and doctor vacancies[1] in NHS trusts, within the London Regional Office area, as at 31 March 1999

	Total number (headcount)
Doctors	90
Qualified nursing, midwifery and health visiting staff[2]	2,350

[1] Three month vacancies

[2] Revised figures

Note:

Numbers rounded to nearest 10

Source:

Department of Health Recruitment, Retention and Vacancies Survey 1999

Carers Grant

Mr. Wyatt: To ask the Secretary of State for Health if the Carers Grant is additional to the amount county councils have already spent on respite care; how much Kent County Council will receive from the Carers Grant; and if he will make a statement. [126247]

Mr. Hutton: The carers special grant is allocated to local authorities to stimulate the diversity and flexibility of provision that enables carers to have a break from caring. Services funded in this way must be additional to any breaks services previously provided.

Kent County Council received a carers special grant of £530,713 in 1999–2000 and £1,264,352 in 2000–01.

These figures are in addition to the figure of approximately £197 million and £207 million which Kent received for the provision of personal social services, in 1999–2000 and in 2000–01 respectively, through the standard spending assessment. This money can also be spent on services which benefit carers.

Antidepressants

Dr. Naysmith: To ask the Secretary of State for Health what quantity of each *(a)* antidepressant and *(b)* benzodiazepine was prescribed by doctors in England in 1999. [127967]

Ms Stuart: The information requested is given in the tables.

Benzodiazepines: number of prescription items dispensed in the community, England, 1999

Thousand

Drug group	*Prescription item*
Temazepam	4,878
Diazepam	4,108
Nitrazepam	2,210
Lorazepam	728
Chlordiazepoxide	402
Oxazepam	289
Lormetazepam	246
Clonazepam	231
Loprazolam	200
Clobazam	85
Total	13,378

Notes:

1. Data cover all prescriptions dispensed in the community, i.e. by community pharmacists and appliance contractors, dispensing doctors and prescriptions submitted by prescribing doctors for items personally administered. Prescriptions written in hospitals and dispensed in the community are included. Information on items dispensed in hospitals is not available.
2. Benzodiazepines are contained within British National Formulary paragraphs 4.1.1, hypnotics and 4.1.2, anxiolitics. Also included are benzodiazepines within 4.8.1, drugs used in the control of epilepsy, and 4.8.2, drugs used in status epilepticus, as they are also used for anxiety relief. The therapeutic classifications are based on the British National Formulary No. 38, September 1999 version.
3. Figures may not add up due to rounding.

Antidepressants: number of prescription items dispensed in the community, England, 1999

Thousand

Drug group	*Prescription item*
Tricyclic and related antidepressant drugs	
Amitriptyline Hydrochloride	3,712
Dothiepin Hydrochloride	3,254
Lofepramine Hydrochloride	782
Clomipramine Hydrochloride	481
Trazodone Hydrochloride	383
Imipramine Hydrochloride	362
Trimipramine Maleate	249
Doxepin	154
Nortriptyline	145
Mianserin Hydrochloride	62
Maprotiline Hydrochloride	17
Protriptyline Hydrochloride	9
Amoxapine	6
Amitriptyline Embonate	2
Viloxazine Hydrochloride	1
Desipramine Hydrochloride	0
Total for Tricylic and related antidepressant drugs	9,619
Monoamine-Oxidase Inhibitors (Maois)	
Phenelzine Sulphate	37
Moclobemide	36
Tranylcypromine Sulphate	33
Isocarboxazid	6
Total for Monoamine-Oxidase Inhibitors (Maois)	112
SSRIs and related antidepressants	
Fluoxetine Hydrochloride	3,437
Paroxetine Hydrochloride	3,145

Antidepressants: number of prescription items dispensed in the community, England, 1999

Drug group	*Thousand* *Prescription item*
Citalopram	1,214
Sertraline Hydrochloride	1,088
Fluvoxamine Maleate	45
Total for SSRIs and related antidepressants	8,929
Other antidepressant drugs	
Venlafaxine Hydrochloride	825
Flupenthixol Hydrochloride	271
Mirtazapine	167
Nefazodone Hydrochloride	106
Reboxetine	74
Tryptophan	5
Total for other antidepressant drugs	1,447
Total for all antidepressant drugs	20,108

Notes:

1. Data cover all prescriptions dispensed in the community, i.e. by community pharmacists and appliance contractors, dispensing doctors and prescriptions submitted by prescribing doctors for items personally administered. Prescriptions written in hospitals and dispensed in the community are included. Information on items dispensed in hospitals is not available.
2. Antidepressants are contained within the British National Formulary section 4.3, antidepressant drugs. The therapeutic classifications are based on the British National Formulary No. 38, September 1999 version.
3. For reasons of confidentiality, drug groups where less than 50 prescription items were dispensed are not listed but the information is included in the total.
4. A "0" indicates less than 500 prescription items.

Correspondence

Mr. Swayne: To ask the Secretary of State for Health when he will reply to the letter from Mrs. F. Butler of Augustine Road, Sheppey, dated 3 April. [128473]

Ms Stuart: A reply was sent to Mrs. Butler on 7 July.

Care Accommodation

Mr. Cox: To ask the Secretary of State for Health how many people were living in care accommodation under the provisions of the care in the community legislation on 1 May. [128875]

Mr. Hutton: Data are not currently held in the form requested. However, the table shows the number of places or registered beds available for people with mental health problems in residential homes or private nursing homes, hospitals and clinics.

England, as at 31 March 1999	*Number*
Places in residential care homes for people with mental health problems	38,200
Of which:	
In Local Authority staffed homes	3,500
In Private homes	23,400
In Small homes	2,500
In Voluntary homes	—
Dual registered homes	2,800
Registered beds in mental nursing homes	6,100

Note:

Figures may not add because of rounding

Macular Degeneration

Mr. Crausby: To ask the Secretary of State for Health (1) what assessment he has made of the speed of onset and progression of age-related macular degeneration; [128724]

(2) what guidance he has issued on the assessment of treatment options for age-related macular degeneration; and if he will make a statement; [128725]

(3) how many cases of age-related macular degeneration can be treated by photodynamic therapy per annum; [128727]

(4) if he will refer Visudyne to the National Institute for Clinical Excellence; [128728]

(5) what assessment he has made of the efficacy of Visudyne following the publication of the two year clinical trial data; [128729]

(6) what estimate his Department has made of the possible cost of treating age-related macular degeneration with Visudyne; and if he will make a statement; [128780]

(7) what steps he has taken to promote the use of Amsler grid tests with GPs to test for age-related macular degeneration; [128781]

(8) what plans he has to promote the increased use of Amsler grid tests in GP surgeries; [128782]

(9) if he will make a statement on referral protocols for age-related macular degeneration and Visudyne. [128783]

Mr. Denham: It is estimated that age-related macular degeneration (AMD) affects one in 100 people over the age of 75, with some 500,000 people affected overall. There are two major types of AMD: wet and dry. Some 20 per cent. of patients have 'wet' AMD which is sometimes susceptible to laser treatment. Visudyne is a light-activated compound which has been used in a trial of an alternative photodynamic therapy. Visudyne has not yet been approved for use here or in the other countries of the European Union, but the EU Commission is expected to make a final decision on the approval of an application in the next few months. Visudyne is also among the topics we are considering for appraisal by the National Institute for Clinical Excellence (NICE) during the remainder of the current year and in later years. We will make an announcement as soon as possible.

Consideration of the need to review arrangements for screening, including wider use of Amsler grid tests, would follow any consideration by NICE.

NHS Hearing Aid Services

Mr. Sanders: To ask the Secretary of State for Health if he will make a statement about the NHS hearing aid services pilot project. [128909]

Mr. Hutton: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Wentworth (Mr. Healey) on 6 June 2000, *Official Report*, columns 143–44W.

Beta Interferon

Mr. Gordon Prentice: To ask the Secretary of State for Health how many people with *(a)* relapsing remitting

MS and *(b)* secondary progressive MS receive beta interferon in each health authority area in England. [128697]

Mr. Denham: The information is not available at the level of detail requested. However, we estimate that between 1,700 and 1,800 people in England are currently receiving beta interferon on the National Health Service.

Dental Services

Mr. Breed: To ask the Secretary of State for Health (1) what additional funding has been provided since 1997 to secure provision of NHS dental treatment in Devon and Cornwall; [129207]

(2) what percentage of the £60 million extra funding for NHS dentistry announced earlier this year *(a)* has gone and *(b)* will go towards improving NHS dental treatment in (i) Cornwall and (ii) Devon; [129208]

(3) what plans he has to provide additional funding for the provision of NHS dental treatment in Devon and Cornwall. [129206]

Mr. Hutton: We have already made good progress towards improving access to dental services in Cornwall and Devon. Investing in Dentistry grants amounting to £1,095,165 have been approved in the area in return for promises of up to 110,200 new National Health Service registrations. Since 1998, a dental access centre pilot has been operational in Cornwall and the NHS Executive is currently working with North East Devon and South West Devon Health Authorities to develop two further dental access centres.

We have accepted in full the recommendations of the Doctors' and Dentists' Review Body, which include an annual £17 million scheme to reward the loyalty and commitment of NHS dentists in England.

The NHS Executive wrote on 16 May to all health authority chief executives asking them to tell us whether more needs to be done to improve NHS dentistry in their locality and inviting ideas for potential funding.

Further initiatives to improve access to services will form part of our plans for modernising NHS dentistry, which will be published this summer in conjunction with the National Plan for the New NHS.

Ultrasound

Mr. Edward Davey: To ask the Secretary of State for Health what the average waiting time was for a non-urgent NHS patient to receive an ultrasound examination for a possible thrombosis in each *(a)* London hospital and *(b)* NHS region for each of the years (i) 1997, (ii) 1998 and (iii) 1999. [129238]

Mr. Denham: The data requested are not collected centrally. We take the issue of delays in diagnosis very seriously. Through such initiatives as the national booked admissions programme, the cancer services collaborative, action on cataracts and action on orthopaedics, we are encouraging hospitals to streamline their services so that tests are carried out, and a diagnosis made, as quickly as possible and with the patient making the minimum number of visits to hospital.

Plymouth Hospitals NHS Trust

Mr. Harvey: To ask the Secretary of State for Health (1) what payments were made to *(a)* the Chief Executive and *(b)* Deputy Chief Executive of Plymouth Hospitals NHS Trust upon their resignations; [129415]

(2) what salary and other remuneration is paid to the former Chief Executive of Plymouth Hospitals NHS Trust in his new employment with Avon Health Authority. [129408]

Ms Stuart: The severance arrangements agreed between the former chief executive and deputy chief executive and Plymouth Hospitals National Health Service Trust are a confidential matter between the individuals concerned and the trust.

Avon Health Authority has engaged the former chief executive for a year to develop a strategic framework for acute services in Avon. He is being employed on normal NHS terms and conditions.

Telephone Steering Systems

Mr. Ben Chapman: To ask the Secretary of State for Health (1) how many agencies of his Department use touch tone telephone steering systems when dealing with telephone inquiries from the general public; [129633]

(2) how many of his Department's telephone lines used by the general public are responded to by touch tone telephone steering systems. [129627]

Ms Stuart: I refer my hon. Friend to the reply I gave him on 27 June 2000, *Official Report*, column 439W. The Department's Public Enquiry Office has an automated call handling system that uses touch tone telephone steering. Callers without a touch tone telephone will be automatically diverted to a public enquiry office adviser.

Coronary Services (Coventry)

Mr. Jim Cunningham: To ask the Secretary of State for Health how much money has been allocated to coronary services in the Coventry area in the last three years. [129446]

Yvette Cooper: The information requested is in the table.

Spend for Coventry Health Authority on cardio secondary care

£000

	1997–98	*1998–99*	*1999–2000*
Angiography	434	472	526
PTCA[1]	441	481	508
Cardiac Surge	1,576	1,651	1,786
Pacemakers	117	109	145
Outpatient services	207	187	211
Total	2,775	2,900	3,176

[1] Percutaneous Transluminal Coronary Angioplasty

Note:

A comprehensive analysis of spending on coronary services would also draw on information regarding primary care, community services, prescribing etc. This form of program budget is being developed in Coventry but is not readily available.

Source:

Coventry Health Authority

Teenage Pregnancy

Ms McCafferty: To ask the Secretary of State for Health if he will make a statement on progress made on his Department's national publicity campaign to tell young people they can talk to health professionals about sex and contraception in confidence; and what funding has been allocated to the campaign. [129253]

Yvette Cooper: Our media campaign on teenage pregnancy will begin in autumn 2000, following a period of research into promising approaches by similar campaigns elsewhere. Levels of funding for this current year are to be decided, and for future years will depend on the outcome of the Spending Review.

Ms McCafferty: To ask the Secretary of State for Health how many local co-ordinators for teenage pregnancy have been established since the publication of the Social Exclusion Unit report "Teenage Pregnancy", in June 1999. [129256]

Yvette Cooper: Every area in England now has a local teenage pregnancy co-ordinator, jointly nominated by the local authority and health authority. In total there are 141 co-ordinators, with some working to social services boundaries and some to health authority boundaries, depending on local circumstances.

Tranquilliser Addiction

Mr. Woolas: To ask the Secretary of State for Health what plans he has to provide funding *(a)* under section 64 and *(b)* generally for the Council for Involuntary Tranquilliser Addiction. [128329]

Yvette Cooper: Although project funding has been provided in the past, the Department has no current plans to fund this organisation under the section 64 scheme or generally in this financial year. The very high level of demand for cash limited funds has resulted in many worthy applications having to be rejected. This does not prelude the Council for Involuntary Tranquilliser Addiction from seeking funding in future years.

The problems of dependence upon tranquillisers have been recognised for many years. In 1994, the Department issued copies of "Guidelines for the Prevention and Treatment of Benzodiazepine Dependence", published by the Mental Health Foundation, to all health authorities and recommended their use by general practitioners. Various treatments may be offered in general practice or by the specialist mental health services for those who have developed dependence upon tranquillisers.

Dentists (Pensions)

Mr. Paice: To ask the Secretary of State for Health if he will make a statement on his policy towards the pension fund contributions paid by the Treasury for NHS contracted dentists where the agreed increase in payments is phased. [129981]

Mr. Denham: Contributions towards the National Health Service pension scheme are based on actual levels of pensionable remuneration. Therefore, where increases have been phased in the past, the amounts paid by way of contributions into the pension scheme by both the employer and employee have been based on the actual pensionable remuneration that was paid.

PUBLIC ACCOUNTS COMMISSION

National Audit Office

37. **Mr. Gray:** To ask the Chairman of the Public Accounts Commission what assessment he has made of the resources available to the National Audit Office; and if he will make a statement. [128234]

Mr. Sheldon: It is the main concern of the Commission to ensure that the Comptroller and Auditor-General has the right resources to undertake his work. The Commission last met on 2 December 1999 to consider the Supply Estimate for the National Audit Office for 2000–01. The Commission took account of the growing work load of the National Audit Office and recommended additional funding for 2000–01 as a result.

While the Commission will continue to monitor the situation, I am satisfied that, at present, the current level of funding for this work is adequate and that, were the Comptroller and Auditor-General to need more staff or other resources in the future, he would request extra funding from this House when compiling his annual Supply Estimate.

CHURCH COMMISSIONERS

Church Conservation Trust

32. **Mrs. Dunwoody:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what support is given by the commissioners to the work of the Church Conservation Trust; and if he will make a statement. [128228]

Mr. Stuart Bell: The work of the Churches Conservation Trust is jointly funded, 30 per cent. by the Church of England and 70 per cent. by the Department for Culture, Media and Sport.

The Church's share of the Trust's budgeted expenditure for the three years beginning on 1 April 2000 is £3.8 million. This will be met partly from a share of the sale proceeds of redundant churches and partly from the Church Commissioners' own funds.

Over 330 redundant churches of historic and architectural interest are now maintained by the Churches Conservation Trust, many opening for occasional acts of worship. A full list is available from their offices at 89 Fleet Street.

Church Repairs

33. **Miss McIntosh:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what recent representations he has received calling for reduced rates of VAT on church repairs; and if he will make a statement. [128230]

Mr. Stuart Bell: I am hopeful that with the persistence of those hon. Members such as the hon. Member for Vale of York (Miss McIntosh), we shall achieve our goal—that is, reduced rates of VAT on church repairs.

The Church continues to make representations on this issue to the Government and has briefed members of the General Synod informally during their current meeting in York.

Redundant Churches

35. **Mr. Paterson:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners, if he will make a statement on the steps the commissioners take to involve congregations in the disposal of Church property declared redundant by the Church authorities. [128232]

Mr. Stuart Bell: I refer the hon. Member to the written answer I gave him on 12 June 2000, *Official Report*, column 494W, in which I explained that the procedure for settling the future of redundant Church of England churches gives priority to dioceses seeking and achieving suitable alternative uses.

Church Buildings

36. **Mr. Pike:** To ask the hon. Member for Middlesbrough, representing the Church Commissioners, how many church buildings were sold or otherwise disposed of in 1999; and to what uses these buildings have been put. [128233]

Mr. Stuart Bell: During 1999 the future of 16 redundant churches was settled by appropriation to alternative uses—six for community purposes, five for residential use, two by other Christian congregations, and three for, respectively, arts purposes, as a restaurant and as a shop.

Stipends

Mr. Swayne: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what proportion of stipends new incumbents may expect to be met by current congregations. [128231]

Mr. Stuart Bell: In 1999, some 68 per cent. of the national stipends pay bill, excluding the stipends of Bishops, archdeacons and cathedral clergy, was financed by giving. However, the proportion will vary from parish to parish. A large part of the remainder of the bill is met by allocations from the Commissioners, individual grants, fees and glebe and trust income.

Bishops

Mr. Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what percentage of the Church Commissioners' *(a)* total and *(b)* discretionary expenditure was spent on bishops' emoluments, in each year from 1979 to date. [129657]

Mr. Stuart Bell: The costs of bishops' stipends, administrative support (including staff salaries) and (for diocesan bishops) housing are met by the Commissioners. While the level of that support varies between individuals according to their particular resource needs arising, inter alia, from the nature of their ministry, we none the less meet those needs in full, subject to our guidelines and budgetary procedures. It is therefore not possible to isolate a discretionary element in our provision.

Our spending on bishops expressed as a proportion of the Commissioners' total expenditure for the years 1979–99 is:

Year	*Proportion percentage*
1979	5.9
1980	5.8
1981	6.5
1982	6.6
1983	6.6
1984	6.1
1985	6.0
1986	6.2
1987	5.9
1988	5.8
1989	5.8
1990	6.2
1991	6.8
1992	7.2
1993	7.4
1994	7.9
1995	8.7
1996	9.3
1997	10.2
1998	9.3
1999	9.5

From 1990 the Commissioners took on full funding responsibility for suffragan bishops' working costs. The rising proportion during the years in question also partly arises from factors such as developments in IT.

The expenditure of the Church of England as a whole was £760 million in 1999; the Commissioners' spending represented 2 per cent of that sum.

Rents

Mr. Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, how much rent is paid by Lady Brentford in respect of her occupancy of the cottage in the grounds of Lambeth Palace. [129831]

Mr. Stuart Bell: It is not our practice to disclose rents paid by individual tenants. Nonetheless, the rent has been set at a market level on the basis of comparable evidence.

Mr. Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, how much rent is paid by Ruth Davy in respect of her occupancy of the Old Palace at Canterbury. [129824]

Mr. Stuart Bell: The Commissioners know of no occupant at the Old Palace at Canterbury called Ruth Davy. Parts of the property are commercially let; in addition, housing is provided for the Steward at the Old Palace.

INTERNATIONAL DEVELOPMENT

Ministerial Code

Mr. Robathan: To ask the Secretary of State for International Development how many times Ministers in her Department have sought the advice of the Permanent

Secretary under the circumstances envisaged in Paragraphs 118, 121 and 123 of the Ministerial Code; and on which occasions such advice was sought. [129176]

Clare Short: Neither I, nor my Under-Secretary of State have sought advice from the Permanent Secretary under the circumstances described.

Mr. Robathan: To ask the Secretary of State for International Development on how many occasions since May 1997 Ministers in her Department have made a declaration of interest to their colleagues under circumstances envisaged in Paragraph 110 of the Ministerial Code. [129165]

Clare Short: There have not been any occasions when I or the Under-Secretary of State have made a declaration of interest.

St. Helena

Dr. Marek: To ask the Secretary of State for International Development, pursuant to her answer of 23 May 2000, *Official Report*, column 408W, on St. Helena, if she will make representations to the Government of St. Helena about publishing the report on the feasibility of an airstrip. [129214]

Clare Short: This is a matter for the Government of St. Helena.

National Insurance

Mr. Webb: To ask the Secretary of State for International Development what has been the policy since 1989 on writing annually to those of her Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129484]

Clare Short: The Pay and Personnel Agency (PPA), which is an Agency of the Ministry of Defence, has been the payroll provider for the Department for International Development since October 1995.

The PPA relies upon checking systems at the employee's place of work, the Agency pay office and within computer systems to identify and act upon any changes of circumstances which affect the continuing payment of reduced rate National Insurance contributions. These systems were subjected to an audit in March 1998 by Inland Revenue and Department of Social Security personnel, which included a 100 per cent. check of all staff then paying reduced rates of contributions. No problems were identified with the systems operations.

It is not the current practice of the PPA or DFID to write annually to officers paying reduced rates of National Insurance contributions.

LORD CHANCELLOR'S DEPARTMENT

Shoreditch Magistrates Court

Mr. Sedgemore: To ask the Parliamentary Secretary, Lord Chancellor's Department what plans he has to renovate and use the former Shoreditch Magistrates Court in Old Street; and if he will make a statement. [129247]

Jane Kennedy: The Lord Chancellor's Department has no plans to make use of the former magistrates court building in Old Street. This building is owned by the Receiver of the Metropolitan Police Service. It is part of the Inner London Courthouse estate, which will be transferred to the Greater London Magistrates Courts Authority on 1 April 2001.

Mr. Sedgemore: To ask the Parliamentary Secretary, Lord Chancellor's Department what discussions he has had with English Heritage about the future use of the former Shoreditch Magistrates Court in Old Street. [129246]

Jane Kennedy: I have had no discussions with English Heritage on the future use of Old Street Magistrates Courthouse.

TRADE AND INDUSTRY

Ministerial Code

Mr. Robathan: To ask the Secretary of State for Trade and Industry (1) how many times ministers in his Department have sought the advice of the Permanent Secretary under the circumstances envisaged in Paragraphs 118, 121 and 123 of the Ministerial Code; and on which occasions such advice was sought; [129179]

(2) on how many occasions since May 1997 Ministers in his Department have made a declaration of interest to their colleagues under circumstances envisaged in Paragraph 110 of the Ministerial Code. [129153]

Mr. Byers: Information relating to internal advice and consultation is not disclosed under Exemption II of the Code of Practice on Access to Government Information.

Renewable Energy

Mr. Stunell: To ask the Secretary of State for Trade and Industry what plans he has to require the renewables obligation on electricity suppliers to be met by renewable energy generated solely within the United Kingdom by 2010. [129221]

Mrs. Liddell: The renewables obligation will require licensed electricity suppliers to supply electricity generated from renewable sources of energy to their customers in Great Britain. Suppliers will be free to purchase this electricity in a competitive market. The Government expect that suppliers will purchase the bulk of their renewable electricity from within the United Kingdom, but it will of course comply with the requirements of European law on access for imported electricity.

Letters and Packets

Mr. Mitchell: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 13 June 2000, *Official Report*, columns 595–96W, on letters and packets, if he will list, in respect of each change in weights of letter post made under Directive 97/67 of 1997 and its predecessors, the *(a)* reasons for such change and the amount concerned, *(b)* date of its coming into force, *(c)* consideration by Parliament and *(d)* Minister of the

Crown who gave consent to the directive and changes arising from it, giving the reasons for any such changes. [129596]

Mr. Alan Johnson: Directive 97/67 was the first Postal Services Directive passed by the European Commission. It has no predecessors. A memorandum setting out how the Government intended to implement each of the requirements of the EU Directive, including draft postal services regulations, was published for consultation on 8 July 1999. Subsequently, the Postal Services Regulations (S.I. 1999/2107) transposed the Directive into United Kingdom law and amended the Postal Privilege (Suspension Order) 1981/1483 to include the words

> either weighs not less than 350 grams or.

This had the effect of adding a weight threshold of not less than 350 grams to the existing £1 price threshold in order to be compliant with the Directive. The price threshold was already within the limit required by the Directive of five times public tariff for an item of correspondence in the first weight step of the fastest standard category. The Statutory Instrument was laid before Parliament on 27 July 1999 and came into force on 1 September 1999. The Minister responsible for postal issues at that time was my right hon. Friend the Member for Makerfield (Mr. McCartney), Minister of State, Department of Trade and Industry.

Post Office Network

Mrs. Browning: To ask the Secretary of State for Trade and Industry if he intends to pay subsidies to post offices before 2003. [129417]

Mr. Byers *[holding answer 6 July 2000]:* I refer the hon. Member to my statement and subsequent exchanges on 28 June 2000, *Official Report*, columns 907–20 and the PIU report also published on 28 June, copies of which have been placed in the Library of the House and the Vote Office.

Mr. David Heath: To ask the Secretary of State for Trade and Industry what plans he has to ensure that each sub-post office will be entitled to offer the full range of Post Office and contracted Government services subject to the commercial decisions of the sub-postmaster involved. [128753]

Mr. Alan Johnson: In his statement on 28 June 2000, *Official Report*, columns 907–20, on the Post Office network, my right hon. Friend the Secretary of State announced a range of proposals and measures designed to modernise and sustain the post office network. Among them were proposals to develop new areas of business facilitated by the installation of a modern on-line computer system in every office throughout the country. Certain services are likely to remain restricted to a proportion of the network because of the client's requirement for cost-effectiveness in selecting channels for the delivery of their services.

Universal Bank

Mr. David Heath: To ask the Secretary of State for Trade and Industry if the Universal bank will be required to provide banking services to any applicant irrespective of financial status. [128752]

Mr. Alan Johnson: The Post Office is developing plans, in conjunction with the high street banks, for the Universal Bank. It is intended that the Universal bank should cater for as wide a range of customers as possible, bringing many more people into the financial mainstream.

Mr. Lilley: To ask the Secretary of State for Trade and Industry how the services of the proposed Universal bank in sub-post offices will differ from those provided by the Alliance and Leicester Girobank. [129988]

Mr. Byers: Alliance and Leicester Girobank offer a full range of banking services. The Universal bank is intended to cater for a wide range of people currently outside the financial mainstream and will therefore offer basic bank accounts without overdraft or borrowing facilities.

Mr. Lilley: To ask the Secretary of State for Trade and Industry when he proposes to publish a business plan for the Universal bank in sub-post offices. [129987]

Mr. Byers: The business plan for developing and operating a Universal bank service at post offices will be a commercially confidential document.

Benefit Payments (ACT)

Mr. Caton: To ask the Secretary of State for Trade and Industry if claimants who wish to receive their benefits in cash, and who have no other bank account, will be required to open a new Universal bank account under the Government's proposals for switching benefit payments to ACT. [129605]

Mr. Alan Johnson: From 2003, the normal method of paying benefits and pensions will be directly into bank or building society accounts. Those who wish to collect their benefits in cash from the post office after 2003 will still be able to do so.

The establishment of the Universal bank will provide the means for any recipient to have an account for benefits to be paid into, and accessed across a post office counter using a card rather than a benefit book. However, we also recognise that there may still be a small number of people and payments which the Benefits Agency will be unable to pay by ACT. For these, we are considering what alterative simple money transmission system, which could be accessed by post offices, may be commercially available.

Small Businesses

Mr. Fearn: To ask the Secretary of State for Trade and Industry what proposals he has to help small businesses minimise the impact of regulations dealing with *(a)* parental leave and *(b)* working time regulations. [129950]

Ms Hewitt: Officials consulted widely with business and business organisations, and implemented parental leave regulation with a light touch to ensure that they were fair to both employers and employees. To help people understand and adapt to the new regulations, the Department of Trade and Industry has produced clear and detailed guidance material. My right hon. Friend is leading a review of maternity pay and parental leave, and it will consider as part of its remit whether it is possible further to simplify legislation in this area.

The Working Time Regulations implemented the Working Time Directive in the UK so as to balance the proper protection of workers with minimising burdens on business. The 1999 amendments to the Regulations both simplified the record-keeping requirements and provided for the provision of statutory guidance.

Guidance on both parental leave and working time is available in hard copy or on the DTI internet site www.dti.gov.uk/er

Horizon Project

Mr. Lilley: To ask the Secretary of State for Trade and Industry if the decision by the Post Office to write off the cost of the Horizon Project was taken in the knowledge of the Government's plans for a Universal bank in sub-post offices. [129986]

Mr. Byers: The Post Office decision was taken solely in the context of Financial reporting Standard 11.

Euro Policy

Sir Teddy Taylor: To ask the Secretary of State for Trade and Industry when his Department was made aware of the leaking of the document from the head of the Invest in Britain Bureau relating to the Government's euro policy; and if he will take steps to establish how this document was made public. [129443]

Mr. Byers: On 2 July. An investigation is under way.

Foreign Investment

Sir Teddy Taylor: To ask the Secretary of State for Trade and Industry if he will make a statement on the trend in the level of foreign direct investment into the UK since January 1999. [129445]

Mr. Caborn: On 5 July. Invest UK (formerly the Invest in Britain Bureau), announced at its Annual Review another record year for attracting inward investment projects into the UK. Between 1 April 1999 and 31 March 2000. Invest UK recorded 757 inward investment decisions to locate in the UK by foreign-owned companies, with some 52,783 associated new jobs over the next three years.

Figures published by the Office for National Statistics (ONS) on 29 June showed that at the end of the first quarter 2000 Foreign Direct Investment (FDI) stock in the UK had risen to £252.4 billion—up 23 per cent. compared with a year earlier.

Arms Sales

Mr. Cohen: To ask the Secretary of State for Trade and Industry what arrangements apply to end users of armaments *(a)* sold and *(b)* transferred by the United Kingdom to Saudi Arabia; and if he will make a statement. [129308]

Mr. Hoon: I have been asked to reply.

Most defence exports to Saudi Arabia are organised under Government-to-Government arrangements. I am unable to disclose specific details of these arrangements under Exemption 1 of the Code of Practice on Access to Government Information, but I can say that it is normal practice to include a clause in the Memoranda of Understanding which prohibits the transfer of material to third parties without the approval of the UK Government.

For exports not covered by Government-to-Government arrangements, the risk of diversion to third parties is taken into account in considering export licence applications.

DEFENCE

Departmental Transport

Dr. Lynne Jones: To ask the Secretary of State for Defence how much his Department has spent on ministerial transport in each of the last two years. [98720]

Dr. Moonie: I refer my hon. Friend to the answer given to her by my hon. Friend the Parliamentary Secretary, Cabinet Office, on 1 December 1999, *Official Report*, columns 255–56W. In addition, the Ministry of Defence, spent in 1997–98 £174,836 and in 1998–99 £179,707, on transport services for Ministers.

Queen Mother (100th Birthday)

Mr. Corbyn: To ask the Secretary of State for Defence how much public money has been spent on commemorations for HM Queen Elizabeth The Queen Mother's 100th birthday. [127909]

Dr. Moonie *[holding answer 28 June 2000]:* The main event to mark Queen Elizabeth The Queen Mother's 100th Birthday will be a Service of Thanksgiving to be held at St. Paul's Cathedral on 11 July, and a Pageant to be held on Horse Guards on 19 July. Events to mark Her Majesty's Birthday on 4 August have yet to be announced.

Significant costs are likely to arise only from the Pageant on 19 July, which is being funded primarily from private sources. There will be some additional incidental costs borne by the Ministry of Defence. The actual additional cost of this, and of the other events, could be identified only when they have taken place.

I understand from the Commissioner of Police of the Metropolis and the Commissioner of Police for the City of London that no identifiable costs have yet been incurred by the Metropolitan police service and the City of London police.

Costs to the Royal Parks Agency as a result of the Pageant will be identifiable only following the event.

Defence Evaluation and Research Agency

Mr. Alasdair Morgan: To ask the Secretary of State for Defence what assessment he has made of the impact of his proposals for DERA on the number of staff employed by private companies at the DERA base at West Freugh. [128284]

Dr. Moonie: I refer the hon. Member to the answer which Sir John Chisholm, Chief Executive of the Defence Evaluation and Research Agency, DERA give him on 29 June 2000, *Official Report*, column 593W.

Under our current proposals, we envisage that the capabilities provided by West Freugh will form part of the NewDERA company. It is, therefore, likely that the

DERA staff at West Freugh would transfer to the private sector. The status of other staff at DERA West Freugh will continue unchanged.

We are confident that our proposals will secure a long-term future for both NewDERA and those elements to be retained within the Ministry of Defence, which should have a positive impact on job prospects. In addition, the new freedoms proposed for NewDERA will open up a range of commercial opportunities not previously available and help secure jobs in the longer term.

No final decisions on the PPP will be taken until all the inputs received during the consultation exercise, which ended on 9 June, have been fully analysed. We hope to be in a position to make an announcement on the way ahead for DERA before the summer recess.

Telephone Steering Systems

Mr. Ben Chapman: To ask the Secretary of State for Defence (1) how many departmental telephone lines used by the general public are responded to by interactive voice response systems; [127399]

(2) how many agencies of his Department use interactive voice response systems when dealing with telephone inquiries from the general public; [127407]

(3) how many agencies of his Department use touch tone telephone steering systems when dealing with telephone inquiries from the general public; [129631]

(4) how many of his Department's telephone lines used by the general public are responded to by touch tone telephone steering systems. [129629]

Dr. Moonie: This information is not held centrally and could be provided only at disproportionate cost.

Former Civil Servants

Mr. Ben Chapman: To ask the Secretary of State for Defence if he will list the posts assumed by the 14 officials who have notified his Department that they have taken up appointments in the private sector. [129012]

Dr. Moonie: The information requested is as follows:

Name	*Appointment*	*Date taken up*
Field Marshal The Lord Inge GCB DL	Consultant, British Aerospace Non-executive Director, Greenley's Consultant, Sedgwick Group	January 1998 July 1998 November 1998
Sir Moray Stewart KCB	Consultant, Short Brothers plc	February 1998
Air Marshal Sir Michael Graydon GCB CBE	Consultant, Willis Coroon Hinton Non-executive Director, Thomson (UK) Holdings	April 1998 January 1999
Air Chief Marshal Sir William Wratten GBE CB AFC	Chief Military Adviser, Rolls Royce Military Aero Engines	May 1998
Air Marshal Sir Roger Austin KCB AFC	Fellow of Strategic Forum SERCO Defence	June 1998
Professor Sir David Davies CBE	Non-executive Director, ERA Technology Member of the Strategy Board, British Aerospace Virtual University	October 1998 December 1999
Sir Charles Masefield	Vice-chairman, GEC	December 1998
Air Marshal G Robertson CBE	Military Adviser, British Aerospace plc	March 1999
Mr. M. J. V. Bell CB	Group Head of Strategic Analysis, British Aerospace plc	April 1999
Admiral Sir Jock Slater, GCB LVO	Non-executive Director, Vosper Thornycroft Holdings plc Senior Military Advisor, Lockheed-Martin	July 1999 January 2000
Lieutenant General Sir Robert Hayman-Joyce KCB CBE	Non-executive Director, Comax	September 1999
Air Marshal I. D. MacFadyen CB OBE	Consultant, Surestock Health Services (Unipart Group)	November 1999
Air Marshal Sir Colin Terry KBE CB	Group Managing Director, Inflite Engineering Service Ltd.	November 1999
Admiral Sir John Brigstock KCB	Chief Executive, St. Andrew's Hospital Trust	April 2000

Information about applications approved by the Prime Minister under the rules on the acceptance of outside appointments by Crown servants is published in the annual reports of the Advisory Committee on Business Appointments.

Mr. Ben Chapman: To ask the Secretary of State for Defence what plans he has to amend the rules that apply to senior officials from his Department joining private sector companies. [129014]

Dr. Moonie: The rules on the acceptance of outside appointments are set out in the Civil Service Management Code and apply to Crown servants in all Government Departments. The Defence Secretary has no plans to propose any changes to them.

SA80 Rifle

Mr. Quentin Davies: To ask the Secretary of State for Defence, pursuant to his answer of 23 June 2000, *Official Report*, column 319W, if the modified SA80 rifle will be added to the NATO Nominated Weapons List. [128771]

Dr. Moonie: In 1997, the SA80 was suspended from the NATO Nominated Weapons list, the list of those weapons used for testing ammunition that is seeking NATO qualification. Once modified, the SA80 will be re-assessed and should be re-admitted to this list.

Defence Housing Executive

Miss McIntosh: To ask the Secretary of State for Defence when empty Defence Housing Executive accommodation in Leeming will be placed on the market; and if he will make a statement. [129096]

Dr. Moonie: Twenty empty properties in Leeming Village were handed back to the owners, Annington Homes Ltd. (AHL), on 26 June. It is, of course, for the owners to decide how to dispose of these properties but they are likely to be sold privately through a nominated agent. It is probable that 10 of the remaining properties in Leeming will be part of a future release but they are currently subject to planning and approval processes and a number of them are occupied.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Defence if he will list for his Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if he will make a statement on his Department's leasing and purchasing policy. [128984]

Dr. Moonie: The Ministry of Defence does not operate an approved list of manufacturers of cars or commercial vehicles. The supplier is normally selected through competition. The Department's policy is to seek the best value for money and this will determine whether we purchase or lease vehicles in specific cases. However, management of cars and commercial vehicles is not core MOD business and as a consequence the Department is actively pursuing the provision of vehicle and support services through a competitively let Private Finance Initiative contract. It will be for the contractor to determine the type and mix of vehicles to provide the necessary service.

Ministerial Code

Mr. Robathan: To ask the Secretary of State for Defence (1) on how many occasions since May 1997 Ministers in his Department have made a declaration of interest to their colleagues under circumstances envisaged in Paragraph 110 of the Ministerial Code; [129159]

(2) if he will list the occasions since May 1997 on which Ministers in his Department have sought the advice of the Permanent Secretary under the circumstances envisaged in paragraphs 118, 121 or 123 of the Ministerial Code; [129106]

(3) if he will list the occasions since May 1997 on which Ministers in his Department have sought the advice of the Permanent Secretary under the circumstances envisaged in paragraphs 118, 121 or 123 of the Ministerial Code. [129178]

Dr. Moonie: Information relating to internal advice and consultation is not disclosed under Exemption 2 of the Code of Practice on Access to Government Information.

Married Quarters (Arborfield)

Mr. Key: To ask the Secretary of State for Defence for what reason surplus married quarters at Arborfield were not disposed of on the open market; and if he will make a statement. [129245]

Dr. Moonie: The properties at Arborfield were included in the sale, on a 999 year lease, of most of the Service Families Quarters in England and Wales to Annington Homes Ltd. (AHL) in November 1996. At that time there was a requirement for the properties to house Service families and they were underleased back from AHL. The properties have since been declared surplus to Service requirements and, under the terms of the sale agreement a total of 105 have been handed back to AHL. The option of sale on the open market is therefore a matter for the owners, AHL.

Cyber-warfare

Mr. Viggers: To ask the Secretary of State for Defence if he will make a statement on the proposed cyber-warfare unit, identifying its proposed size and detailed costs. [129283]

Mr. Hoon *[holding answer 6 July 2000]:* There are no plans to establish a cyber-warfare unit in the Ministry of Defence.

Church Fenton Airfield

Mr. Grogan: To ask the Secretary of State for Defence what environmental appraisal has been conducted regarding his Department's plans to secure planning permission for housing on Church Fenton airfield. [129815]

Dr. Moonie: To date it has been premature to discuss the issue of environmental appraisals with Selby District Council (SDC). The Ministry of Defence, or the site's eventual developer, will, prior to the submission of any planning application(s), liaise with SDC over the provision of an Environmental Impact Assessment (EIA) for those aspects of the development for which one may be required under planning/environmental legislation.

Mr. Grogan: To ask the Secretary of State for Defence what environmental and conservation bodies have been consulted by his Department in connection with its plans to secure planning permission for housing on Church Fenton airfield. [129814]

Dr. Moonie: Under the Town and Country Planning legislation it is the duty of the local planning authority (LPA) to consult with environmental and conservation bodies, where necessary, over any applications for development. It is not known what consultations Selby District Council have undertaken in respect of RAF Church Fenton. It would be premature for us to initiate these discussions as our plans are being tested at the Local Plan Inquiry.

Mr. Grogan: To ask the Secretary of State for Defence what consultations his Department has had with local parish councils regarding his Department's proposal to secure planning permission for housing on Church Fenton Airfield. [129830]

Dr. Moonie: Under the Town and Country Planning Acts it is an obligation of the local planning authority (LPA) to consult with the parish councils once they receive a planning application for redevelopment. In August 1998, my Department submitted an application for redevelopment of part of the Church Fenton site and the LPA should have consulted the parish councils. Their response is not known. We subsequently agreed to hold any decision on that application in abeyance until the result of the current Local Plan Inquiry was known. As for our submissions to, and appearance at, the Local Plan Inquiry, the local parish councils would have been part of the LPA's consultation process throughout the preparation of the plan. However, they were also specifically advised of our proposals by letter from our planning consultants in early June of this year.

Departmental News Director

Mr. Duncan Smith: To ask the Secretary of State for Defence what civil service grade is held by the Director of News, Mr. Martin Howard; what civil service post was held by Mr. Howard prior to his appointment as Director of News, who the previous holder of the position of Director of News was; and what Mr. Howard's job description is as Director of News. [129829]

Dr. Moonie: Mr. Martin Howard is a member of the senior civil service. His previous appointment was in the Ministry of Defence as Head of the Overseas Secretariat. The previous incumbent of the post of Director of News was Ms Oona Muirhead, also a senior civil servant. The role of Director of News is to act as the official spokesman of the Ministry of Defence and to identify media opportunities for promoting the key themes of the Defence Mission proactively, effectively and consistently.

Journalists (Meetings)

Mr. Duncan Smith: To ask the Secretary of State for Defence if he will list the journalists he has had meetings with at his Department since December 1999; and on what dates these meetings were held. [129828]

Mr. Hoon: I have been interviewed by the following journalists and broadcasters at the Ministry of Defence since December 1999:

Interviewer	*Date*
Ian Kirby (News of the World)	6 January 2000
Alex Nicholl (Financial Times)	1 March 2000
Peter Ryan (Economist)	2 March 2000
Lucy Jackson (British Forces Broadcasting Service)	21 March 2000
News piece (BBC TV News)	23 March 2000
Anita Anand (Zee TV)	4 April 2000
Richard Norton-Taylor (The Guardian)	17 April 2000
Tim Sebastian (BBC Hardtalk)	8 May 2000
Jon Craig (Express on Sunday)	5 July 2000

Interviewer name not recorded

In addition, I have had a number of door-step interviews at the MOD with various different broadcast news teams, particularly during May and June when a large number of British troops were deployed to Sierra Leone.

I have also hosted the following press conferences to which a wide range of journalists and broadcasters have been invited:

Press conference subject	*Date*
Announcement of Eurofighter missile and heavy lift aircraft procurement decisions	16 May 2000
Launch of Defence Estates Strategy	7 June 2000

Military Aircraft Accidents

Mr. Field: To ask the Secretary of State for Defence how many accidents there were in which deceased aircrew were found guilty of gross negligence in aircraft that were not fitted with cockpit voice recorders and flight data recorders since 1980; and what proportion of accidents involving military aircraft this represented. [108491]

Mr. Spellar *[pursuant to the reply, 7 February 2000, c. 31W]:* I regret that there was an error in the information given. The answer provided was based on an examination of aircraft summaries rather than the original Board of Inquiry reports.

We have now completed a detailed check of the Board of Inquiry reports of the military aircraft accidents from 1 January 1980 to 31 December 1999. There were 486 aircraft accidents and a further 51 personal injury cases involving aircraft within this period. Of the 486 accidents, 317 occurred in the first 10 years. In 20 of the accidents, findings for gross, culpable or serious negligence were made against deceased aircrew in aircraft not fitted with cockpit voice recorders and accident data recorders; 16 of the cases occurred in the first 10 years.

SOCIAL SECURITY

Tax Credits

Ms Buck: To ask the Secretary of State for Social Security how many households would be taken off *(a)* Housing Benefit and *(b)* Council Tax Benefit in each tenure category if a flat rate housing allowance was introduced for recipients of Working Families Tax Credit and Disabled Persons Tax Credit at (i) £10, (ii) £15, (iii) £20, (iv) £25 and (v) £30 per week. [125412]

Angela Eagle: Precise estimates cannot be made because of the uncertain behavioural effects that would result from the introduction of such an allowance. However, we estimate that introducing a flat rate housing allowance of £30 per week for all recipients of the Working Families Tax Credit (WFTC) would move some claimants off Housing Benefit (HB) in Great Britain in a full year. Assuming that eligible rent in Housing Benefit is reduced by the amount of the housing allowance, the estimated numbers moving off benefit is dependent on the way in which the extra income is treated in the assessment of Housing Benefit and Council Tax Benefit (CTB). The following table gives estimated results based upon either disregarding the housing allowance as income so that claimants do not lose in net income terms, or counting the housing allowance as income so that claimants actually lose in net income terms:

Estimated number of claimants who would be taken-off benefit in 2000–01 under the proposed £30 housing allowance

Thousand

	Housing Benefit	*Council Tax Benefit*
Housing allowance disregarded	140	0
Housing allowance assessed as income	170	90

Notes:

1. Estimates are based on the Family Resources Survey.
2. There is currently no administrative data to link WFTC receipt with HB or CTB, so estimates based solely on household survey data should be treated as illustrative only.
3. This household sample does not have an adequate sample size or the necessary information on disability to be able to produce corresponding estimates for Disabled Persons Tax Credit. The reduction in the number of recipients of Housing Benefit as a result of introducing the allowance for recipients of Disabled Persons Tax Credit is, however, likely to be small.
4. Some cases taken-off Housing Benefit may also be among those taken off Council Tax Benefit, so totals cannot be summed.
5. Separate estimate for each tenure category are not available.

Housing Benefit

Ms Buck: To ask the Secretary of State for Social Security (1) what would be the gross and net costs of introducing a flat rate housing allowance to single people under retirement age currently in receipt of Housing Benefit and Council Tax Benefit if such an allowance was set at *(a)* £10, *(b)* £15, *(c)* £20, *(d)* £25 and *(e)* £30; how many people would be entitled to such an allowance and how many people would be taken off Housing Benefit and Council Tax Benefit completely in each category *(a)* to (e); [125413]

(2) if he will estimate the net costs of a flat rate housing allowance, assuming savings on Housing Benefit and Council Tax Benefit, if such an allowance was set at *(a)* £10 per week, *(b)* £15 per week, *(c)* £20 per week, *(d)* £25 per week and *(e)* £30 per week. [125410]

Angela Eagle: The information is not available as introducing a flat rate housing allowance would need to be considered in the context of the employment tax credit. As set out in chapter 3 of the Treasury paper "Tackling Poverty and Making Work Pay—Tax Credits for the 21st Century", we will extend the principle of the Working Families Tax Credit to people without children. The detailed design parameters of the new credits have yet to be finalised.

Pensions

Mr. Love: To ask the Secretary of State for Social Security what estimate he has made of the number of people who will be without any pension entitlement on retirement in *(a)* 2000 and *(b)* each five year period thereafter to 2050; and if he will make a statement. [127837]

Mr. Rooker: We are working towards a system which will ensure that no one will retire without a pension entitlement.

Minimum Funding Requirement

Mr. Matthew Taylor: To ask the Secretary of State for Social Security, pursuant to his answer of 28 June 2000, *Official Report*, column 533W, on the minimum funding requirement, which organisations he will be considering representations from; when he will make public the report from the Faculty and Institute of Actuaries; and if he will make a statement. [129213]

Mr. Rooker: We intend to publish the report from the Faculty and Institute of Actuaries alongside a consultation document on any proposals for change arising from the review of the minimum funding requirement. We will consider all representations that we receive in response to the consultation.

Disability and Carers Benefits Directorate

Mr. Winnick: To ask the Secretary of State for Social Security what is the practice of the Director of the Disability and Carers Benefits Directorate in replying to letters from hon. Members writing on behalf of constituents; and if he personally signs such replies. [130008]

Mr. Bayley: When letters are received from hon. Members, acknowledgements are issued on the day of receipt with a commitment to respond fully within 10 working days. This is in line with the Secretary of State's targets for answering correspondence.

The Director of the Disability and Carer Benefits Directorate personally signs replies unless he is unavailable. A nominated deputy will then reply on his behalf.

Family Credit

Mr. Ian Bruce: To ask the Secretary of State for Social Security what changes have taken place in staff and premises since the ending of family credit; and what future changes are planned. [130007]

Angela Eagle: Family Credit was centralised in the North West. Working Families Tax Credit replaced Family Credit from 5 October 1999. At the time, the majority of staff transferred to the Inland Revenue and they continued to use the same premises.

Mr. Ian Bruce: To ask the Secretary of State for Social Security what average time was taken from receipt of application to payment of benefit for family credit; and what was the average number of cases outstanding over the last year of its operation. [130004]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the table.

Information on clearance targets

Percentage

Target	*Achievement against target (April 1999 to September 1999)*
60 per cent. of applications settled within 13 working days	83.7
95 per cent. of applications settled within 42 working days	98.9
90 per cent. of "express" applications settled within five working days	90.1

The average number of Family Credit cases outstanding in Great Britain during year ending September 1999 was 42,000.

AGRICULTURE, FISHERIES AND FOOD

Milk

Mr. Robertson: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on *(a)* the level of farm gate milk prices and *(b)* the milk industry, since the breaking up of Milk Marque. [126932]

Ms Quin: The Government recognise the considerable problems currently facing the dairy industry, where a combination of factors have reduced milk prices and had a consequential effect on incomes in the sector over the past two years. It is difficult to predict how the creation of the Milk Marque successor companies will affect milk prices in the longer term. Much will depend on the way in which the new companies are run as well as other factors, such as the sterling/euro exchange rate. It should also be noted that the Secretary of State for Trade and Industry has announced that the successors to Milk Marque will be able to become involved in processing.

Organic Farmers

Mr. Tredinnick: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the impact of Government regulation on Britain's organic farmers. [127167]

Mr. Morley: The Government seek to minimise regulatory burdens where possible and consults the industry on their impact. Standards for organic farming are contained in Regulation (EEC) No. 2092/91. Additionally, the private sector bodies that certify organic farmers are able if they wish to impose standards which go further, and some do. Rigorous production controls are important if public confidence in organic food is to be maintained. It is for producers to decide with which certifier they wish to register.

PFI Contracts

Mr. Alan Williams: To ask the Minister of Agriculture, Fisheries and Food if he will list the PFI contracts entered into by his Department, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if his Department has a claw-back entitlement to share in savings arising from refinancing. [129044]

Mr. Morley: MAFF is responsible for reporting on the PFI/PPP contract let by the Environment Agency in respect of the Pevensey Bay Sea Defences.

The information requested is as follows:

(a) Date of Commencement—1 June 2000

(b) Contract Value—No private sector capital expenditure will be made throughout the life of the contract.

(c) Subject to refinancing—No

(d) Is there a claw-back entitlement to share in savings arising from refinancing?—No

Crop Contamination

Jackie Ballard: To ask the Minister of Agriculture, Fisheries and Food if he will compensate organic farmers whose crops and organic status are at risk from contamination by GMOs. [128594]

Mr. Morley: No. Any issue of liability in these circumstances would be a private law matter between the farmer and the person who caused the problem, and farmers would have to take advice on their individual circumstances.

Rod-caught Fish

Mr. William Ross: To ask the Minister of Agriculture, Fisheries and Food what is his estimate of the number of angler-caught *(a)* salmon, *(b)* grilse and *(c)* sea trout caught in England in each of the last five years; and what his estimate is of the number of each of these three categories of fish taken by seals in English waters in each of these years. [128827]

Mr. Morley *[holding answer 3 July 2000]:* The table sets out the figures for rod-caught salmon, grilse and sea trout caught in England in the last five years. The figures include fish caught and released.

Declared rod catch for English waters

Year	*Salmon*[1]	*Grilse*[1]	*Sea trout*
1995	3,202	8,658	16,581
1996	4,066	7,910	16,562
1997	2,441	6,984	16,228
1998	2,152	10,619	23,911
1999[2]	2,686	6,449	22,209

[1] Numbers of salmon and grilse estimated from age/weight keys and the size distribution of fish caught in principal salmon rivers

[2] Provisional figures

No estimate is available of the number of these species of fish taken by seals in English waters. The predominant species targeted by seals are known to be cod, whiting and sandeels. Nationally, salmon, grilse and sea trout form a very small part of seal diet.

Drift Net Fishery

Mr. William Ross: To ask the Minister of Agriculture, Fisheries and Food what his estimate is of the number of *(a)* salmon, *(b)* grilse and *(c)* sea trout taken by the North East drift net fishery in each of the last five years for which figures are available; and what his estimate is of the number and percentage of these fish which were bound for Scottish rivers, indicating also his estimate of the number and percentage which were bound for the River Tweed and its tributaries. [128826]

Mr. Morley *[holding answer 3 July 2000]:* The table sets out the figures for salmon, grilse and sea trout taken by drift nets in the North East coast fishery in each of the last five years.

Year	*Salmon*	*Grilse*	*Sea trout*
1995	19,101	28,904	29,521
1996	7,465	7,707	13,225
1997	6,305	12,936	12,387
1998	5,985	11,343	11,339
1999	8,523	16,289	15,059

No precise estimates are available for the proportion of these fish that were bound for Scottish rivers or the River Tweed and its tributaries. However, a joint MAFF and Scottish Office report on "Salmon Net Fishers" (1991) estimated that 80 per cent. of the salmon and grilse taken by the total North East coast fishery in 1987–88 were bound for Scottish rivers and that 40 per cent. were bound for the Tweed. The "Report of the Technical Working Group on the English North East Coast Salmon Fishery" (1997) suggested that up to 50 per cent. of the sea trout caught in the North East coast fishery may be bound for Scottish rivers, the majority of these to the Tweed. Based on the above approximate percentages, the estimated numbers of salmon, grilse and sea trout caught in the North East coast fishery in the past five years that were bound for Scottish rivers and the River Tweed and its tributaries are given in the table.

Year	*Salmon*	*Grilse*	*Sea trout*
Scottish rivers			
1995	15,281	23,123	14,761
1996	5,972	6,166	6,613
1997	5,044	10,349	6,194
1998	4,788	9,074	5,670
1999	6,818	13,031	7,530
River Tweed and its tributaries			
1995	7,640	11,562	14,761
1996	2,986	3,083	6,613
1997	2,522	5,174	6,194
1998	2,394	4,537	5,670
1999	3,409	6,516	7,530

Meat Imports

Mr. Cox: To ask the Minister of Agriculture, Fisheries and Food which overseas countries supplied the United Kingdom during the last 12 months with *(a)* beef and *(b)* lamb for human consumption; what quantities were imported; and if he will make a statement. [129504]

Ms Quin: The table lists the countries supplying beef and lamb products to the UK, for human consumption, from May 1999-April 2000 as recorded by the Overseas Trade Statistics.

Lamb and Lamb Products

Country	*Tonnes*
New Zealand	99,892
Australia	12,581
Netherlands	4,896
Irish Republic	3,653
Uruguay	1,296
France	1,097
Spain	1,010
Germany	656
Belgium	264
Chile	256
Denmark	152
Argentina	67
Other	86
Grand Total	125,905

Beef and Beef Products

Country	*Tonnes*
Irish Republic	99,801
Brazil	66,101
Netherlands	12,578
Uruguay	9,614
Argentina	8,611
France	7,221
Australia	6,733
Namibia	6,692
Zimbabwe	6,292
Botswana	5,428
Germany	2,926
Denmark	2,720
Belgium	2,017
Spain	1,767
New Zealand	1,330
Mauritius	714
Italy	615
Sweden	536
Swaziland	421
South Africa	381
USA	214
Other	186
Total	242,900

Note:

The data are provisional and subject to amendment

Over-30-months Scheme

Mr. Levitt: To ask the Minister of Agriculture, Fisheries and Food what assessment he has made of the effectiveness of the process of rendering animal carcases in destroying prions. [129646]

Ms Quin: The UK has evaluated historical rendering practices by jointly funding, along with the European Commission and European Renderers Association, research work on the effectiveness of rendering systems in inactivating both sheep scrapie and BSE. Both studies have subsequently been published as indicated below, and resulted in consequential changes to European legislation on processing standards.

References:

Taylor D. M. Woodgate S. L. and Atkinson M. J. Inactivation of the bovine spongiform encephalopathy agent by rendering procedures. Vet Rec (1995) 137 605–610.

Taylor D. M. Woodgate S. L. Fleetwood A. J. and Cawthorne R. J. G. Effect of rendering procedures on the scrapie agent. Vet Rec (1997) 141 643–649.

Organophosphates

Mr. Tyler: To ask the Minister of Agriculture, Fisheries and Food what research his Department has evaluated into the effect of the use of the organophosphate pesticide chlorpyrifos on the health of children; what uses are authorised; and at what thresholds. [129993]

Ms Quin: Both the UK and EU systems for regulating pesticides contain routine review programmes of older pesticides to ensure they meet current safety standards. Chlorpyrifos is presently under-review in both the UK and EU review programmes. Both reviews have required the submission of data and research studies by companies wishing to support the compound.

For the UK review 171 toxicology and metabolism studies relevant to the risk posed by chlorpyrifos to the health of people, including children, have been submitted. The Government's scientific evaluation of these studies is currently being examined by the independent experts of the Advisory Committee on Pesticides (ACP) and the Food Standards Agency. Once the Committee's review has been completed, in line with normal practice, a detailed evaluation document listing the studies evaluated and setting out the assessment made by the ACP will be made publicly available.

The European Commission has yet to reach a decision on the European status of chlorpyrifos. The initial evaluation of the safety of the compound carried out by Spain for the Commission is currently being peer reviewed by the relevant experts in the EU member states. The European Commission's review report on chlorpyrifos will be made available to the public once a final decision on the EU status of chlorpyrifos as a pesticide has been taken.

I will write to the hon. Member with the details of the crops, maximum individual doses and maximum number of treatments for those products containing chlorpyrifos approved for use in agriculture, horticulture and amenity use and place copies of my letter in the House Libraries.

Forestry Commission

Mr. Breed: To ask the Minister of Agriculture, Fisheries and Food how much Forestry Commission land has been sold in each of the last 10 years; and if he will make a statement. [R] [128043]

Mr. Morley *[holding answer 28 June 2000]:* The subject of the question relates to matters undertaken by Forest Enterprise. I have asked its Chief Executive, Dr. Bob McIntosh, to arrange for a reply to be given.

Letter from Bob McIntosh to Mr. Colin Breed, dated July 2000:

I have been asked to reply to your question to the Minister of Agriculture, Fisheries and Food about the areas of Forestry Commission land sold in each of the last 10 years.

The following table shows the areas, in hectares, of both forest land and other land sold by the Commission throughout Great Britain.

To year ending 31 March	*Forest Land*	*Buildings and other land*	*Total*
1990	5,559	2,292	7,851
1991	4,770	2,658	7,428
1992	6,263	648	6,911
1993	6,827	3,762	10,589
1994	14,419	531	14,950
1995	10,014	794	10,808
1996	8,217	871	9,088
1997	9,605	1,237	10,842
1998	10,756	1,886	12,642
1999	4,261	1,493	5,754

The Government stopped the large scale sales of forest land by the Commission when they took up office in May 1997. The Commission may now only sell agricultural land, land associated with houses and other buildings, unplantable land and relatively small and isolated blocks of forest land which do not make a significant contribution to its objective and which are surplus to its requirements. The Commission may also sell areas for development where this is in the public interest. Areas of forest land which are important for public access will not be sold unless an access agreement is in place.

Most of the sales in 1997 and 1998 were agreed before May 1997.

FOREIGN AND COMMONWEALTH AFFAIRS

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the PFI contracts entered into by his Department, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if his Department has a claw-back entitlement to share in savings arising from refinancing. [129049]

Mr. Hain: The FCO has three significant PFI contracts:

Lease Plan Cars (Public Private Partnership PPP deal)—lease and operate vehicle fleet—value dependent on the number of posts taking up lease-plan option—1996. The lease-plan deal is a PPP arrangement and is not structured in the manner of a standard PFI contract.

Minerva—record retrieval software—value £1.62 million (net presentive value n.p.v.)—1997. The Minerva contract has not been subject to re-financing.

FTN—FCO telecommunications network—value £106 million (n.p.v.)—May 2000.

Berlin—build and operate new Embassy—value £49.8 million (n.p.v.)—June 2000.

Both the Berlin and FTN contracts have only recently commenced.

The FCO does not have a "claw-back" entitlement built in to existing PFI contracts.

BBC World Service

Mr. Peter Bottomley: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the BBC World Service online website and its development. [129602]

Mr. Hain: The BBC World Service websites currently receive about 25 million page impressions and audio listens a month. We support the World Service's ambition to develop its online services further, including in some vernacular languages into fully multimedia sites. Provision for the development of such services has been included in the FCO's bid on behalf of the World Service under the 2000 Spending Review.

Telephone Steering Systems

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs how many agencies of his Department use touch tone telephone steering systems when dealing with telephone inquiries from the general public. [129640]

Mr. Battle: None.

Mr. Ben Chapman: To ask the Secretary of State for Foreign and Commonwealth Affairs how many of his Department's telephone lines used by the general public are responded to by touch tone telephone steering systems. [129622]

Mr. Battle: Two.

Moluccas

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will seek the establishment of an international fact-finding mission to undertake an impartial investigation into the atrocities in the Moluccas. [129456]

Mr. Battle: We have been deeply disturbed by reports of escalating violence in Maluku. But a solution cannot be imposed from outside. Diplomatic efforts are now focused on pressing the Indonesian Government to take urgent and effective action. I discussed the issue with the Indonesian Ambassador on 3 July. The Head of the Diplomatic Service raised our concerns directly with President Wahid in Jakarta on 4 July. We and others are continuing to urge the Indonesian authorities to redouble their efforts.

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Government of Indonesia in respect of the intimidation of Moluccan Christians. [128332]

Mr. Battle: We have been deeply disturbed by reports of escalating violence in Maluku. I discussed the issued with the Indonesian Ambassador on 3 July. The Head of the Diplomatic Service raised our concerns directly with President Wahid in Jakarta on 4 July. We and others are continuing to urge the Indonesian authorities to redouble efforts. The UK has seconded a specialist to work with the United Nations Development Programme (UNDP) to establish mechanisms for managing the international humanitarian response. UNDP dispatched a Humanitarian Co-ordinator on a one week needs assessment visit to Maluku on 9 July.

European Regulations and Directives

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 15 June 2000, *Official Report*, column 701W, on European directives and regulations, how access to the Celex Database can be obtained; and from what source the information it contains originates. [129610]

Mr. Vaz: Access to the Celex Database can be obtained either by CDROM or via the internet. The information contained in the Database is provided by the European Commission and originates primarily from the Official Journal of the European Communities.

Iran

Ms Moran: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to Iran regarding the verdict in the trial of the Jews from Shiraz. [129495]

Mr. Hain: We have made clear to the Iranian authorities our deep concern at the verdicts and sentences passed on 10 Jews and two Muslims on 1 July. We have done so through a public statement issued on 1 July, and on 5 July, both through our Ambassador in Tehran, and here with the Iranian Ambassador to London.

Mr. Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Iranian Government on human rights in that country; and if he will make a statement. [129514]

Mr. Hain *[holding answer 7 July 2000]:* We and our EU partners regularly press the Iranian authorities over our concerns about certain human rights issues in Iran. On each of the three occasions that my right hon. Friend the Foreign Secretary has met his Iranian counterpart Dr. Kamal Kharrazi, human rights have featured prominently in their discussions. I too discussed our concerns with Deputy Foreign Minister Sarmadi during his visit to the UK in March.

In addition, we regularly raise our concerns through our Ambassador in Tehran and the Iranian Ambassador to London.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what talks he has had with human rights organisations regarding the sentencing of the Iranian Jews convicted of espionage. [129675]

Mr. Hain *[holding answer 7 July 2000]:* We have maintained regular contact with a number of concerned organisations, including the Board of Deputies of British Jews and the Inter-Parliamentary Council Against Anti-Semitism on this case.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to visit Iran. [129676]

Mr. Hain *[holding answer 7 July 2000]:* We will be consulting with the Iranian authorities to arrange mutually convenient dates for a visit.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what contact he has had with other EU Governments regarding the sentencing of the Iranian Jews for espionage. [129677]

Mr. Hain *[holding answer 7 July 2000]:* We and our EU partners have been in regular contact throughout the detention and subsequent trial on espionage charges of the 13 members of the Shiraz Jewish community and eight Muslims. A statement expressing the deep concern of all EU member states at the sentencing of 10 of the Jewish defendants and two of the Muslim defendants was issued shortly after the verdicts were announced on 1 July.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Iranian Government following the sentencing of the Iranian Jews. [129715]

Mr. Hain *[holding answer 7 July 2000]:* We have made clear to the Iranian authorities our deep concern at the verdicts and sentences passed on 10 Jews and two Muslims on 1 July. We have done so through a public statement issued on 1 July, and on 5 July, both through our Ambassador in Tehran, and here with the Iranian Ambassador to London.

Pakistan

Mr. Gordon Prentice: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with the Government of Pakistan concerning the timetable for the return to democracy. [129592]

Mr. Hain: I refer my hon. Friend to the answer I gave in reply to my hon. Friend the Member for Edmonton (Mr. Love) on 27 June 2000, *Official Report*, columns 446-47W.

Charter of Fundamental Rights

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his role in formulating the first draft of the Charter of Fundamental Rights at the start of the German Presidency of the Council of Ministers; and if he will deposit the text of that draft in the Library. [129821]

Mr. Vaz: I refer the hon. Member to the reply my right hon. Friend for Gateshead, East and Washington, West (Ms Quin) (the then Minister of State, Foreign and Commonwealth Office) gave him on 17 June 1999, *Official Report*, column 226W.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs when he first was informed of the interest shown by the German Presidency of the Council of Ministers in the formulation of a Charter of Fundamental Rights. [129922]

Mr. Vaz: I refer the hon. Member to the reply I gave him on 6 December 1999, *Official Report*, column 405W.

India

Mr. Oaten: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Indian Government concerning the recent violence against Christians in India. [129661]

Mr. Hain *[holding answer 7 July 2000]:* My right hon. Friend the Foreign Secretary raised our concerns over attacks on religious minorities with the Indian Home Minister, L. K. Advani, during this visit to London in June. My right hon. Friend the Foreign Secretary also discussed freedom of religion with the Indian Minister for External Affairs, Jaswant Singh, during his visit to India in April. We will continue to make our concerns known.

Mr. Oaten: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent reports he has received of attacks on Christians and their places of worship in *(a)* Uttar Pradesh, *(b)* Andhra Pradesh, *(c)* Karnataka and *(d)* Goa in India. [129520]

Mr. Hain *[holding answer 7 July 2000]:* We are aware of attacks on Christians in India, including the murder of a Brother George Kuzhikandham in Uttar Pradesh and the bomb attacks on churches in Karnataka, Goa and Andhra Pradesh in June. We regularly raise our concerns over incidents of religious intolerance with the Indian Government. We will continue to monitor the situation closely.

Mr. Oaten: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received on the Bill in Uttar Pradesh introducing restrictions on the use and construction of places of worship in India; and what representations he has made to the Indian Government. [129710]

Mr. Hain *[holding answer 7 July 2000]:* We are aware of the Uttar Pradesh Religious Places Bill. Although we have not discussed the Bill with the Indian Government, we have regularly raised our concerns over incidents of religious intolerance in India. The Indian authorities can be in no doubt about our commitment to freedom of religion and the rights of minorities.

Security and Defence Policy

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Council's legal opinion on whether the Cologne and Helsinki councils' decisions regarding security and defence policy require treaty amendments. [129924]

Mr. Vaz: The Presidency report to the Feira European Council on strengthening the common European security and defence policy took note of the opinion of the Council Legal Service. The Government joined other member states in adopting the report by consensus at the Feira European Council. The issue of Treaty change will continue to be examined between the Feira and Nice European Councils.

Currency Transactions

Mr. Barnes: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the 24 Special Session of the United Nations General Assembly on Social Development, with particular reference to the conclusions concerning the possible taxation of international currency transactions. [129286]

Mr. Hain: The Special Session of the General Assembly, following up the World Summit for Social Development, protected the commitments made by governments in Copenhagen five years ago and identified some new, forward-looking initiatives. One such initiative is an analysis of proposals for developing new and innovative sources of funding for social development.

EU Accession

Dr. Cable: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last visited each of the states currently engaged in accession negotiations with the EU. [129781]

Mr. Vaz: My right hon. Friend the Foreign Secretary last visited the following countries currently engaged in accession negotiations on the dates shown:

Country	*Date*
Bulgaria	19–20 October 1998
Czech Republic	27–28 November 1997
Estonia	26 July 1999
Hungary	26 November 1997
Poland	28 November 1997
Romania	21–22 October 1998
Slovakia	6 March 2000
Slovenia	23 November 1998

My right hon. Friend the Foreign Secretary also visited Turkey, which is a candidate for EU membership, on 18–19 November 1999. He plans to visit Hungary on 25 July and the Czech Republic on 26 July. Of the other countries in negotiation for EU membership, I myself have just returned from a visit to Malta on 5–6 July and plan to visit Latvia and Lithuania in the autumn. I have also visited Hungary on 18–19 October and Poland on 19–20 October last year.

Animal Experiments

Dr. Gibson: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to consult British embassies about animal experimentation overseas. [129780]

Mr. Hain: Our Embassies continue to monitor the development of science policy in their host countries. I have no plans to consult Embassies about animal experimentation overseas.

Euro (Leaked Telegram)

Sir Teddy Taylor: To ask the Secretary of State for Foreign and Commonwealth Affairs when Ministers in his Department were informed of the leaking of the telegram from the British Ambassador to Japan on the Government's euro policy; and if he will take steps to establish how this document was made public. [129442]

Mr. Battle: Ministers were first informed of the leak in the late afternoon of Monday 3 July. An inquiry is under way.

Financial Bodies

Mr. Denzil Davies: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the total cost to public funds so far of Her Majesty's Government participation in the *(a)* Financial Action Task Force and *(b)* Financial Stability Forum. [126755]

Miss Melanie Johnson: I have been asked to reply.

Her Majesty's Government have, since 1997, paid £75,429.87 in subscription towards the UK's membership of the Financial Action Task Force (FATF). The subscription for 2000 is approximately £25,000. Information for previous years is not readily available. FATF meetings are attended by officials from HM Treasury, Foreign and Commonwealth Office, Home Office, HM Customs and Excise and the Financial Services Authority. Details of costs incurred from travel and accommodation resulting from participating at FATF meetings could be provided only at disproportionate cost.

Costs incurred by Her Majesty's Government to date in participating in the Financial Stability Forum, consisting of travel costs, accommodation costs, and subsistence are £23,677.59. These costs were incurred in attending the three meetings of the Financial Stability Forum, and also through HM Treasury's participation in the Financial Stability Forum's working group on Offshore Centres.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Roads and Highways SSA

Mr. Ashdown: To ask the Secretary of State for the Environment, Transport and the Regions if he will estimate the standard spending assessment relating to roads and other highways for each English county for *(a)* 1996–97, *(b)* 1997–98, *(c)* 1998–99, *(d)* 1999–2000 and *(e)* 2000–01 (i) in total cash terms and (ii) as a percentage of the standard spending assessment; and if he will make a statement. [125719]

Ms Beverley Hughes: The information has been placed in the Library.

GMOs

Joan Ruddock: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the current contracts between his Department and the Central Science Laboratory that are connected with GMOs. [128066]

Mr. Meacher: The Department does not as such have any contracts with the Central Science Laboratory because they are an Agency of Government and Government cannot enforce a contract with themselves. CSL are, however, currently working for my Department on three projects:

Project

1. Research to assess possible environment risks of GM plants grown in containment.
2. Monitoring gene-flow within the fields of the farm-scale evaluations and to neighbouring crops.
3. Inspection and enforcement relating to the deliberate release and marketing of GMOs.

New Deal

Mr. Brady: To ask the Secretary of State for the Environment, Transport and the Regions how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage this represents of total staff. [129101]

Ms Beverley Hughes: Since the New Deal programme commenced, the number of people recruited through New Deal DETR (Central) is 14 and its executive agencies is 23. This represents 0.3 per cent. and 0.1 per cent. of the total staff respectively. The number of New Deal staff in DETR (Central) and its executive agencies shown as a percentage of posts at a level recommended for New Deal staff is 1.5 per cent. and 0.5 per cent. respectively.

The Department is actively looking to increase these numbers by further recruitment exercises in the coming months.

Regional Development Agencies

Mr. Cummings: To ask the Secretary of State for the Environment, Transport and the Regions what has been the cost of consultants employed by each of the regional development agencies to date; and what is the projected expenditure over the next two years. [128899]

Ms Beverley Hughes: In 1999–2000, the first full year of the RDAs' operations, the estimated expenditure on directly-employed consultants was less than 1 per cent. of their total budget, as follows:

	£000
One NorthEast	910
Northwest Development Agency	1,960
Yorkshire Forward	1,040
East Midlands Development Agency	1,550
Advantage West Midlands	950
East of England Development Agency	350
South East Development Agency	680
South West Development Agency	290
Total	7,730

Estimates for expenditure on consultants for 2000–01 and 2001–02 are not available.

Migration

Mr. Curry: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the proportion of the demand for new housing which arises from population migration *(a)* between the English regions and *(b)* from London to other parts of the South East. [128866]

Mr. Raynsford: No explicit estimates are made about the proportion of the demand for new housing that arises from population migration. Trend-based household projects are just one of the considerations taken into account. These are derived from trend-based population projections that contain assumptions about inter-area migration. The migration assumptions are set out in Table 6 of the Office for National Statistics 1996-based Sub-national population projections, England, Series PP3 No. 10, published by TSO.

However, this publication does not include information on migration flows between specific areas. The Office for National Statistics has therefore provided the additional information on projected migration in relation to the South East Planning Region, given in the table.

Annual net migration for SERPLAN

Thousand

	1997	*2001*	*2006*	*2011*	*2016*	*2021*
From London	105	106	106	108	110	112
To London	68	68	68	70	71	70
Net from London	37	38	38	38	40	41
From other English regions	138	140	142	144	144	143
To other English regions	149	152	155	159	161	161
Net from other English regions	−10	−12	−13	−15	−17	−19
Net migration from London and other English regions	27	26	25	23	23	23

Source:

ONS 1996-based Sub-national population projections

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for the Environment, Transport and the Regions if he will list for his Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if he will make a statement on his Department's leasing and purchasing policy. [128987]

Ms Beverley Hughes: The Department's purchasing policy is based on achieving best value for money, taking into account whole life cost and quality. In determining what represents best value for money, the leasing option is considered.

The Department does not have an approved list of manufacturers of cars and commercial vehicles. It uses various supply and leasing contracts awarded by itself and other Government Departments as a result of competitive tender processes appropriate to the value of each contract.

The Department also makes use of the Government Car Service (GCS).

Marine Pollution

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the matters discussed and decided upon at the OSPAR meeting on Control of Marine Pollution in the North East Atlantic, held in Copenhagen on 26 to 30 June; and if he will place in the Library a report of the meeting. [128861]

Mr. Meacher *[holding answer 3 July 2000]:* At its annual meeting in Copenhagen last week, the OSPAR Commission adopted, by consensus, a programme for more detailed work on the implementation of the OSPAR Commission's strategy on radioactive substances. This provides for the adoption of national plans, the submission of detailed forecasts of how the elimination or reduction of radioactive substances from both nuclear and non-nuclear sources will be achieved, in order to meet the OSPAR 2020 goal on radioactive discharges, emissions and losses, and to enable the Commission to develop a collective oversight of progress towards this goal.

The OSPAR Commission finalised a first and essential step in the implementation of its long-term strategy on hazardous substances. As a result, twelve new hazardous substances were added to the OSPAR List of Chemicals for priority action.

The Commission also adopted several measures to control chemicals from both offshore and land-based sources, including the setting of a new international standard for the regulation of the use and discharge of offshore chemicals and drilling fluids.

Under the strategy to combat eutrophication, the OSPAR Commission agreed which areas of the North East Atlantic do not present eutrophication problems, adopted on a trial basis guidelines for evaluating nutrient inputs to the sea, and put in hand work on comprehensive assessments of the areas where there are, or may be, eutrophication problems.

The Commission adopted and launched the Quality Status Report on the whole of the North East Atlantic, the "QSR 2000". This report, together with reports covering the five regions of the OSPAR maritime area, is the first review of the health of the North East Atlantic in such detail.

The OSPAR Commission also finished reviewing its working methods and established a new organisational structure, to keep the effective implementation of its five long-term strategies and the effective follow-up to the QSR 2000.

Twelve OSPAR states adopted a decision requiring a review of nuclear processing in preventing accidental pollution. Although the UK drew attention to its recently published draft national discharge strategy, all the OSPAR states except France supported the decision, and the UK and France abstained.

I am arranging for copies of the Summary Record of the Commission's meeting to be placed in the Library when it becomes available.

Connex

Mr. Brake: To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the impact of the dispute affecting Connex's trains on its ability to meet agreed performance targets. [129305]

Mr. Hill: The Franchising Director is responsible for monitoring the performance of train operating companies. He publishes the results of his monitoring in his "On Track" report, available in the House Library. This shows that the punctuality and reliability of Connex services has been affected by the dispute. The report also explains that incentives are given to operators to handle disruptions in a planned way.

Local Authority Housing

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions when he will provide local authorities with the detailed arrangements for creating arm's-length companies and for raising levels of investment in their housing stock. [129260]

Mr. Raynsford: We outlined in the Housing Green Paper proposals to allow authorities which have set up arm's-length companies to manage their housing stock and demonstrate high standards to invest more of their rental income in their stock. As the Green Paper promised, we will be working with the Local Government Association and others to work up the proposals in greater detail over the coming months. We will consult on our proposals later this year and have guidance in place in the early part of 2001.

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions how long it will take local authorities to invest in their housing stock through the creation of arm's-length companies; what assessment he has made of the contribution this will make in tackling the investment backlog in local authority housing within five years; and if he will make a statement. [129259]

Mr. Raynsford: The additional resources to be made available for authorities which have set up arm's-length companies to manage their housing stock and demonstrate high standards will be announced as part of the Spending Review. We expect that the first year in which the new regime will operate will be 2002–03. In the meantime, authorities considering this option will need to undertake detailed preparation to enable them to meet the demanding criteria which will apply. Our overall aim, set out in the Housing Green Paper, is to ensure that all social housing reaches a decent standard within 10 years.

Light Railway Systems

Mr. Bob Russell: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to fund *(a)* tram and *(b)* light railway systems as part of urban regeneration schemes; and if he will make a statement. [129307]

Mr. Hill: Tram and light rail systems can have an important role to play in delivering integrated transport in major conurbations. Decisions on whether to provide central Government support for tram and light rail systems are taken on a case-by-case basis on the merits of the particular scheme. Where systems cannot be funded entirely from local sources or by the private sector, promoters must demonstrate that their scheme provides good value for money and forms an essential part of a local transport plan, and that the objectives of that plan cannot be met in other ways. In the Department's appraisal process, the wider economic impacts of a particular scheme, including any regeneration benefits are considered.

Telephone Steering Systems

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions how many agencies of his Department use touch tone telephone steering systems when dealing with telephone inquiries from the general public. [129642]

Ms Beverley Hughes: Touch tone telephone steering systems are used in a number of the Department's agencies, to a varying degree. These are:

The Driver and Vehicle Licensing Agency (DVLA)—approximately 343 lines

The Driving Standards Agency (DSA)—up to 300 lines

Vehicle Inspectorate (VI) are piloting a national number in Scotland that is likely to be rolled out nationwide in October 2000

Vehicle Certification Agency (VCA)—5 lines available

Highways Agency—the Information line, which can handle up to 15 calls simultaneously.

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions how many of his Department's telephone lines used by the general public are responded to by touch tone telephone steering systems. [129624]

Ms Beverley Hughes: DETR(C) have four telephone lines available to members of the public which offer the opportunity to redirect their call using a touch tone system. These are:

The Mobility Unit—to order literature about disabled access

Orange Badge System—to order leaflets and application forms

Biotechnology Unit—to request information about the public register

Vehicle Import Advice Line—to request booklets.

Rights of Way

Mr. Gill: To ask the Secretary of State for the Environment, Transport and the Regions what additional funding he will make available to local authorities for work on the rights of way network consequent upon the Countryside and Rights of Way Bill. [129402]

Mr. Meacher *[holding answer 6 July 2000]:* Local authorities will be properly and reasonably funded for additional rights of way tasks. The funding expected to be required as a result of the Countryside and Rights of Way Bill is identified in the explanatory notes that accompany the Bill as between £12 million and £19 million per annum. We shall determine the exact sums to be made available in the next three years in the light of the outcome of the current spending review.

Animal Rendering

Mr. Levitt: To ask the Secretary of State for the Environment, Transport and the Regions what environmental controls are applicable to the process of rendering animal carcases; and which organisation is responsible for them. [129647]

Mr. Hill: Animal rendering plants are regulated by local authorities under the air pollution control regime established by Part I of the Environmental Protection Act 1990. Where aqueous discharges arise the discharges are regulated by the Environment Agency under the Water Resources Act 1991.

Animal rendering plants will be subject to integrated pollution control under the Pollution Prevention and Control Act 1999 when it applies as set out in the draft Pollution Prevention and Control (England and Wales) Regulations 2000. It is envisaged under the regulations that local authorities will be the regulators, subject to the Environment Agency having power to specify emission limit values or conditions to prevent or reduce emissions into water.

Planning

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions what progress he has made in determining the division of responsibilities for planning matters between *(a)* county and unitary councils, *(b)* district councils and *(c)* the proposed South Downs National Park. [129685]

Ms Beverley Hughes *[holding answer 7 July 2000]:* We have asked the Countryside Agency to look at the detailed arrangements for handling planning matters for the proposed new National Park in the South Downs. They have established a working group who are now examining options for the division of responsibilities between existing authorities and any new National Park Authority. The Agency will be consulting locally on these options before advising Ministers on what they consider to be the most appropriate arrangements.

Coastal Resorts

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions what recent steps his Department has taken to *(a)* help regenerate coastal resorts and *(b)* improve bathing water quality. [129951]

Ms Beverley Hughes: We are continuing to address the needs of disadvantaged areas, including coastal resorts, though our regeneration programmes. Recent steps include:

Running Round 6 of the Single Regeneration Budget (SRB) where 20 per cent. of new SRB resources are targeted on areas, including coastal towns, which are outside the most deprived districts. Bids for resources are currently being considered for schemes commencing summer 2000 onwards. Round 2 of the New Deal for Communities (NDC) also includes assistance to some coastal towns;

Enabling more coastal resorts to be eligible to receive European Structural Funds. The 2000–06 Objective 1 programmes for South Yorkshire, Cornwall and Merseyside are expected to be formally approved shortly. The Commission formally approved the Objective 2 map for 2000–2006 programmes on 30 March. This includes more coastal areas than before. The Objective 2 programmes are currently under negotiation and we expect them to be approved before the end of the year;

Securing substantial additional investment by water companies to raise bathing water compliance with the normal EU quality standard to 97 per cent. by 2005 and to help more resorts reach the higher standard needed to gain 'Blue Flag' status.

EU Flags

Mr. Gill: To ask the Secretary of State for the Environment, Transport and the Regions what powers are available to local authorities to restrict the flying of EU flags on public buildings. [129757]

Ms Beverley Hughes *[holding answer 7 July 2000]:* The European flag may be flown provided planning permission for the flagstaff has been granted and express consent to fly the flag (under the separate arrangements for control of advertisements) has been given by the local planning authority. A Crown body that wishes to undertake development that would otherwise require planning permission, or express consent to display an advertisement, follows the non-statutory arrangements set out in part IV of DOE Circular 18/84. On 29 June I announced proposals to amend the Town and Country Planning (Control of Advertisements) Regulations 1992. One of the proposed amendments is to allow the European flag to be flown from a flagstaff without having to apply to the local planning authority for permission to do so. National flags already benefit from this exemption.

Affordable Homes

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what estimates he has made of the number of new affordable homes required to meet demand; what plans he has to increase the provision of affordable houses; and if he will make a statement. [129796]

Mr. Raynsford: While the Government have from time to time commissioned studies of the extent and nature of housing need to inform our views on the requirement for affordable housing in England, we believe that neither national nor regional estimates can adequately reflect the wide diversity of needs and priorities which exist at the local level. For these reasons the Government believe that local authorities are best placed to carry our robust assessments of housing need in their areas.

This Government are already making available an additional £5 billion for investment in housing over the life of this Parliament. Much of this is spent on tackling the repairs backlog, but local authorities are able to use these resources to invest in additional affordable housing, where this best meets local needs and priorities. In addition, local authorities have powers to require affordable homes to be provided as part of new developments.

Future levels of provision to fund affordable housing will be announced on completion of the Spending Review.

First Place Housing

Sir David Madel: To ask the Secretary of State for the Environment, Transport and the Regions for what reason First Place Housing of Tavistock Street, Dunstable have been refused a further grant from his Department; and if he will make a statement. [129312]

Mr. Raynsford *[holding answer 7 July 2000]:* My Department offered First Place Housing a grant this year towards the costs of their outreach service. They decided however to forgo this grant and discontinue this area of their work. First Place Housing then bid for a grant under the new Special Innovation Fund. The Fund was significantly oversubscribed and we had to make some very tough choices, which has led to a large number of organisations being disappointed—many of which, like First Place Housing, had submitted proposals for worthwhile projects.

Houses (Multiple Occupancy)

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions when he plans to introduce compulsory licensing for homes in multiple occupancy. [129531]

Mr. Raynsford: We plan to introduce a licensing system for houses in multiple occupancy as soon as Parliamentary time can be found for the necessary primary legislation.

Mr. Jim Cunningham: To ask the Secretary of State for the Environment, Transport and the Regions how many homes in multiple occupancy there are in *(a)* Coventry, *(b)* the West Midlands and *(c)* the UK. [129532]

Mr. Raynsford: Information given to my Department by local authorities indicates that there are 1,000 houses in multiple occupation in Coventry, and 15,441 in the West Midlands. The English House Condition Survey indicates a figure of 525,000 for England. My Department does not hold information concerning houses in multiple occupation in Wales, Scotland or Northern Ireland.

Household Statistics

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the projected number of households in each five year period for each county and metropolitan area between 1996 and 2021, assuming zero net internal migration. [129751]

Ms Beverley Hughes: This information is not available and could be provided only at disproportionate cost.

Mr. Drew: To ask the Secretary of State for the Environment, Transport and the Regions (1) if he will make a statement on *(a)* the scale of net regional population migration assumed in its projected level of household formations proposed for the current trend of draft regional planning guidance and *(b)* the assumed scale of migration underlying the figures published by the Office for National Statistics in the sub-national population projections; [129749]

(2) what scale of net regional population migration is assumed in the projected level of household formation proposed for the current round of draft regional planning guidance *(a)* in each of the eight English regions and *(b)* for the spatial development plan for London. [129748]

Ms Beverley Hughes: Household projections are just one of the considerations taken into account in determining likely housing requirements. No explicit assumptions about population migration are made in considering draft regional planning guidance.

One of the inputs into the household projections is the sub-national population projections. These contain assumptions about inter-area migration. The migration assumptions for each area are set out in Table 6 of the Office for National Statistics 1996-based Sub-national population projections, England, Series PP3 No. 10, published by TSO.

This publication does not include information on migration flows between regions. The Office for National Statistics will be making some additional information available on these flows, shortly. I will write to my hon. Friend once this statistical information has been derived.

Rail Freight

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what will be the *(a)* initial and *(b)* longer-term cargo-deck heights on the sprinter trains proposed by the winner of the recent rail freight competition; and if the layout of their longer-term sprinter-train design has been finalised. [129997]

Mr. Hill: The deck-height of the Railtrack MPVC (multi-purpose vehicle container) used in the trials is 120 mm and of the intermediate container flats 100 mm. Further development of the Multi-Purpose Vehicle into a freight Multiple Unit will be on the basis of a 1100 mm deck-height.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what the target date is for having new road-rail equipment and systems in-service to allow containers arriving at docks to reach their final destinations by rail. [129998]

Mr. Hill: 9' 6" deep sea containers can be conveyed on most rail routes today. The shadow Strategic Rail Authority is developing a routing and gauge enhancement strategy with Railtrack intended to permit the carriage of 9' 6" high ISO containers on the network in the forecast over the next 20 years. The implementation of the various stages of this plan will be flexible.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what will be the maximum cargo height on the piggyback trailer systems that have been proposed by the winner of the recent rail freight competition. [129996]

Mr. Hill: The maximum cargo-height will be 3.4 m permitting the conveyance of the semi-trailer of 9' 6" ISO containers in the wagon pockets or a C45 Swapbody over SB1-c cleared routes. SB1-c is Swapbody clearance agreement version c. This is an agreement between freight operators and the Channel Tunnel operators concerning maximum dimensions for swapbody containers which will be conveyed through the channel tunnel and also on such internal rail lines within Great Britain as have been cleared to that standard.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions for which loading gauges the piggyback trains that have been proposed by the winner of the recent rail freight competition will be suitable. [129999]

Mr. Hill: The piggyback trailer on the multi-modal wagon will conform to the Railtrack W6A loading gauge, enabling it to run over most of the rail network.

Transport Council

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what was the outcome of the Transport Council held in Luxembourg on 26 to 27 June; and what plans there are to make EASA a European Community agency. [130000]

Mr. Hill: I refer the hon. Member to the answer I gave on 5 July 2000, *Official Report*, columns 181–83W to my hon. Friend the Member for Clydesdale (Mr. Hood), which described the outcome of the Council. There was a debate on the establishment of a European Aviation Safety Authority, at the end of which the Council asked the commission to produce a formal proposal for a community agency.

Air Traffic Control

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions when the software that failed at West Drayton Air Traffic Control Centre on 17 June was installed; and if he will make a statement. [130009]

Mr. Hill: The software which failed on 17 June was a Flight Data Processing System known as the National Airspace System (NAS). The current software version was introduced in January 2000, with an interim upgrade in April 2000. In addition to this, the system's database and configuration parameters are modified each month. Until June this year, this software version had continued the excellent track record of reliability established by the NAS system in recent years.

The failure was cleared by reverting to a previous version of the software and as an additional precautionary measure a system message was input which actively prevented the system from exercising the faulty code sequence. Subsequently a permanent software design solution was devised, tested, and successfully installed. This has enabled National Air Traffic Services Ltd. (NATS) to restore capacity levels in the key Scottish sectors which carry a substantial amount of North Atlantic traffic.

EU Galileo Project

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the share of the capital cost of the EU Galileo project that will fall to the UK taxpayer; and if he will make a statement. [129994]

Mr. Hill: The costs of the Galileo project would depend on decisions taken by the Council of Ministers on the project later in the year. The Government have not made an independent estimate of the costs, but the European Commission's current estimate of the capital cost is 3 billion euro for the period 2000–08, of which an estimated 1.25 billion euro would be provided by member states through European Community Programmes and the European Space Agency (ESA). The UK makes its contributions to the EU budget as a whole, not to specific programmes. We estimate that the UK share of the EU budget is around 18 per cent. The UK is contributing about 7 million euro to ESA's work on the definition phase of Galileo. A decision on whether to proceed to the development phase of Galileo may be taken by the December Transport Council. No decision has yet been made as to the UK's contribution to ESA's share of the development costs.

Rail Safety

Mr. Nicholls: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to include the safety issue of gaps between railway station platforms and trains, in the criteria for obtaining future train operating franchises. [129435]

Mr. Hill: The Deputy Prime Minister has asked the Franchising Director to evaluate bids for replacement franchises against the following criteria: commitment to secure better performance and customer services, the extent to which extra or earlier investment can be secured, the extent to which passengers will be given a greater voice in the level and standard of services, and value for money to the taxpayer. The Franchising Director will look to bidders to provide better access to the network, particularly for those with limited mobility and disabilities. Bidders will be encouraged to consult interested stakeholders, including local authorities and Rail Passengers' Committees, giving them the opportunity to raise issues which they would like to see addressed.

Mr. Nicholls: To ask the Secretary of State for the Environment, Transport and the Regions what action he is taking to ensure that warning signs are provided at stations where there is a large gap between the railway station platform and the train. [129436]

Mr. Hill: Railtrack, as infrastructure controller, is responsible for the safe operation of its platforms. The Health and Safety Executive's (HSE's) Railway Inspectorate (HMRI) publish "Railway Safety Principles and Guidance" which, among other things, sets acceptable stepping criteria between trains and platforms. In areas where there is a large gap between the railway platform and the train, warning notices reading 'Mind the Gap' with hatching along the platform edge, or other agreed measures such as public announcements, may be required.

Mr. Nicholls: To ask the Secretary of State for the Environment, Transport and the Regions in how many railway stations there is distance between the platform and the train which exceeds 250 mm vertically, 275 mm horizontally and 350 mm diagonally. [129437]

Mr. Hill: The records held by the Health and Safety Executive's (HSE's) Railway Inspectorate (HMRI) are insufficiently detailed to provide information on locations where gaps may exceed particular dimensions. However, Railtrack have acknowledged that at 76 per cent. of their 2,454 stations there are one or more platforms that do not comply with the specifications for acceptable stepping criteria between trains and platforms as set out in HMRI's "Railway Safety Principles and Guidance". Railtrack is developing a strategy of identifying and dealing with these on a prioritised basis. HSE is monitoring progress.

Flood Defence

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions what was the *(a)* percentage and *(b)* actual increase in the amount of money provided by the Department for Flood Defence to Devon county council through the standing spending assessment in each of the last three years. [130001]

Ms Beverley Hughes: The changes in Flood Defence Standard Spending Assessments for the last three years for Devon county council are as follows:

£ million

Year	*Percentage change in SSA*	*Actual change in SSA*
2000–01	+3.1	0.108
1999–2000	+1.7	0.059
1998–99[1]	−31.6	−1.567

[1] As from 1 April 1998 Devon CC area was reduced following the creation of Plymouth and Torbay unitary authorities. If the 1998–99 Flood Defence SSAs for Plymouth and Torbay are added to the 1998–99 Devon CC figure then the results would be *(a)* -0.7 per cent.

(b) -£0.037 million.

Radon

Mrs. Golding: To ask the Secretary of State for the Environment, Transport and the Regions what assistance his Department is giving to householders and local authorities in areas where the radioactive gas radon is a problem. [130214]

Mr. Meacher: Following the success of three pilot studies to encourage and assist householders to carry out radon remedial works, I am pleased to announce that we are embarking on a new programme in partnership with 31 local authorities from the areas most affected by radon.

The radon measurement programme, carried out by successive Governments since 1987, has meant that every home in England with a greater than 5 per cent. probability of being above the radon 'Action Level' has been offered a Government-funded radon test. In total, some 40,000 homes have now been found to be above the radon Action Level. However, only 10–20 per cent. of these households have taken any action to reduce radon levels in their homes. Radon is a naturally occurring, radioactive gas. Without proper action to lower levels in the home it can add to the risk of lung cancer.

To encourage action, DETR, with the support of the Department of Health, has been working in partnership with Derbyshire Dales, Cherwell and Mendip district councils in pilot studies to encourage and assist householders to carry out remedial work. In this new approach the local authority has been the main point of contact with householders, supported in the background by Central Government Departments.

The pilot studies have been very successful both in terms of the numbers of householders seeking advice and the numbers that have subsequently gone on to carry out remedial work. I should like to pay tribute to the enthusiasm, commitment and hard work of the three local authorities involved.

The 31 local authorities listed in the table, which all have areas within their districts with notable levels of radon, responded to the Department's invitation to work in partnership with us to extend the approach used in the pilot studies to other parts of the country.

In order to assist these authorities, and other with a radon problem, we have produced a "Good Practice Guide" based on the lessons learned and the experience gained in the pilot studies. This guidance has been made available in draft to all of the authorities involved in the new programme, and is being published today. I have arranged for copies to be deposited in the Libraries of both Houses.

Local authorities participating in DETR's Radon roll-out programme

Devon
West Devon borough council
South Hams district council
Torbay district council
Somerset
South Somerset district council
Bath and North East Somerset Unitary Authority
Dorset
North Dorset district council
Gloucestershire
South Gloucestershire Unitary Authority
Stroud district council
Northamptonshire
Kettering borough council
Daventry district council
East Northamptonshire district council
Corby borough council
Northampton borough council
South Northamptonshire district council
Leicestershire
Harborough district council
Melton borough council
Rutland Unitary Authority
Cambridgeshire
Huntingdonshire district council
Lincolnshire
South Kesteven district council
North Kesteven district council
Shropshire
South Shropshire district council
Oswestry borough council
Derbyshire
High Peak borough council
Nottinghamshire
Ashfield district council
Staffordshire
Staffordshire Moorlands district council
Cumbria
South Lakeland district council
Lancashire
Lancaster City council
North Yorkshire
Craven district council
Richmondshire district council
Northumberland
Alnwick district council
Berwick-upon-Tweed borough council

Competitiveness

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the recent report by Cardiff University on the effect of the Government's regional development policies on competitiveness differentials between regions. [129834]

Ms Beverley Hughes: A central plank of the Government's economic policy is to improve the competitiveness of our regions. That is why we set up the Regional Development Agencies (RDAs), to address the disparities which had been allowed to grow within and between the regions under the previous administration. The RDAs have made an excellent start—securing thousands of jobs, as well as providing new work sites, promoting regeneration and reclaiming derelict sites. We are also looking to strengthen their role as economic drivers, and have embarked on a package of measures to ensure our regions have the skills and knowledge needed to compete successfully in the modern global marketplace.

Advantage West Midlands

Mr. Luff: To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to ensure the effective management of Advantage West Midlands; and if he will make a statement. [129783]

Ms Beverley Hughes: On Friday 30 June, the contract of Advantage West Midlands' Chief Executive, Tony Cassidy, was ended by mutual consent.

To ensure effective management, Advantage West Midlands will now seek to recruit a replacement. They have also arranged for the post to be filled on a temporary basis by John Edwards, Regeneration Director of Advantage West Midlands, and previously Chief Executive of the Rural Development Commission.

The Chief Executive of any non-departmental public body (NDPB) is accountable to the board. The position of the Chief Executive, and of any employee of an RDA, is an internal matter for that RDA.

I am confident that the Board and the Chairman are working in the best interests of the West Midlands.

WALES

Motor Industry

Mr. Llwyd: To ask the Secretary of State for Wales what initiatives he is pursuing to safeguard jobs in the motor components industry which may be under threat from the sale of Rover; and if he will make a statement. [121727]

Mr. Paul Murphy: I remain in close contact with all stakeholders to ensure Welsh interests are considered.

The acquisition of Rover by the Phoenix consortium, which plans to maintain volume car production of existing models at Longbridge offers a welcome outcome for suppliers of the motor components industry.

The Wales Task Force has prepared a study on the possible impact on the Welsh automotive industry and is also undertaking a long-term strategy to improve competitiveness of the industry over the next five years. This was considered by the Economic Development Committee of the National Assembly for Wales on 6 July, who gave their approval. The Welsh Task Force will now concentrate on implementing the recommendations made in the report, through the establishment of a Project Management Board.

NHS Waiting Lists

Mr. Barry Jones: To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary concerning NHS waiting lists, with particular reference to those waiting over a year; and if he will make a statement. [126974]

Mr. Hanson: Both I and my right hon. Friend the Secretary of State meet regularly with the Assembly First Secretary and the Assembly Health Secretary to discuss the Health Service in Wales.

The subject of waiting lists is, of course, of concern to us all and is therefore often included in our conversations.

In March, the Government announced an additional £1,299 million for Wales over four years as a consequence of increases in the NHS budget for England. The Assembly has decided this will all be spent on health in Wales and has invested £40 million from this year's allocation to help reduce waiting lists and address emergency pressures. In addition, they have recently set strict targets for Health Authorities to meet.

Staff Secondments

Mr. Mitchell: To ask the Secretary of State for Wales which companies or partnerships have seconded staff to his Department since May 1997; how many have been seconded; and who pays for seconded staff. [128469]

Mr. Paul Murphy: My Department has paid for three secondees since May 1997, one from Chestertons Property Consultants, one from Eversheds, and one from King Sturge.

Information is not held centrally on secondees in all instances where their company continues to fund the employee themselves. There have been two secondees from Barclays Bank, and one from BT, where those companies have paid for their own staff, but there may be others who have not been recorded centrally.

Ministerial Code

Mr. Robathan: To ask the Secretary of State for Wales on how many occasions since May 1997 Ministers in his Department have made a declaration of interest to their colleagues under circumstances envisaged in Paragraph 110 of the Ministerial Code. [129162]

Mr. Paul Murphy: Information relating to internal advice and consultation is not disclosed under Exemption II of the Code of Practice on Access to Government Information.

New Deal

Mr. Barry Jones: To ask the Secretary of State for Wales what discussions he has had with the First Secretary concerning the New Deal for lone parents; and if he will make a statement. [129502]

Mr. Paul Murphy: I have regular discussions with the First Secretary on a range of UK Government policies including the New Deal.

The New Deal for Lone Parents was piloted in Cardiff and the Vale of Glamorgan from July 1997 and implemented countrywide in October 1998. To the end of March 2000, about 10,800 lone parents in Wales had attended an initial interview. More than 10,000 of these (93 per cent.) agreed to participate in the scheme, which provides advice and guidance on finding and retaining suitable work.

To date, some 3,600 lone parents in Wales have secured jobs through the New Deal.

EDUCATION AND EMPLOYMENT

Lone Parents

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment what recent measures have been introduced to help lone parents achieve a better balance between work and family life. [127244]

Ms Hodge *[holding answer 29 June 2000]:* The Government's work-life balance campaign was launched by the Prime Minister on 9 March. Work-life balance describes any set of policies and practices that both help people to achieve better balance between work and their lives outside work and benefit the business.

The campaign aims to increase the number of employers who adopt work-life policies and practices. By introducing flexible working policies employers can increase job opportunities and recruit from a wider pool, especially from those with caring responsibilities, such as lone parents, or those with disabilities.

The discussion document "Changing Patterns in a Changing World" describes how we will take the campaign forward in partnership with an alliance of 22 leading businesses committed to promoting the business benefits of work-life balance. Our campaign builds on and complements the work of the National Work Life Forum.

Last month we invited employers to apply for our new £2.25 million Work-Life Balance Challenge Fund. Successful applicants will receive free consultancy advice about implementing flexible policies which improve both their business and help their employees balance work and the rest of their lives.

New Deal

Mr. Alasdair Morgan: To ask the Secretary of State for Education and Employment how many participants from Dumfries and Galloway in *(a)* the New Deal for 18–24 year olds and *(b)* the New Deal for 25 year olds and over have returned to (i) Jobseeker's Allowance, (ii) other benefits and (iii) unsubsidised employment through the New Deal. [128468]

Ms Jowell: Latest figures to end April 2000 for the categories requested in Dumfries and Galloway are set out as follows. However, they are expressed as leavers from New Deal rather than returners as everyone starting either of the New Deals is already claiming Jobseeker's Allowance. We cannot therefore describe them as returning to other benefits or unsubsidised employment.

Leavers	*New Deal 18–24*	*New Deal 25+*
Jobseeker's Allowance	178	446
Other benefits	116	71
Unsubsidised employment	379	68

Dr. Kumar: To ask the Secretary of State for Education and Employment how many people are eligible for the guaranteed minimum take home pay of £170 per week under the New Deal for the over 50s *(a)* nationally, *(b)* on Teesside and *(c)* in the constituency of Middlesbrough, South and Cleveland, East; and if he will make a statement. [128638]

Ms Jowell: New Deal 50-plus is a major new programme of personal advice, support and financial help for people over 50 who are looking for work. The programme is aimed at unemployed and economically inactive people in receipt of benefit for six months or more and their dependent partners. The table shows those people who are directly eligible for New Deal 50-plus. However, in addition dependent partners of these benefit recipients will also be eligible, as will be men aged 60–65 receiving National Insurance credits automatically.

The £170 minimum income guarantee applies to those people going into full-time work and additionally receiving the Employment Credit of £60 per week. It is not possible to say how many people will be eligible for the Employment Credit but our assumption is that about 90 per cent. of those that apply will be eligible.

Income Support, Jobseekers Allowance, Incapacity Benefit and Severe Disablement Allowance recipients aged 50 or over with a current claim duration of six months or more, as at February 2000

Thousand

Area	*Income Support*	*Jobseekers Allowance*	*Incapacity Benefit*	*Severe Disablement Allowance*
Great Britain	1,725.3	98.2	860.6	135.9
Teesside (total of Unitary Authorities):	19.7	1.9	13.8	'1.2
Middlesbrough UA	5.5	—	3.1	'0.4
Redcar and Cleveland US	5.0	—	[illegible].9	0.2
Hartlepool UA	4.0	—	2.6	0.3
Stockton-on-Tees UA	5.2	—	4.1	0.3
Middlesbrough and Cleveland, East parliamentary constituency	2.9	0.3	2.1	'0.2

Notes:

1. Numbers marked ' 'are based on very few sample cases and are subject to a high degree of sampling error. These figures should be used as a guide to the current situation only.

2. Income Support figures exclude claimants who also receive IB/SDA.

3. IB and SDA figures exclude those persons receiving National Insurance Credits only.

Dr. Kumar: To ask the Secretary of State for Education and Employment how many young people have found *(a)* non-subsidised jobs and *(b)* education, training or work experience through the New Deal for 18 to 24-year-olds, (i) nationally, (ii) on Teesside and (iii) in the constituency of Middlesbrough, South and Cleveland, East; and if he will make a statement. [128641]

Ms Jowell: The latest information, to the end of April 2000, is shown in the table. This sets out the number of unsubsidised jobs taken by young people through the

New Deal and those who have benefited from education, training or work experience opportunities on the New Deal options.

New Deal for Young People

	Unsubsidised jobs	*New Deal options*
Great Britain	191,360	168,900
Teesside	3,914	4,083
Middlesbrough, South and Cleveland, East	468	550

We are on target to meet our manifesto commitment to help 250,000 young people into jobs through the New Deal. At the end of April we had reached a total of 216,200.

Jobcentres

Mr. Bercow: To ask the Secretary of State for Education and Employment what is the estimated capital value of jobcentre sites in the United Kingdom. [129087]

Ms Jowell: Responsibility for the subject of the question has been delegated to the Employment Service Agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. John Bercow, dated 10 July 2000:

As the Employment Service is an executive agency, the Secretary of State has asked me to reply to your question concerning the estimated value of the Jobcentre sites in the United Kingdom. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

The network of roughly 1000 Employment Service Jobcentres operates in a mixture of freehold and leasehold premises. All Jobcentres in freehold and long leasehold property are subject to a rolling programme of professional valuation. The results of this are collated annually and shown as 'Land and Buildings' in the Employment Service Annual Report and Accounts. The latest audited accounts are for the year 1998–99. These show the total value of Employment Service Land and Buildings as at 31 March 1999 to be just under £122m.

Mr. Lidington: To ask the Secretary of State for Education and Employment (1) what guidance he issues to Jobcentres about preventing persons not lawfully entitled to work in the United Kingdom having access to their services; and if he will make a statement; [128921]

(2) what checks Jobcentres are required to undertake *(a)* generally and *(b)* prior to reference to an employment agency in order to ensure that persons seeking employment are allowed to work in the United Kingdom; and if he will make a statement. [128924]

Ms Jowell *[holding answer 4 July 2000]:* Responsibility for the subject of the question has been delegated to the Employment Service Agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Leigh Lewis to Mr. David Lidington, dated 10 July 2000:

As the Employment Service is an Executive Agency, the Secretary of State has asked me to reply to your questions about ensuring that persons seeking employment in the United Kingdom are entitled to do so.

Permission to work in the United Kingdom is a matter for the Immigration and Nationality Directorate of the Home Office. While Jobcentres do have advice available to them on which groups of jobseekers from outside the UK are entitled to work in the UK, it would not be practical for them to undertake nationality checks given the fact that they make some 20 million job submissions annually. It is the responsibility of employers to ensure that jobseekers have permission to work.

Employment Service guidance to Jobcentres states that non-EEA (European Economic Area) jobseekers are not entitled to obtain work in the UK without a work permit. It advises staff to pass inquiries to the Immigration and Nationality Directorate. Similarly, vacancies advertised via the Employment Service website carry a statement which makes clear that the vacancies are not open to non-EEA jobseekers.

I hope this is helpful.

Examination Scheduling

Mr. Willis: To ask the Secretary of State for Education and Employment what representations he has made to awarding bodies concerning the scheduling of GCSE and A level examinations after the summer half-term break. [128633]

Mr. Wicks: The Qualifications and Curriculum Authority and the awarding bodies have recently reviewed the arrangements for GCSE and AS/A level examination timetables. We have agreed their proposals which take effect from 2001, re-scheduling some of the major entry GCSE subjects, English literature and geography, to after the summer half-term, maximising study and preparation time. The timetable for the new AS/A level examinations caters for an increased number of papers and although slightly longer than its predecessor has approximately the same number of written papers scheduled in May.

Medical Schools

Dr. Kumar: To ask the Secretary of State for Education and Employment what resources and money are being made available to widen access to medical schools to ensure that students from all economic groups can enter the profession. [128803]

Mr. Wicks: Medical students, in common with other students, benefit from a range of government policies to widen access to higher education: £74.6 million for Access Funds in the academic year 1999–2000; a further £42 million a year from 2000–01 to broaden the social profile of entry into higher education; and from 2001–02, non-repayable Opportunity Bursaries of up to £1,000 for students from disadvantaged backgrounds. In addition, some medical schools have special schemes to encourage a wide range of potential students to study medicine.

Folklore

Mr. Bennett: To ask the Secretary of State for Education and Employment if he will list the universities which teach *(a)* an undergraduate and *(b)* a postgraduate course in folklore; and how many students were on each course for the last year for which figures are easily available. [128878]

Mr. Wicks: The information is not available centrally.

Child Care

Mr. Field: To ask the Secretary of State for Education and Employment how many net child care places were created in the financial year 1999–2000 in *(a)* the parliamentary constituency of Birkenhead and *(b)* the parliamentary constituencies in the Wirral. [128911]

Ms Hodge *[holding answer 4 July 2000]:* The number of child care places created are as follows:

(a) Constituency of Birkenhead: 49 net places

(b) Constituencies of the Wirral: 368 net places

The figure for Birkenhead does not include child minder places as these are not broken to constituency level. A proportion of the 120 net child minder places in the Wirral area may be in the constituency of Birkenhead.

Fiona Mactaggart: To ask the Secretary of State for Education and Employment if he will list new children places created in each early years development and child care partnership in 1999–2000. [129991]

Ms Hodge: Early years development and child care partnerships have reported that by end March 2000 they had created some 140.000 new child care places. These 140.000 new places have not only replaced those closed due to turnover during the year, but have added more than 74.000 to the stock of child care places across England, providing child care for over 141.000 extra children. Attached is a breakdown of the number of new child care places created by early years development and child care partnerships in 1999–2000.

1999–2000 New places

Partnership Area	*Out of school*	*Pre-school*	*Total*
Barking and Dagenham	335	151	486
Barnet	1.247	642	1.889
Barnsley	140	190	330
Bath and North East Somerset	137	233	370
Bedfordshire	756	303	1.059
Bexley	204	252	456
Birmingham	848	806	1.654
Blackburn UA	205	178	383
Blackpool UA	226	102	328
Bolton	459	280	739
Bournemouth UA	253	245	498
Bracknell Forest UA	9.581	116	9.697
Bradford	620	235	855
Brent	636	331	967
Brighton and Hove UA	321	225	546
Bromley	622	422	1.044
Buckinghamshire	1.022	831	1.853
Bury	370	212	582
Calderdale	115	289	404
Cambridgeshire	1.341	1.151	2.492
Camden	96	113	209
Cheshire	948	686	1.634
City of Bristol	247	406	653
City of Kingston upon Hull	206	303	509
City of London	267	20	287
Cornwall	816	430	1.246
Coventry	552	481	1.033
Croydon	357	407	764
Cumbria	254	213	467
Darlington UA	194	86	280
Derby UA	668	142	810
Derbyshire	664	94	758
Devon	1.123	1.148	2.271
Doncaster	205	127	332
Dorset	173	174	347
Dudley	180	105	285
Durham	707	569	1.276
Ealing	338	548	886
East Riding of Yorkshire	1,325	381	1.706
East Sussex	352	355	707
Enfield	194	428	622
Essex	2,072	1.472	3.544
Gateshead	TBC	TBC	TBC
Gloucestershire	TBC	TBC	TBC
Greenwich	911	63	974
Hackney	257	282	539
Halton UA	170	105	275
Hammersmith and Fulham	115	83	198
Hampshire	3.458	1.854	5.312
Haringey	800	280	1.080
Harrow	238	115	353
Hartlepool UA	96	44	140
Havering	98	45	143
Herefordshire, County of	590	228	818
Hertfordshire	1.224	892	2.116
Hillingdon	240	372	612
Hounslow	262	97	359
Isle of Wight	312	146	458
Isles of Scilly	24	21	45
Islington	469	163	632
Kensington and Chelsea	134	113	247
Kent	1.818	806	2.624
Kingston upon Thames	484	348	832
Kirklees	524	462	986
Knowsley	234	145	379
Lambeth	927	307	1.234
Lancashire	1.581	1.479	3.060
Leeds	1.538	974	2.512
Leicester UA	2.664	200	2.864
Leicestershire	686	1.030	1.716
Lewisham	324	56	380
Lincolnshire	757	235	992
Liverpool	426	434	860
Luton UA	249	212	461
Manchester	275	353	628
Medway (Rochester and Gillingham)	853	352	1.205
Merton	111	145	256
Middlesborough	309	84	393
Milton Keynes UA	353	498	851
Newcastle upon Tyne	364	242	606
Newham	606	99	705
Norfolk	266	381	647
NE Lincolnshire	45	86	131
North Lincolnshire UA	94	143	237
North Somerset	836	230	1.066
North Tyneside	186	293	479
North Yorkshire	1.230	729	1.959
Northamptonshire	814	972	1.786
Northumberland	179	129	308
Nottingham UA	242	291	533
Nottinghamshire	1,138	1.278	2.416
Oldham	202	65	267
Oxfordshire	837	1.095	1.932
Peterborough UA	659	101	760
Plymouth	656	410	1.066
Poole UA	52	92	144
Portsmouth UA	389	246	635
Reading UA	53	0	53
Redbridge	191	14	205
Redcar and Cleveland UA	188	64	252

1999–2000 New places

Partnership Area	*Out of school*	*Pre-school*	*Total*
Richmond upon Thames	181	149	330
Rochdale	310	182	492
Rotherham	597	230	827
Rutland UA	116	107	223
Salford	609	350	959
Sandwell[1]	TBC	TBC	TBC
Sefton	255	68	323
Sheffield	700	434	1,134
Shropshire	256	279	535
Slough UA	52	4	56
Solihull	431	315	746
Somerset	551	729	1,280
South Gloucestershire	270	169	439
South Tyneside	89	196	285
Southampton UA	128	519	647
Southend UA	125	129	254
Southwark	683	330	1,013
St. Helens	64	0	64
Staffordshire	2,388	350	2,738
Stockport	283	220	503
Stockton-on-Tees UA	131	396	527
Stoke-on-Trent	158	270	428
Suffolk	696	348	1,044
Sunderland	388	360	748
Surrey	1,321	551	1,872
Sutton	139	121	260
Tameside	269	262	530
Swindon (Thamesdown)	215	500	715
Telford and Wrekin UA	309	583	892
Thurrock UA	135	75	210
Torbay UA	196	143	339
Tower Hamlets	120	142	262
Trafford	628	225	853
Wakefield	330	202	532
Walsall	493	386	879
Waltham Forest	112	343	455
Wandsworth	227	0	227
Warrington UA	447	454	901
Warwickshire	423	341	764
West Berkshire (Newbury)	471	189	660
West Sussex	770	589	1,359
Westminster	119	301	420
Wigan	305	380	685
Wiltshire	832	783	1,615
Windsor and Maidenhead UA	951	144	1,095
Wirral	511	296	807
Wokingham UA	217	335	552
Wolverhampton	581	125	706
Worcestershire	1,351	699	2,050
York UA	690	389	1,079

[1] End year figures for Gateshead, Gloucestershire and Sandwell are to be confirmed.

Sex and Relationship Guidance

Ms McCafferty: To ask the Secretary of State for Education and Employment when he expects his Department's sex and relationships education guidance to be published. [129976]

Jacqui Smith: My right hon. Friend the Secretary of State for Education and Employment published the sex and relationship education guidance on Friday and sent a copy to each Member of Parliament. It will be a significant step forward in supporting schools, teachers and governors to deliver effective sex and relationship education. It is underpinned by the Personal, Social and Health Education framework and the National Healthy School Standard. This fulfils a commitment in the Government's Teenage Pregnancy Report to issue new guidance on sex education as part of our drive to tackle teenage pregnancy. Copies are available in the Library.

CULTURE, MEDIA AND SPORT

Sports and Arts

4. **Mrs. Organ:** To ask the Secretary of State for Culture, Media and Sport if primary schools will be able to apply for funding under the space for sports and arts scheme. [128198]

Kate Hoey: Yes; the SSA scheme will make an important contribution to improving sporting facilities in primary schools.

World Cup (Television Coverage)

17. **Mr. Grogan:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the implementation of the Broadcasting Act 1989 with regard to television coverage of the 2002 and 2006 football world cup finals tournaments. [128213]

Janet Anderson: In 1998 I extended the list of events protected under Part IV of the Broadcasting Act 1996 to cover all matches in the FIFA World Cup final tournament. Under the terms of that Act, as amended by the Television Broadcasting Regulations 2000, live television coverage of the event must be offered on fair and reasonable terms to broadcasters who meet the qualifying conditions as set out in those regulations and listed in the Independent Television's Code on Listed Events. These broadcasters are currently BBC 1, BBC 2, Channel 3 (ITV) and Channel 4.

Concessionary Television Licences

19. **Ms Keeble:** To ask the Secretary of State for Culture, Media and Sport what steps he will take to ensure that pensioners aged over 75 years who get free television licences are able to receive terrestrial television channels free of charge. [128215]

Janet Anderson: People aged 75 years or over who receive free television licences from 1 November this year will have free access to analogue terrestrial television services and to any free-to-air digital services, in exactly the same way as other viewers.

Football Facilities

20. **Mr. Watts:** To ask the Secretary of State for Culture, Media and Sport what steps he is taking to increase investment in local football facilities. [128216]

Kate Hoey: The Government will shortly announce full details of the Football Foundation, a new partnership body including the Football Association, the FA Premier League and Sport England. All three partners will contribute to the Foundation's income, which will include 5 per cent. of the FA Premier League's next broadcasting contract and substantial Lottery funding.

The Foundation will fund community and education initiatives and will continue the stadium safety work of the Football Trust. The greater part of its income, though, will go to funding the sport at the grass roots, including the provision of facilities and coaching.

Physical Education

21. **Mr. Bob Russell:** To ask the Secretary of State for Culture, Media and Sport when he last discussed physical education in schools with the Secretary of State for Education and Employment. [128217]

Kate Hoey: I talk regularly to DfEE colleagues about physical education in schools and the Government's strategy for sport. The last time I discussed this with my right hon. Friend the Secretary of State for Education and Employment was on 4 July 2000.

Lottery

22. **Mr. Swayne:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement about the criteria taken into consideration in determining awards from national Lottery funds. [128218]

Mr. Chris Smith: The criteria vary from distributor to distributor and from funding programme to funding programme. They are based on the National Lottery Financial and Policy Directions which I have issued to Lottery distributors, and also on distributors' own policies and strategic plans.

25. **Mr. Sawford:** To ask the Secretary of State for Culture, Media and Sport what steps he is taking to ensure that funding from the national lottery fund is targeted at the communities with greatest social and economic need to promote participation by young people in performing music. [128221]

Mr. Alan Howarth: The National Foundation for Youth Music, an independent charitable body, was set up by the Department using £30 million in Arts Council Lottery funds to provide and facilitate opportunities for young people to access music making. The Foundation has a key aim to reach young people who are currently deprived of access, improving provision to geographical regions and areas of special need where there are few opportunities for music making.

Ms Oona King: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the criteria for the awarding of funds from the Heritage Lottery Fund. [128214]

Mr. Chris Smith: The Heritage Lottery Fund's criteria for assessing applications under particular schemes are set out in guidance notes in their application pack. The HLF's current Strategic Plan also sets out the four main priorities for allocating grant funding. They are heritage conservation, national heritage, local heritage and heritage education and access.

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport (1) what estimate he has made of the annual costs to local authorities and other public bodies directly arising from applications to Lottery funding bodies; [129535]

(2) what estimate he has made of the annual costs to charities and other voluntary organisations directly arising from applications to lottery funding bodies. [129537]

Kate Hoey: None. My right hon. Friend the Secretary of State has, however, directed the independent Quality Efficiency and Standards Team (QUEST) to look at the cost to all applicants of making applications for lottery grants, and consider how these costs could be contained without compromising the demands of proper accountability in decisions about how to spend public money. The first phase of QUEST's report, which focuses on applications for lottery grants of up to £100,000, will be published shortly. The second phase, dealing with applications for grants of £100,000 plus, will be published later in the year.

Mr. Hoyle: To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the number of Lottery awards given to *(a)* the North West, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland. [128830]

Kate Hoey: The following table shows the number of awards in the North West, Scotland, Wales and Northern Ireland since the start of the Lottery, according to my Department's National Lottery awards database.

Location	*Number of awards*
North West	3,827
Scotland	8,991
Wales	5,525
Northern Ireland	1,339

Millennium Dome

23. **Mr. Gray:** To ask the Secretary of State for Culture, Media and Sport if he will make a statement on the financial situation of the Millennium Dome. [128219]

Janet Anderson: The New Millennium Experience Company's (NMEC) current business plan is based on 6 million revenue-generating visitors. Should visitor numbers fall below this level the business plan will need to be reviewed. Details of the business plan are commercially confidential. NMEC's most recent budget, contained within the business plan, is as follows:

Project Lifetime Expenditure

Dome structure and associated infrastructure—£271.2 million

Set-up costs, staff, accommodation, IT, legal and corporate services—£55.4 million

Commercial, communications and marketing—£42.7 million

Exhibits and attractions—£240.2 million

Operations and running costs in year of operation—£104.6 million

National Programme: projects (£37.3 million) and programme support (£9.9 million)—£47.2 million

Project Lifetime Income

Millennium Commission Grant—£525 million

Commercial income—£86 million

Sponsorship income—£123 million (excludes sponsorship by Ford and BT who have designed, built and funded their zones)

Legacy: sale of Dome—£30.0 million (as budgeted prior to the Legacy competition commencing. Original 1997 budget provision of £15 million was on the basis that the Dome would remain on-site for one year only)

Total budget is £758 million plus an additional £3 million granted by the Millennium Commission to enhance marketing of the Millennium Experience.

Films (Children)

24. **Ms Christine Russell:** To ask the Secretary of State for Culture, Media and Sport what steps he is taking to encourage the British film industry to make more films aimed at children. [128220]

Janet Anderson: The Film Council's Lottery Strategy, published in May, recognises the need to broaden the range of films on offer to the British public. Its £5 million per year script development fund will seek to develop films for the broadest range of audiences, including children. The Council has also announced that it will allocate £1 million of lottery funds to offer children and young people the opportunity to try film-making.

Amateur Sports Clubs

26. **Mr. Bill O'Brien:** To ask the Secretary of State for Culture, Media and Sport what financial assistance is available to amateur sports clubs; and if he will make a statement. [128222]

Kate Hoey: Financial assistance is available to amateur sports clubs from a number of sources including: the Lottery Sports Fund; local authorities; governing bodies of sport who distribute income including exchequer funding from Sport England, through their own grant schemes; Sportsmatch; commercial sponsorship; the European Union Social Fund; the Foundation for Sport and the Arts (FSA); and other trusts and foundations with sport-related purposes.

Football Clubs

27. **Mr. McCabe:** To ask the Secretary of State for Culture, Media and Sport what steps he is taking to encourage football supporters to have greater influence in the running of their clubs. [128223]

Kate Hoey: The Government believe that groups of supporters can take a responsible role in the running of football clubs. My right hon. Friend the Secretary of State announced the Supporters Direct Initiative in January. In shadow form, this is already providing advice to groups of supporters wishing to form shareholding trusts. The Government will make a detailed announcement concerning the operation of the Supporters Direct Unit shortly.

Football Coaches

28. **Mr. Pound:** To ask the Secretary of State for Culture, Media and Sport if the activities of the Football Foundation will be directed to expanding the activity of qualified football coaches in primary and secondary schools. [128224]

Kate Hoey: The Government will announce details of the Football Foundation shortly. It will be for the Foundation's Board to decide on funding priorities. However, it is envisaged that the greater part of the Foundation's income will be used to develop the sport at the grass roots. The Government expect that this will involve funding for the provision and improvement of playing facilities, equipment and high quality coaching for local football clubs and schools.

Libraries (New Books)

Mr. Borrow: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the investment in new books made each year by library authorities since 1997; and if he will make a statement. [128199]

Mr. Alan Howarth: In 1997–98 and 1998–99 expenditure by library authorities on books was £1.51 per person. In 1999–2000, the last year for which we have information, the estimated expenditure by library authorities on books was £1.59 per person. This is slightly less than 10 years ago when the figure was £1.73. I have proposed the inclusion of a book expenditure standard in the draft public library standards, which I published in May for wide consultation.

Digital Television

Mr. Wigley: To ask the Secretary of State for Culture, Media and Sport what estimate he has made of the number of households which will be able to receive digital television within the next two years. [128209]

Mr. Chris Smith: Information available from the Independent Television Commission indicates that, with appropriate receivers, most homes in the UK are able to receive digital television now through terrestrial, satellite or cable delivery platforms.

Free Television Licences (Christchurch)

Mr. Chope: To ask the Secretary of State for Culture, Media and Sport how many pensioners in the Christchurch constituency will be eligible to receive free television licences from November. [125967]

Mr. Chris Smith *[holding answer 15 June 2000]:* Exact figures on the number of households which will benefit from the concession are not available. However, as indicated by my right hon. Friend the Chief Secretary to the Treasury on 4 July 2000, *Official Report,* column 176W, the 1991 Census New Parliamentary Constituency Monitor, published by the Office for National Statistics, shows the population of the Christchurch constituency as 80,938, of which 5.3 per cent. were men aged 75 and over and 8.4 per cent. were women aged 75 and over.

Free Television Licences (Warrington, North)

Helen Jones: To ask the Secretary of State for Culture, Media and Sport if he will estimate the number of pensioners in Warrington, North constituency who will be eligible for free television licences. [127315]

Mr. Chris Smith *[holding answer 26 June 2000]:* Exact figures on the number of households which will benefit from the concession are not available. However, the 1991 Census New Parliamentary Constituency

Monitor, published by the Office for National Statistics, shows the population of the Warrington, North constituency as 94,645, of which 1.8 per cent. were men aged 75 and over and 3.5 per cent. were women aged 75 and over.

Disabled People (Access)

Mr. Boswell: To ask the Secretary of State for Culture, Media and Sport what action he is taking to facilitate access for disabled people to new buildings funded by the national lottery. [129310]

Kate Hoey *[holding answer 6 July 2000]:* We have encouraged lottery distributors to promote access for all sections of society to the benefits of lottery funding. All lottery distributors take access for disabled people into account when considering grant applications for capital projects.

World Cup Bid

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will publish the total costs incurred on *(a)* travel, *(b)* entertainment and *(c)* wages, salaries and pensions in connection with the England 2006 World Cup bid; and if he will make a statement. [129709]

Mr. Chris Smith *[holding answer 7 July 2000]:* It will be for the Football Association to decide whether to publish details of total expenditure on the 2006 bid. However, Sport England has committed £3.14 million of lottery funding to supporting the bid, and details of the uses to which that money has been put—including the funding of a proportion of the bid team's staff costs—will appear in Sport England's Lottery Annual Report. Travel and entertainment expenditure has not been funded using lottery money as it is specifically excluded from Sport England's funding agreement with the FA.

Cultural Services

Charlotte Atkins: To ask the Secretary of State for Culture, Media and Sport what guidance he has issued to local authorities on the priority they should attach to cultural services. [128202]

Janet Anderson: My right hon. Friend the Secretary of State published draft Guidance on Local Cultural Strategies for all local authorities in England in June last year. This Guidance emphasises the importance of cultural services in improving the quality of life for all. A major theme of the Guidance is how cultural services can contribute to wider aims such as tackling social exclusion, encouraging healthier lifestyles and stimulating a commitment to lifelong learning.

In February we sent all local authorities a mid-term progress report on the experiences of 14 authorities who have been piloting the Guidance. Responses from some 300 local authorities indicated that 85 per cent. of them were developing or had developed a cultural strategy. That represents approximately two-thirds of local authorities in England, which is very good progress.

PRIME MINISTER

Social Exclusion Unit

Mr. Gerald Howarth: To ask the Prime Minister what were the total costs of the Social Exclusion Unit in 1999. [126797]

The Prime Minister: The Cabinet Office spent £1,570,000 on the Social Exclusion Unit in the financial year 1999–2000. In addition, the pay and associated costs of a number of staff were borne by other Government Departments to the estimated sum of £214,000; and for parts of the year, some secondee, adviser and research costs have been supported by the Joseph Rowntree Foundation, the Improvement and Development Agency, National Westminster Bank, the Housing Corporation and Kent County Constabulary.

Ministerial Residences

Mr. Baker: To ask the Prime Minister, pursuant to his answer of 5 June 2000, *Official Report*, column 50W, if those Ministers having the use of grace and favour residences are required to use the additional cost allowance towards the costs incurred within these properties. [126331]

The Prime Minister *[holding answer 20 June 2000]:* The costs of maintaining official residences are met by the Government. Ministers occupying official residences are not entitled to claim on London properties the Parliamentary additional cost allowance. Nor are they entitled to the Parliamentary London supplement paid to other Members of Parliament who live in London.

Crime Summit

Miss Widdecombe: To ask the Prime Minister what representations he received from *(a)* the chief constables attending the Crime Summit on 3 July and *(b)* other chief constables regarding the Government's proposals on spot-fines for anti-social behaviour. [129367]

The Prime Minister *[holding answer 6 July 2000]:* I refer the right hon. Member to the answer given today by my right hon. Friend, the Home Secretary to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes).

Strategic Communications Unit

Mr. Baker: To ask the Prime Minister, pursuant to his answer to the hon. Member for South Cambridgeshire (Mr. Lansley) of 27 June 2000, *Official Report*, column 455W, regarding the Strategic Communications Unit, for what reasons the number of permanent civil servants has increased from four to nine since January 1998. [129722]

The Prime Minister *[holding answer 7 July 2000]:* At the time of its creation in January 1998 the Strategic Communications Unit had six civil servant posts and two special adviser posts, though not all the posts were filled immediately. Since then, three new civil service posts have been created to run the Number 10 website.

Appointments

Mr. Baker: To ask the Prime Minister if he will list the positions to which he is entitled to appoint individuals. [129683]

The Prime Minister *[holding answer 7 July 2000]*: I have listed the appointments that I make as Prime Minister. For some of the bodies listed the appointments are made by the Prime Minister in accordance with statute or by convention. For others, principally the museums and galleries, the appointments are made by the Prime Minister in accordance with the relevant charter or articles of association. In general these are made after consulting the relevant departmental Ministers.

Trustees—Museums and Galleries

British Museum
Imperial War Museum (15 Trustees)
Museum of London
National Maritime Museum
Natural History Museum
Science Museum including the Chairman
Victoria and Albert Museum including the Chairman
Wallace Collection
National Gallery
National Portrait Gallery
Tate Gallery

Various

Advisory Committee on Business Appointments[1]
Armed Forces Pay Review Body
Chequers Trustee (1)
Chevening Trustee (1)
Committee on Standards in Public Life[1]
Commissioner for Public Appointments
Council for Science and Technology
Doctors' and Dentists' Pay Review Body
Dorneywood Trustee (1)
Intrusive Surveillance Commissioners
Kennedy Memorial Trust
National Heritage Memorial Fund
Nurses, Midwives and other NHS Professions' Pay Review Body
Official Historians
Police Arbitration Tribunal Members
Political Honours Scrutiny Committee
Schoolteachers' Pay Review Body[1]
Security and Intelligence Services Tribunal Members
Security Commission
Senior Salaries Pay Review Body

[1] Prime Minister has sole responsibility for appointing

Waiting Lists (Mid-Essex)

Mr. Burns: To ask the Prime Minister, pursuant to his oral answer of 5 July, if he will review the Mid-Essex waiting list figures; and if he will make a statement on trends in Mid-Essex waiting lists since 2 May 1997. [129977]

The Prime Minister: I have written to the hon. Member today. A copy of my letter has been placed in the Library.

On-the-spot Fines

Mr. Hayes: To ask the Prime Minister what discussions he had with chief constables in advance of his speech detailing proposals for on-the-spot fines for anti-social behaviour made on 30 June. [129978]

The Prime Minister: I refer the hon. Member to the answer given today by my right hon. Friend the Home Secretary to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes).

PRESIDENT OF THE COUNCIL

Regional Affairs Committee

Mr. Loughton: To ask the President of the Council if she will make a statement on her plans for the Regional Affairs Committee. [129833]

Mrs. Beckett: I hope that the Committee will be established in the near future and will meet before the end of the Session.

CABINET OFFICE

Ministerial Group on Rural Affairs

Mr. Breed: To ask the Minister for the Cabinet Office how many times the Ministerial Group on Rural Affairs has met since it was created; who was in the chair for each meeting; who attended each meeting; and if she will make a statement. [128056]

Marjorie Mowlam: It is established practice under exemption two of Part II of the Code of Practice on Access to Government Information not to disclose information relating to the proceedings of Cabinet Committees. A statement on the Government's policy on rural areas will be made when our Rural White Paper is published.

Staff Secondments

Mr. Don Foster: To ask the Minister for the Cabinet Office, pursuant to her answer of 11 January 2000, *Official Report*, column 134W, on secondments, if she will give the names, grades and job titles of the staff seconded into her Department from each organisation mentioned, stating in each case the name of the section they were seconded to and a summary of the work that they were involved with. [128241]

Mr. Stringer: Secondments and attachments are part of the Interchange Initiative, which promotes the exchange of people and good practice between the Civil Service and other organisations. Before an Interchange can occur, all parties must be satisfied that no conflict of interest arises.

The secondees to the Cabinet Office between May 1997 and December 1999 as listed in the answer of 11 January 2000, *Official Report*, column 134W, worked in a variety of jobs from Cabinet Office Band B2 (broadly equivalent to Higher Executive Officer) to the Senior Civil Service. They worked in a wide range of areas, many of them concerned with the Modernising Government initiative, where we are keen to benefit from best practice from all sections of the economy.

I am not prepared to identify individual secondees by name or job title. Secondees are employed on the basis that they can contribute valuable expertise and good practice to the Civil Service, and on the basis that no conflict of interest arises. Where appropriate, their names are published in directories such as the Civil Service Year Book, as are those of permanent staff. But they are not separately identified as being on secondment.

Media Monitoring Unit

Mr. Lansley: To ask the Minister for the Cabinet Office what the cost of the Government Information and Communication Service Media Monitoring Unit was for *(a)* 1997–98 and *(b)* 1998–99. [128462]

Mr. Stringer: The Media Monitoring Unit (MMU) operated as a pilot between December 1997 and March 1998. The MMU's set-up and running costs for this period were absorbed by a wide range of Departments. This information is not held centrally and can be provided only at disproportionate cost. In the 1998–99 financial year, the total cost of the unit was £478,878. These costs were recovered from a large number of Departments out of their existing funds.

PFI Contracts

Mr. Alan Williams: To ask the Minister for the Cabinet Office if she will list the PFI contracts entered into by her Department, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if her Department has a claw-back entitlement to share in savings arising from refinancing. [129055]

Mr. Stringer: There are no such contracts.

Anti-drug Strategy

Mr. Simon Hughes: To ask the Minister for the Cabinet Office what was the total amount spent on the Government anti-drug strategy in *(a)* 1999–2000 and *(b)* 2000–01; and what is the planned expenditure for 2001–02. [128396]

Mr. Ian McCartney: Each year the Government spend in the region of £1.4 billion on anti-drugs activities. For the present strategy, "Tackling Drugs to Build a Better Britain", the 1998 Comprehensive Spending Review settlement provided an additional £217 million of resources for three years, 1998–99 to 2000–01. Spending for the financial years 2001–02 to 2003–04 is being considered as part of the current Spending Review which will be announced shortly.

HOME DEPARTMENT

Crime Summit

Mr. Simon Hughes: To ask the Secretary of State for the Home Department if he will publish the *(a)* agenda and *(b)* minutes of the crime summit held at 10 Downing street on Monday 3 July; and if he will make a statement. [129294]

Mr. Straw *[holding answer 6 July 2000]:* The crime seminar on 3 July brought together senior officers of police and others with expertise in tackling violent crime and disorder. The senior officers of the five Metropolitan forces outlined their plans for using their share of the additional £20 million to tackle robbery, which I announced in the reply I gave to my hon. Friend the Member for Calder Valley (Ms McCafferty) on 15 June 2000, *Official Report*, column 714W.

In the general discussion which followed, my right hon. Friend the Prime Minister and I underlined our real determination to tackle violence and the culture of disorder. Those present agreed on the need to ensure that the police had sufficient powers to deal effectively with drunken, loutish, anti-social behaviour. The chief officers present were broadly supportive of the idea of fixed penalty fines. My right hon. Friend the Prime Minister concluded that the Home Office should work closely with the Association of Chief Police Officers and others to work up this and other options for tackling disorder in the coming weeks. The Home Office has continuous discussions with Chief Constables about measures to deal with anti-social behaviour.

Brixton Prison

Mr. Cawsey: To ask the Secretary of State for the Home Department what plans he has to market-test Brixton prison. [130212]

Mr. Boateng: Last November, I announced in the wake of serious concern about conditions at Brixton prison, that it must be regarded as a failing institution and that there must be rapid and fundamental improvement. I made it clear that unless big improvements were made quickly, Brixton could be subject to market testing. It is now over eight months since then, and progress at the prison has been kept under close review.

I am not satisfied with the rate of progress being made, nor that the necessary improvements will be in place within 12 months. In particular, there has not been adequate improvement in compliance with standards, the quality of regime remains poor, there are serious concerns about commitment to equal opportunities within the prison, costs remain high, and there is a lack of commitment to changes to free up resources to improve the regime. This judgment, accepted by the Director General, has been confirmed in a recent visit by Her Majesty's Chief Inspector of Prisons, who found that although certain improvements have been made in many areas, basic conditions, including cleanliness in the health care centre, were still unacceptable.

I have, therefore, reviewed the position and am clear that I would be failing in my public duty to all those at the prison—staff and prisoners alike—if we did not set a new path for the establishment. The Director General agrees with me that there should be a market test of Brixton prison. The new management team will be responsible for quickening the pace of improvement and for putting together an in-house bid, which will be judged alongside bids which will be invited from private sector operators.

Police Forces (Expenditure)

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what the expenditure was *(a)* in total and *(b)* per head of population (i) in each police force in Great Britain and (ii) in total in (1) 1979, (2) 1987 and (3) each year since 1992; and what was the real terms change for each year. [126229]

Mr. Charles Clarke *[holding answer 19 June 2000]:* Tables showing the information for England and Wales have been placed in the Library. Net revenue expenditure figures are in cash terms and are taken from the Chartered

Institute of Public Finance and Accountancy Police Statistics. The percentage changes are in real terms (1998–99:100). Final data for 1999–2000 are not yet available.

Departmental Fees

Mr. Cohen: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Truro and St. Austell (Mr. Taylor) of 27 January 2000, *Official Report*, column 229–30W, what assessment he has made of the extent to which the increase in revenues attributable to the subject access under the Data Protection Act 1998 relates to changes in the practice of enforced subject access; if he will introduce legislation to modify section 75(4) of the Data Protection Act 1998 thereby making enforced subject access an offence as soon as the Criminal Record Certificate and Enhanced Criminal Record Certificate are available; and if he will make a statement. [129185]

Mr. Straw: It is not possible to say what proportion of subject access requests made to police records are enforced. We have no plans to amend section 75(4) of the Data Protection Act 1998. Criminal Convictions Certificates also need to be available before enforced subject access can be made an offence. The target date for making those Certificates available is July 2002.

Ministerial Code

Mr. Robathan: To ask the Secretary of State for the Home Department how many times Ministers in his Department have sought the advice of the Permanent Secretary under the circumstances envisaged in Paragraphs 118, 121 and 123 of the Ministerial Code; and on which occasions such advice was sought. [129174]

Mr. Straw: Information relating to internal advice and consultation is not disclosed under Exemption II of the Code of Practice on Access to Government Information.

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for the Home Department if he will list the PFI contracts entered into by his Department, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if his Department has a claw-back entitlement to share in savings arising from refinancing. [129051]

Mr. Straw: The latest information available to us is as follows:

Project name	*Date of commencement*	*Capital value (£ million)*	*Subject to refinancing?*	*Claw-back entitlement?*
Immigration and Detention Caseworking Programme (IT programme)	April 1996	41	No	No
Medway Secure Training Centre	3 March 1997	10	No	No
Rainsbrook (Onley) Secure Training Centre	3 July 1998	10	No	No
Hassockfield (Medomsly) Secure Training Centre	12 November 1998	10	Yes	No
Park Prison	4 January 1996	74	No	No
Fazakerley Prison	20 December 1995	88	Yes	[1] No
Ashfield Prison	26 June 1998	30.7	No	No
Forest Bank Prison	2 July 1998	38.6	No	No
Ryehill (Onley) Prison	22 July 1999	34.7	No	No
Dovegate (Marchington) Prison	24 September 1999	48	No	No
Lowdham Grange	7 November 1996	32	No	No
Prisons/Energy Tranche 1 Boilerhouses	1997	9	No	No
Quantum	February 2000	30	No	No
Public Safety Radio Communications Project (PSRCP)	29 February 2000	500	No	No
Passport, Data capture and Supply and Personalisation	July 1997	30	No	No

[1] But have negotiated benefits

Communications Data

Mr. Cohen: To ask the Secretary of State for the Home Department if he will introduce an amendment to the Regulation of Investigatory Powers Bill to prohibit the subsequent disclosure of communications data which have legitimately been obtained under the powers granted by the Bill, by virtue of the application of the non-disclosure provisions of the Data Protection Act 1998 or by the application of powers in other legislation which could result in statutory demands for communications data; and if he will make a statement. [129210]

Mr. Straw: We do not consider it necessary to amend the Regulation of Investigatory Powers Bill further as my hon. Friend suggests. The law enforcement, security and intelligence agencies are already subject to restrictions on the degree to which they may share data by the terms of the Data Protection Act 1998 or under the statutory restrictions placed on them by the Security Service Act 1989 and the Intelligence Services Act 1994.

The Regulation of Investigatory Powers Bill substantially enhances the existing safeguards which surround the obtaining of communications data by placing on a statutory basis proper levels of authorisation, considerations of necessity and proportionality and independent oversight by the Interception Commissioner.

Home Detention Curfews

Mr. Lidington: To ask the Secretary of State for the Home Department how many prisoners convicted of robbery were released on the Home Detention Curfew scheme on *(a)* 19, *(b)* 20, *(c)* 21, *(d)* 22 and *(e)* 23 June; and what was the sentence (i) received and (ii) served in each case. [128920]

Mr. Boateng *[holding answer 4 July 2000]:* Fourteen prisoners convicted of robbery were placed on the Home Detention Curfew scheme on the dates in question. The breakdown of their release dates, and of the sentence received and served in each case, is given in the table.

Date released	Number released	Sentence received	*(days)* Sentence served
19 June	6	1,096	529
		1,096	512
		1,096	490
		915	401
		455	192
		275	81
20 June	2	1,096	489
		640	263
21 June	4	1,096	524
		1,096	489
		1,096	489
		731	307
22 June	0	—	—
23 June	2	1,280	581
		366	170

Prisons (Visitor Centres)

Mr. Stinchcombe: To ask the Secretary of State for the Home Department how many prisons have a staffed visitors' centre; and of these how many are funded by the prison. [129199]

Mr. Boateng: In 1993, when prison establishments were last surveyed, there were 81 visitors' centres. We estimate that about 90 Prison Service establishments now have a visitors' centre. Many of these receive funding from the establishment, although exact figures are not available. We are obtaining more precise information in a further survey as part of a review of visits policy.

Prison Strip Searches

Mr. Stinchcombe: To ask the Secretary of State for the Home Department how many visitors to each prison were strip searched in *(a)* 1998, *(b)* 1999 and *(c)* 2000 to date. [129195]

Mr. Boateng: The number of strip searches carried out on visitors to prisons each year is not recorded. Visitors are strip searched only when there is reasonable cause to suspect that they are carrying a firearm or a controlled drug, and a full rub down search has failed to reveal the item.

Anti-social Behaviour

Mr. Clappison: To ask the Secretary of State for the Home Department (1) how many young persons aged under 18 years have been made subject to an anti-social behaviour order; [129264]

(2) what estimate he has made of the cost of obtaining an anti-social behaviour order. [129241]

Mr. Charles Clarke: As I said in my reply to my hon. Friend the Member for Middlesbrough, South and Cleveland, East (Dr. Kumar) on 6 July 2000, *Official Report,* column 296W, we are aware of at least 27 anti-social behaviour orders made against people under the age of 18.

The costs quoted in the Financial and Explanatory Memorandum for the Crime and Disorder Bill assumed an average additional cost of £600 per anti-social behaviour order. This took account of offsetting savings. We have not assessed the cost of making an order since then.

Miss Widdecombe: To ask the Secretary of State for the Home Department what assessment he has made of the compatibility of *(a)* spot-fines for anti-social behaviour and *(b)* the enforcement mechanism for spot-fines for anti-social behaviour proposed by the Prime Minister in his announcement of 30 June with the European Convention on Human Rights; and if he will make a statement. [129375]

Mr. Charles Clarke *[holding answer 6 July 2000]:* Any new measures would, of course, have to comply with the European Convention on Human Rights, in particular the right under Article 6, to a fair trial. Resource implications, the arrangements for handling money and the safety of police officers would also be primary considerations. The Government have no plans to decriminalise anti-social behaviour that currently constitutes an offence in England and Wales.

Miss Widdecombe: To ask the Secretary of State for the Home Department (1) what estimate he has made of the cost of training police officers in the use of spot-fines for anti-social behaviour; and if he will make a statement; [129369]

(2) what plans he has for police forces to retain the funds levied by way of spot-fines for anti-social behaviour; and if he will make a statement; [129374]

(3) what estimate he has made of the cost to the police of enforcing spot-fines for anti-social behaviour; and if he will make a statement; [129370]

(4) what assessment he has made of the impact on social exclusion of the imposition of spot-fines for anti-social behaviour; and if he will make a statement; [129373]

(5) what research his Department has conducted on the increased risk to police officers of *(a)* violence associated with refusal to pay spot-fines for anti-social behaviour and *(b)* carrying large amounts of cash obtained from spot-fines for anti-social behaviour; and if he will make a statement; [129366]

(6) what plans the Government have to make spot-fines for anti-social behaviour *(a)* criminal and *(b)* civil penalties; what standard of proof will be employed; if their imposition will be recorded on criminal records; and if he will make a statement; [129371]

(7) what discussions *(a)* he, *(b)* Ministers in his Department and *(c)* officials in his Department had with (i) chief constables and (ii) other police officers regarding spot-fines for anti-social behaviour prior to the Prime Minister's announcement of 30 June; what representations were received; and if he will make a statement; [129364]

(8) what plans the Government have for spot-fines for anti-social behaviour to be enforced *(a)* in addition to and *(b)* instead of criminal proceedings; and if he will make a statement; [129372]

(9) what plans the Government have to decriminalise acts of anti-social behaviour that currently constitute criminal offences; and if he will make a statement; [129368]

(10) what recent research his Department has conducted in relation to introducing powers for the police to impose spot-fines for anti-social behaviour. [129365]

Mr. Charles Clarke *[holding answer 6 July 2000]:* I refer the right hon. Member to the reply given today by my right hon. Friend the Home Secretary to the hon. Member for Southwark, North and Bermondsey (Mr. Hughes).

Mr. Edwards: To ask the Secretary of State for the Home Department if he will make a statement about the use of anti-social behaviour orders in Wales. [129836]

Mr. Charles Clarke: It is for the police and local authorities concerned, in Wales as in England, to apply to the courts for an anti-social behaviour order if they consider it appropriate in order to protect their local communities. Anti-social behaviour orders (ASBOs) provide an effective weapon to tackle such behaviour. Over 80 ASBOs have been made in the past year in a variety of English local government areas. I very much hope that the new guidance we have recently issued will help to increase their use further still, including in local government areas within England and Wales in which no such orders have as yet been made.

Mr. Edwards: To ask the Secretary of State for the Home Department how many anti-social behaviour orders have been made to date in Wales. [129837]

Mr. Charles Clarke: I refer my hon. Friend to the response I gave to him on 6 July 2000, *Official Report*, column 295W.

Cheryl Hartman

Mr. Cohen: To ask the Secretary of State for the Home Department if he will make a statement on the means by which the parents of Cheryl Simone Hartman were informed of her death in Holloway prison on 18 June. [129262]

Mr. Boateng: I was very sorry to learn of the death of Cheryl Hartman at Holloway prison. Both I and Martin Narey, the Director General for the Prison Service, take deaths in custody very seriously indeed. I would like to pass my condolences on to Ms Hartman's family on behalf of myself and Martin Narey.

I was disappointed to learn that Ms Hartman's family had been notified of her death by telephone. The Prison Service is aware of the need for sensitivity in notifying the next-of-kin about the death of a loved one in prison custody. Accordingly, such notification should normally be done by a prison governor and the chaplain or, where there are geographical constraints, by the police.

There may be some exceptional occasions when contact by telephone is the most appropriate method of notification, but I would normally expect a personal call to be made. In this instance, I understand that the Duty Governor took the view that, to ensure that Ms Hartman's mother was notified quickly he should do so by telephone. In addition, he was also under the impression that the police would make personal contact, but in the event they did not.

I understand that Martin Narey has written to the family to apologise for the Prison Service's handling of this matter. I would also like to take this opportunity to apologise to Ms Hartman's family for the way in which they were treated by the prison authorities.

Illegal Immigrants

Mr. Jenkin: To ask the Secretary of State for the Home Department how many lorry drivers were convicted of bringing immigrants into the country in the year before the coming into force of the Carriers' Liability (Clandestine Entrants and Sales of Transporters) Regulations 2000. [129393]

Mrs. Roche: During 1999, the number of those convicted of offences committed under section 25 of the Immigration Act 1971, for knowingly facilitating the entry of either an illegal entrant or an asylum applicant, was 153.

The number of those convicted who were employed as lorry drivers is not recorded centrally, and data relating to convictions in 2000 are not yet available.

Emergency Services (Fuel Costs)

Mr. Jenkin: To ask the Secretary of State for the Home Department if he will list for each *(a)* police and *(b)* fire authority in England and Wales, the amount of their budget for the last financial year that was spent on road fuel for police and fire vehicles. [129391]

Mr. Charles Clarke: I refer the hon. Member to the reply I gave him on 3 July 2000, *Official Report*, column 69W.

Detainees (Mental Illness)

Mr. Brake: To ask the Secretary of State for the Home Department if he will make it his policy that all custody officers *(a)* ask detainees questions to determine their mental state and *(b)* receive training in recognising mental illness. [129587]

Mrs. Roche: It is not the function of detention custody officers to determine a detainee's mental state. However, it is part of their function to refer any health concerns about a detainee to the medical team located at the Centre. Detainees are offered full medical screening on arrival at a Detention Centre and this includes mental health screening. Qualified medical staff are on duty during the day and an on call system operates at night.

The level of Health Care at Detention Centres is comparable to that in a local General Practice.

Detainees are referred for specialist treatment, including psychological counselling, in the same way as any other NHS patient.

Detention Custody Officers will receive suicide awareness and first aid training as part of their training programme.

Telephone Steering Systems

Mr. Ben Chapman: To ask the Secretary of State for the Home Department how many agencies of his Department use touch tone telephone steering systems when dealing with telephone inquiries from the general public. [129638]

Mr. Straw: I refer my hon. Friend to the reply I gave him on 27 June 2000, *Official Report*, column 466W. In addition, most of Her Majesty's prisons and some of the smaller offices of the other agencies of my Department have an "automated attendant" facility. This enables the caller to use the telephone keypad to select the required extension, where direct dialling-in to the extension is not available, or to speak to an operator. No central records of these facilities are kept.

Mr. Ben Chapman: To ask the Secretary of State for the Home Department how many of his Department's telephone lines used by the general public are responded to by touch tone telephone steering systems. [129620]

Mr. Straw: I refer my hon. Friend to the reply I gave him on 27 June 2000, *Official Report*, column 467W. In addition, some of the smaller offices in my Department have an "automated attendant" facility. This enables the caller to use the telephone keypad to select the required extension, where direct dialling-in to the extension is not available; or to speak to an operator. No central records of these facilities are kept.

Prison Ships

Mr. Cox: To ask the Secretary of State for the Home Department how many prison ships are in use in the UK; and how many inmates were held on these ships on 1 July. [129455]

Mr. Boateng: The Prison Service for England and Wales currently has one floating facility, Weare prison, moored in Portland harbour, Dorset.

On 1 July, 359 adult males were held by the prison, the certified normal accommodation for which is 400.

Humberside Police Force

Mr. Mitchell: To ask the Secretary of State for the Home Department how many of the additional 5,000 police he recently announced are serving in the Humberside police force. [129609]

Mr. Straw: The Crime Fighting Fund will allow police forces in England and Wales to recruit 5,000 officers over and above the number they had otherwise planned to recruit: 3,000 in 2000–01 and 2,000 in 2001–02.

Humberside have been allocated 74 additional recruits from the Crime Fighting Fund: 47 in 2000–01 and 27 in 2001–02. Nineteen of the Crime Fighting Fund recruits for 2000–01 have been recruited so far and are presently serving in Humberside police.

Child Detainees

Dr. Vis: To ask the Secretary of State for the Home Department if he will list each institution which has received children under a detention and training order since the introduction of such orders. [129701]

Mr. Boateng: The Detention and Training Order may be served in a number of different types of institution: young offender institutions; secure training centres; and places in local authority secure units. Generally, in the case of boys, those who are aged 15 to 17 will serve their sentence in a young offender institution, and those aged 12 to 14 in secure training centres or local authority secure units, except where individual assessment recommends otherwise. This reflects the Youth Justice Board's placement strategy, a copy of which is in the Library.

Placements of boys aged 15 to 17 to a young offender institution should be made to those comprising the new distinct estate for boys: Ashfield; Brinsford; Castington; Feltham; Hollesley Bay; Huntercombe; Lancaster Farms; Onley; Portland; Stoke Heath; Thorn Cross; Werrington; and Wetherby. The new estate comprises juvenile-only establishments and juvenile units in young offender institutions.

The Government have decided that young women aged 15 to 16 should be placed in non-Prison Service accommodation, as should those aged 17 years, as spaces become available. In the interim, 17-year-olds on remand will continue to share facilities with adults due to their small numbers, and those who are sentenced with other young women under 21 in enhanced young offender units in womens' prisons at: Brockhill; Bullwood Hall; Drake Hall; Eastwood Park; Holloway; Low Newton; New Hall and Styal.

Community Safety Partnerships

Mr. Lidington: To ask the Secretary of State for the Home Department which *(a)* organisations, *(b)* individuals and *(c)* projects have benefited from his Department's expenditure on community safety partnerships in (i) 1999–2000 and (ii) 2000–01. [129527]

Mr. Boateng *[holding answer 7 July 2000]:* The Crime and Disorder Act 1998 requires local authorities and police jointly to develop and implement strategies to reduce crime in their area. The main additional source of Home Office funding for partnerships is the Crime Reduction Programme, details of which are contained in the reply my hon. Friend the Minister of State, gave on 7 July 2000, *Official Report*, columns 359–60W. The Home Office also has in place a programme of research, consultancy support, training and seminars to help partnerships achieve real reductions in crime and disorder.

Grants

Mr. Lidington: To ask the Secretary of State for the Home Department which organisations and individuals received grants and payments in *(a)* 1999–2000 and *(b)* 2000–01 for services in support of the work of (i) the Probation Service and (ii) local authority social services departments; and how much money was paid in each such grant. [129521]

Mr. Boateng *[holding answer 7 July 2000]:* Information relating to organisations and individuals receiving grants and payments in support of the work of the Probation Service is not available for 1999–2000 or 2000–01. I will write to the hon. Member with details of the figures for 1998–99 and place a copy of the information in the Library. The matter of payments to local social services is one for my right hon. Friend the Secretary of State for Social Security.

National Association for the Care and Resettlement of Offenders

Mr. Lidington: To ask the Secretary of State for the Home Department what is the policy objective of his Department's annual payment to the National Association for the Care and Resettlement of Offenders. [129528]

Mr. Boateng *[holding answer 7 July 2000]:* The Home Office funds the National Association for the Care and Resettlement of Offenders (NACRO) in pursuit of Home Office objectives in the prevention of crime, the resettlement of offenders, the prevention of reoffending, the delivery of justice fairly and equally to all and the promotion of the confidence of all communities in the criminal justice system. This includes projects in crime prevention, research and evaluation, offender employment and housing. NACRO also pursues work for the Prison Service in areas of resettlement, race and women's issues.

Reoffenders

Mr. Simon Hughes: To ask the Secretary of State for the Home Department what the reoffending rates following participation in an accredited programme run by the probation service in England and Wales were in each of the last three years; what were the reoffending rates for those sentenced to a probation order in the same period; and if he will make a statement. [129316]

Mr. Boateng *[holding answer 7 July 2000]:* The Joint Prison Probation Accreditation Panel first met to consider applications in December last year. To date the Panel has granted provisional accreditation to one community-based offender programme. It is likely that a further seven offending behaviour programmes will be considered for accreditation when the Panel next meets in September. There are no reconviction or reoffending rates available from the programme, as it has not been running long enough to provide the necessary data. Arrangements are in place for the evaluation of the programmes.

The reconviction rates of those offenders sentenced to a probation order in the last three years—available data are: 59 per cent. for 1994, and 60 per cent. for 1995 and 1996.

The work of the Accreditation Panel will promote the use of evidence-based practice, which the probation service is working towards.

Voluntary Sector Funding

Mr. Lidington: To ask the Secretary of State for the Home Department which organisations were paid grants in *(a)* 1999–2000 and *(b)* 2000–01 (i) to assist work in support of the voluntary sector, (ii) to promote voluntary activity and community development and (iii) to support innovative projects; and how much money was paid in each such grant. [129526]

Mr. Boateng *[holding answer 7 July 2000]:* The information covers grant programmes whose primary purposes are to promote voluntary activity and community development and to assist work, including innovative projects, in support of the voluntary sector. Some organisations receive grants for different purposes and those amounts are shown separately. The tables have been placed in the Library.

Prisoner Repatriation

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many foreign prisoners serving sentences in England and Wales were repatriated in each of the last three years; and if he will make a statement. [129313]

Mr. Boateng *[holding answer 7 July 2000]:* The information requested is given in the table:

	Number
1997	17
1998	42
1999	22

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many British nationals who were sentenced abroad were repatriated to serve out their sentences in England and Wales in each of the past three years; and if he will make a statement. [129314]

Mr. Boateng *[holding answer 7 July 2000]:* The information requested is given in the table:

	Number
1997	34
1998	27
1999	11

Mr. Simon Hughes: To ask the Secretary of State for the Home Department how many applications were made in each of the past three years for repatriation for foreign prisoners in England and Wales; how many of those applications were *(a)* refused and *(b)* discontinued; and if he will make a statement. [129315]

Mr. Boateng *[holding answer 7 July 2000]:* The information requested is given in the table:

	1997	*1998*	*1999*
Applications	127	157	193
Refused	36	49	45
Discontinued	38	34	16

Applications refused or discontinued may not have been submitted in the year they were determined.

Rape

Mr. Barnes: To ask the Secretary of State for the Home Department what his response is to the report of the Working Party on Rape submitted to the United Kingdom Programme Action Committee of Soroptimist International; and if he will make a statement. [129287]

Mr. Charles Clarke: The report of the Working Party on Rape of the United Kingdom Programme Action Committee of Soroptimist International is an interesting and useful contribution to the discussion on the law on rape and the treatment of rape victims in the United Kingdom. It was submitted to the review that was considering the law of sex offences in England and Wales and contributed to their work.

Football Hooliganism

Mr. Burns: To ask the Secretary of State for the Home Department how many individuals *(a)* have been convicted of a football-related offence and *(b)* had an international banning order placed upon them; and what reasons the courts have given, under the terms of the Football (Offences and Disorder) Act 1999, for not imposing banning orders in each case since 26 September 1999. [129779]

Mr. Charles Clarke: Thirty-three individuals have had International Football Banning Orders imposed under the terms of the 1999 Act. I regret that the other information requested is not available, but information on all football-related convictions will be collected by the National Criminal Intelligence Service from the beginning of the next season.

Prisoner Releases

Mr. Hayes: To ask the Secretary of State for the Home Department how many prisoners convicted of grievous bodily harm have been released earlier than their normal parole date in the last 12 months. [129980]

Mr. Boateng: Prisoners serving four years and over are eligible for parole at the half way point in sentence under a system of discretionary conditional release. Section 36 of the Criminal Justice Act 1991 allows for release from prison at any time on compassionate grounds in exceptional circumstances. In the last 12 months, one prisoner serving a sentence for inflicting grievous bodily harm has been released on compassionate grounds prior to his parole eligibility date.

Prisoners serving under four years are not subject to parole but are released automatically at the halfway point in sentence. The majority of such prisoners are eligible for consideration for the Home Detention Curfew (HDC) scheme which provides for their release up to 60 days before their automatic release date. Full details of those released under the HDC scheme since its introduction in January 1999 are given in the reply by my right hon. Friend the Home Secretary to the hon. Member for Aylesbury (Mr. Lidington) on 3 July 2000, *Official Report*, columns 58–59W.

Child Curfew Orders

Mr. Hayes: To ask the Secretary of State for the Home Department how many child curfew orders have been issued under the provisions of the Crime and Disorder Act 1998. [129979]

Mr. Charles Clarke: No applications have been received from local authorities to establish child curfew schemes under section 14 of the Crime and Disorder Act 1998. Following consultation with local authorities and the police the Government are considering what improvements might be made to the provisions to ensure that they are able to contribute effectively to local partnership efforts to tackle anti-social behaviour.

Sex Education

Ms McCafferty: To ask the Secretary of State for the Home Department what percentage of young offenders' institutions in the United Kingdom offer parenting and sexual health classes; and if he will make a statement. [129255]

Mr. Boateng: All Prison Service establishments in England and Wales must offer a social and life skills programme as part of the Prison Service core curriculum. The social and life skills programme includes units on healthy living, parentcraft, family relationships, sexual health and relationships education. Governors of prisons and young offender institutions order a range of units from education contractors. It is not possible to say what percentage of young offender institutions offer parentcraft and sexual health and relationships education as no information is held centrally on the particular units ordered by individual establishments.

Young offender institutions in Scotland and Northern Ireland are a matter for the Secretaries of State for Scotland and Northern Ireland respectively.

Police Recruits

Fiona Mactaggart: To ask the Secretary of State for the Home Department if he will take action to reduce variation between police forces in the medical standards which they require of newly recruited officers. [129990]

Mr. Charles Clarke: My right hon. Friend the Home Secretary is taking action to review recruitment procedures to ensure non-discriminatory practices and to publish national recruitment standards, including medical standards. My officials are working with police representative organisations to meet this deadline.

TREASURY

Comprehensive Spending Review

Mr. Ian Stewart: To ask the Chancellor of the Exchequer when he expects to announce the outcome of Spending Review 2000. [130215]

Mr. Gordon Brown: I will make a statement to the House on Tuesday 18 July.

European Single Currency

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer what estimate he has made of the costs of converting to the euro for *(a)* Government Departments, *(b)* the private sector and *(c)* the economy as a whole. [129594]

Miss Melanie Johnson: Should the UK decide to join the euro, the costs of a changeover would depend on the detailed approach taken.

Mr. Portillo: To ask the Chancellor of the Exchequer which advertising agency has been tasked with the euro preparation work commissioned by his Department; what is the length of the contract; when the work will start and finish; what is the value of the contract; and what plans he has to launch new euro campaigns. [128805]

Miss Melanie Johnson: The Treasury does not have an advertising agency appointed for business euro preparations work.

Fuel Taxation

Mr. Boswell: To ask the Chancellor of the Exchequer if he will reduce fuel taxation in order to reduce the current average price of fuel to March 2000 levels. [129272]

Mr. Timms *[holding answer 6 July 2000]:* I have no plans to do so. Decisions on the appropriate levels of fuel duties are set on a Budget by Budget basis, taking account of the Government's economic and social objectives as well as the UK's environmental commitments.

Correspondence

Mr. Chope: To ask the Chancellor of the Exchequer when he will reply to the question from the hon. Member for Christchurch tabled on 8 June about council tax and pensioners (ref. 125925) and 9 June about pensioners in Christchurch (ref. 125976). [129118]

Mr. Andrew Smith *[holding answer 4 July 2000]:* Both questions have been answered.

Unemployment

Mr. Loughton: To ask the Chancellor of the Exchequer what the unemployment rate in each of the 20 largest metropolitan boroughs is and what it was in May 1997; and if he will make a statement. [129112]

Miss Melanie Johnson *[holding answer 4 July 2000]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Tim Loughton, dated 10 July 2000:

As National Statistician, I have been asked to reply to your recent question about the unemployment rate in each of the 20 largest metropolitan boroughs.

The ONS preferred measure of unemployment is the International Labour Organisation (ILO) unemployment rate, derived from the Labour Force Survey (LFS). However, LFS estimates are not available for single months.

The ONS also publishes a monthly count of claimants of unemployment-related benefits. The claimant count consists of all people claiming Jobseeker's Allowance or National Insurance credits at Employment Service local offices. They must declare that they are out of work, capable of, available for and actively seeking work during the week in which the claim is made.

Claimant count rates by local area on the unadjusted basis can be obtained from the Nomis database at the House of Commons Library.

Population Statistics

Mr. Curry: To ask the Chancellor of the Exchequer what his latest estimate is of the population of the 20 largest cities in the UK; and what was the population of the same cities *(a)* two, *(b)* five and *(c)* 10 years earlier. [128867]

Miss Melanie Johnson: The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. David Curry, dated 10 July 2000:

As National Statistician I have been asked to reply to your recent question about the twenty largest cities in the UK. (128867)

I have given my reply in the attached table in terms of the twenty largest local authorities in the UK rather than cities as official population estimates are produced for local authority areas, not cities. ONS produces annual mid-year population estimates for the local authorities in England and Wales. The local authorities in England and Wales are the unitary authorities, district, borough councils and London boroughs. The population estimates used for each of the years given in this answer are in terms of the local authorities as their boundaries were defined in 1998. This has been done so that comparisons can be made between years without confusion due to the local government reorganisation that took place between 1996 and 1998.

The General Register Office for Scotland and the Northern Ireland Statistics Research Agency produces the population estimates for the local authorities in Scotland and Northern Ireland respectively. The mid-98 population estimates from these sources have been used with the estimates from England and Wales in order to identify the twenty largest local authorities in the UK in mid-98.

The mid-98 population estimates have been used for this answer as these are the most recent population estimates for England and Wales; the mid-99 estimates are due to be published in August 2000.

Estimated resident population for the 20 largest local authority areas in mid-1998 in the United Kingdom[1] [2]

	Total population			
Local authority area[3]	*Mid-1998*	*Mid-1996*	*Mid-1993*	*Mid-1988*
1. Greater London[4]	7,187,300	7,074,300	6,933,000	6,770,300
2. Birmingham	1,013,400	1,020,600	1,012,400	1,001,900
3. Leeds	727,400	726,900	724,500	710,300
4. Glasgow City	619,700	616,400	624,900	649,900
5. Sheffield	531,100	530,400	531,900	530,700
6. Bradford	483,300	483,400	480,000	467,000
7. Liverpool	461,500	468,000	477,000	482,300
8. Edinburgh, City of	450,200	448,900	441,600	437,500
9. Manchester	429,800	430,800	432,000	439,300
10. Bristol, City of UA	402,300	399,600	397,600	392,500
11. Kirklees[5]	390,900	388,800	385,800	378,500
12. Fife[5]	348,900	349,300	351,200	346,600
13. Wirral[5]	327,100	329,200	334,100	335,500
14. North Lanarkshire[5]	326,700	325,900	326,800	330,700
15. Cardiff UA	320,900	315,000	305,200	292,900
16. Wakefield	318,800	317,300	317,500	310,500
17. East Riding of Yorkshire UA[5]	312,800	308,800	302,000	287,900
18. Dudley	311,500	312,200	311,500	305,900
19. Wigan	310,500	309,800	313,200	306,600
20. South Lanarkshire[5]	306,900	307,500	306,100	303,600

[1] In descending order of size

[2] Figures have been rounded to the nearest hundred persons

[3] The local authorities in England and Wales are as their boundaries were defined in 1998 after local government reorganisation

[4] Greater London includes all 33 London boroughs

[5] *Major population centres in these areas are:*

Kirklees—Huddersfield
Fife—Dunfermline and Kirkcaldy
Wirral—Birkenhead
North Lanarkshire—Cumbernauld and Coatbridge
East Riding of Yorkshire—Beverley and Bridlington
South Lanarkshire—East Kilbride and Hamilton.*Source:*

Office for National Statistics, General Register Office for Scotland

Mortgages

Ms Abbott: To ask the Chancellor of the Exchequer what recent consultations he has had with *(a)* the Financial Services Authority, *(b)* the Department of Trade and Industry, *(c)* the Office of Fair Trading, *(d)* the European Commission and *(e)* consumer groups about the definition of a mortgage; and if he will list the (i) consumer groups and (ii) others he is consulting about the definition of a mortgage. [129263]

Miss Melanie Johnson: I refer my hon. Friend to the announcement made on 27 January 2000, *Official Report*, columns 262–64W, of the Government's decision on the regulation of mortgages.

That decision was the outcome of a consultation exercise that gathered a great deal of evidence, including that from borrowers and consumer groups, about what can go wrong with mortgage lending.

The proposals announced by the Government were designed specifically to address these problems and put the consumer in control.

Following the announcement of the Government's decision, the Treasury has received helpful views on the definition of a mortgage, and is also drawing on the expertise of the Financial Services Authority and other Government Departments. The Government will consult on any proposed legal definition at the appropriate time.

Severn Bridges Tolls (VAT)

Mr. Edwards: To ask the Chancellor of the Exchequer if he will make a statement about EU proposals to impose VAT on tolls for the Severn Bridges. [129269]

Dawn Primarolo: The Government are awaiting the judgment of the European Court of Justice, due on 12 September, on whether or not VAT should be levied on toll charges. An appropriate announcement will be made when this judgment has been studied.

National Insurance

Mr. Webb: To ask the Chancellor of the Exchequer what has been the policy since 1989 on writing annually to those of his Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129478]

Dawn Primarolo: The Inland Revenue Guide to Employers states that employers may consider it worthwhile to have arrangements in place to issue a periodic reminder to married women employees for whom they hold a certificate of election, advising them of the need to tell the employer if their marriage ends by divorce or annulment or that they are no longer entitled to pay reduced rate National Insurance contributions. All of my Departments with such employees follow this advice either by an annual notice in their staff bulletins or in individual letters issued annually.

IR35

Mr. Ottaway: To ask the Chancellor of the Exchequer when he last revised the expected revenue yield from IR35; and what the revised estimate is. [129733]

Dawn Primarolo: I refer the hon. Member to Table A2.1 of this year's Financial Statement and Budget Report.

Children's Tax Credit

Mr. Sarwar: To ask the Chancellor of the Exchequer how many families he expects to benefit from implementation of the Children's Tax Credit in *(a)* Scotland and *(b)* the United Kingdom. [129925]

Dawn Primarolo: It is estimated that about five million families in the UK will benefit from the introduction of the Children's Tax Credit, of which about 400,000 are in Scotland.

Redundancy Pay

Paddy Ashdown: To ask the Chancellor of the Exchequer for what reasons money received on redundancy as pay in lieu of notice and holiday pay is treated for tax purposes as income for the tax year in which it is paid, in circumstances where it relates to a period of time within the following tax year; and if he will make a statement. [128182]

Dawn Primarolo *[holding answer 5 July 2000]:* The earnings of all employees and directors, including money received on redundancy as pay in lieu of notice and holiday pay, are taxed in the year in which they are received instead of the year for which they were earned. This way of taxing earnings was introduced in the 1989 Budget in order to simplify the method of assessment. There are no current plans to change this treatment.

Tax treatment of redundancy payments

Payments made solely to compensate for an individual being made redundant are taxable above a £30,000 exemption limit.

Tax treatment of payments in lieu of notice and holiday pay

Payments in lieu of notice are taxable in full if they are provided for in the contract of employment or if the employer customarily pays them. Other payments in lieu of notice are treated in the same way as redundancy payments, i.e. taxable above a £30,000 exemption limit. Holiday pay owed is taxable in full.

All of the above payments are taxed in the year in which they are received. Those payments which are taxable in full have been taxed in this way since 1989 and those payments which are taxable above a £30,000 exemption limit—i.e. redundancy payments and some payments in lieu of notice—have been taxed in this way since 1998.

Exports

Mrs. Browning: To ask the Chancellor of the Exchequer what percentage of UK goods exported to *(a)* Antwerp and *(b)* Rotterdam were for onward transit outside the EU in (i) 1997, (ii) 1998 and (iii) 1999. [129673]

Dawn Primarolo *[holding answer 7 July 2000]:* I refer the hon. Member to the replies I gave on 9 May 2000, *Official Report*, column 334W, and on 10 May 2000, *Official Report*, columns 400–01W, on the same subject.

Where goods are moved in transit through other EC countries while en route to non-EC countries, exporters are required to state the final country of destination on their customs declarations. Customs produce trade statistics on the basis of the declared final country of destination and do not record transit details.

However, some goods exported to other EC countries and reported as such may subsequently be exported on to a third country—e.g. by way of a further commercial transaction. The European trade statistics system does not allow for the identification of these movements.

Public Sector Workers (Home Loans)

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer, pursuant to his answer of 13 June 2000, *Official Report*, column 574W, on Public Sector Workers (Home Loans), whether a teacher employed in *(a)* a county school and *(b)* an independent school granted a preferential loan for housing by (i) the Department for Education and Employment, (ii) the Exchequer and (iii) the Department for the Environment, Transport and the Regions, would be liable for tax and national insurance contributions on that loan. [129713]

Dawn Primarolo *[holding answer 7 July 2000]:* On the basis that the teacher would not be an employee of a Government Department and the loan was neither guaranteed nor facilitated by the teacher's employer, the teacher would not be liable to income tax or national insurance contributions on the loan.

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer, pursuant to his answer of 13 June 2000, *Official Report*, column 574W, on Public Sector Workers (Home Loans), whether a nurse *(a)* in the NHS and *(b)* employed in a private sector hospital granted a preferential loan for housing by (i) the Department of Health, (ii) the Exchequer and (iii) the Department for the Environment, Transport and the Regions, would be liable for tax and national insurance contributions on that loan. [129714]

Dawn Primarolo *[holding answer 7 July 2000]:* On the basis that the nurse would not be an employee of a Government Department and the loan was neither guaranteed nor facilitated by the nurse's employer, the nurse would not be liable to income tax or national insurance contributions on the loan.

Judicial Review

Mr. Lidington: To ask the Chancellor of the Exchequer if he will place in the Library copies of the evidence which he has disclosed in the judicial review application of Williams Jeffery Barber on behalf of the National Crime Squad and others. [128922]

Dawn Primarolo *[holding answer 4 July 2000]:* Although the Chancellor is under no obligation to publish the evidence that is disclosed in a judicial review, a copy of the witness statement prepared by the Treasury for the judicial review will be placed in the Library.

Council Tax

Mr. Chope: To ask the Chancellor of the Exchequer how many *(a)* pensioners and *(b)* non-pensioner households spend more than 10 per cent. of their total expenditure on council tax. [125925]

Miss Melanie Johnson *[holding answer 14 June 2000]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. Christopher Chope, dated 10 July 2000:

As National Statistician I have been asked to reply to your recent question asking about spending on council tax. (125925)

The Family Expenditure Survey shows an estimated 230,000 pensioner households and 500,000 non-pensioner households in Great Britain spent more than 10 per cent. of their total expenditure on council tax in 1998–99, after deducting any discounts or benefits. Total expenditure is all spending on goods and services including mortgage interest, but excluding saving and investment, life assurance and medical insurance payments, and purchase or alteration of dwellings.

Like all estimates from sample surveys, these figures are subject to sampling variability.

Working Families Tax Credit

Mr. Woolas: To ask the Chancellor of the Exchequer (1) what estimate he has made of the cost of Working Families Tax Credit payments to families in receipt of child support payments; [128330]

(2) what estimate he has made of the number of families in receipt of both child support payments and Working Families Tax Credit. [128331]

Dawn Primarolo: A reliable estimate of the number of families in receipt of Working Families Tax Credit (WFTC) and which also receive maintenance payments is not yet available. All maintenance received is disregarded for WFTC, and the amount of maintenance received cannot be determined from the information processed for applications for WFTC. Household survey data available for analysis do not yet cover families receiving WFTC.

Written Answers to Questions

Tuesday 11 July 2000

DEFENCE

Shipbuilding

Mr. Quentin Davies: To ask the Secretary of State for Defence what reviews of British shipbuilding capabilities and capacity he is conducting; and if he will make a statement. [128770]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mr. Quentin Davies, dated 11 July 2000:

I am replying to your question to the Secretary of State for Defence about reviews of British shipbuilding capabilities and capacities. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

The Ministry of Defence keeps British shipbuilding capabilities and capacity under regular review, in consultation with other Government Departments, Trade Unions and representatives of the shipbuilding industry.

UK Shipbuilding yards play a crucial role in supplying warships and major vessels to the Royal Navy and Royal Fleet Auxiliary. As you are no doubt aware, the Strategic Defence Review announced a considerable commitment to the UK Shipbuilding Industry over the next 15–20 years; through major ship programmes, including the Future Aircraft Carrier, the Type 45 Destroyers and the Future Surface Combatant. These programmes provide a secure long-term platform for the UK Shipbuilding Industry to increase its efficiency and effectiveness.

Personal Weapons

Mr. Quentin Davies: To ask the Secretary of State for Defence how many personal weapons, and of which types, have been procured in each of the past five years; and how many are planned to be procured in the next five years. [128772]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mr. Quentin Davies, dated 11 July 2000:

I am replying to your question to the Secretary of State for Defence about the number and type of personal weapons that have been procured in the past 5 years and how many are planned to be procured in the next five years. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

The following personal weapons have been procured for the Armed services in the last 5 years:—

Weapon type	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*
Sub-machine guns	—	8	—	2	—	36
Shotguns	—	—	—	100	—	—
Pistols	—	—	—	—	491	—
Specialist rifles	—	—	—	—	—	139
New special forces small arm	—	—	—	—	—	1,380
Total per year	—	8	—	102	491	1,555

At present there are only two future purchases planned in the next five years: the Personal Defence Weapon, which will replace the current in-service 9 mm pistol, where we plan to procure up to 15,000 weapons and a small buy of about 20 large calibre Sniper Rifles.

Search Systems

Mr. Keetch: To ask the Secretary of State for Defence (1) what his Department's plans are for the incremental acquisition of new equipment on to the Nimrod MRA4; and if he will make a statement; [128711]

(2) how the Active Search Sonobuoy System will be capable of discriminating real submarine targets from false acoustic alarms; and if he will make a statement; [128709]

(3) how long the procurement of the Active Search Sonobuoy System will take; and if he will make a statement. [128710]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mr. Paul Keetch, dated 11 July 2000:

I am replying to your three questions (Nos 128709–128711) to the Secretary of State for Defence about the Nimrod MRA4 and Active Search Sonobuoy System. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

You asked about the Department's plans for the incremental acquisition of new equipment onto the Nimrod MRA4. As this aircraft is still in development, it is too early for a comprehensive plan of future enhancements to be drawn up. Nevertheless the opportunities offered under the Smart Procurement Initiative, through incremental acquisition, will be actively pursued at the appropriate time. At present, there is one new system which is being progressed with the aim of enhancing the aircraft's capability, that is the SR(SA)903 Active Search Sonobuoy System (ASSS).

You also asked how ASSS will be capable of discriminating real submarine targets from false acoustic alarms. ASSS will use sophisticated software which will analyse the acoustic signature of the contacts picked up by the sonobuoy. These solution algorithms will be able to discriminate real from false targets.

Your final question asked how long the procurement of the ASSS will take. Subject to the project being approved next year, the plan will be to deliver an ASSS capability in line with the In-Service Date of the main Nimrod MRA4 programme (March 2005).

BNFL (Berkeley Centre)

Mr. David Taylor: To ask the Secretary of State for Defence what progress has been made on the work for his Department being undertaken at the BNFL magnox facility at Berkeley Centre in Gloucestershire. [130418]

Mr. Spellar: The work undertaken for the Department by BNFL Magnox, Berkeley Centre, has been very successful, but it did not commence until June 1999 and has taken longer than anticipated because of problems developing the experimental apparatus. Further examination of spent fuel is taking place and it is now planned that the site will revert to its fully safeguarded status by 30 September 2000.

RAF Personnel Management Agency

Ms Ryan: To ask the Secretary of State for Defence what key targets have been set for the RAF Personnel Management Agency for the Financial Year 2000–01. [130366]

Mr. Spellar: Key Targets set for the RAF Personnel Management Agency for the Financial Year 2000–01 are set out in the table.

Performance indicator	*Target (percentage)*
Key target 1—Peacetime manning The percentage of available trained personnel either filling established posts or on diversions for which there is an approved Manning and Training Margin	92.75
Key target 2—War, crisis and MOD authorised unestablished commitments The percentage manning level of war, crisis and MOD authorised unestablished tasks	≥ 98
Key target 3—Career management The percentage of PMA's customers who are either satisfied or not dissatisfied with the service provided by the PMA	80
Key target 4—Manpower planning Percentage variation between actual trained strength and the authorised trained strength taken as an average over the financial year	No greater than ±1
Key target 5—Finance, efficiency and business practice Containment of operating costs within resources allocated	Cash allocation not exceeded

RAF Training Group Defence Agency

Ms Ryan: To ask the Secretary of State for Defence what Key Targets have been set for the RAF Training Group Defence Agency for the financial year 2000–01. [130367]

Mr. Spellar: Key Targets set for the Chief Executive of the Training Group Defence Agency for the Financial Year 2000–01 are set out as follows.

Key Target 1—training output

The number of RAF trainees who graduate	*Target*
K[illegible] quantity of output (ab initio flying training)	
Fast Jet Pilots	59
Multi-Engine Pilots	56
Rotary Wing Pilots	33
Fast Jet Navigators	28
Multi-Engine Navigators	8
Rotary Wing Navigators	10
Airman Aircrew	97
KT1b—quantity of output (ab initio ground training)	
Officer Initial Specialist Training	265
RAF Tradesman Training	2,014
RAF Regiment Induction	272

Key Target 2—training places

The number of training course places provided	*Target*
KT2a—training places (flying)	
Flying Training[1]	824
Flying Training[2]	83
Key Target 2b—training places (ground)	
RAF Pre-Employment and Career Development Training	31,607

[1] RN, Army Central Flying School RAF Refresher

[2] Foreign and Commonwealth courses

Key Target 3—quality of output

KT3—quality of output	*Target*
Satisfaction with the quality of graduate trainees as measured by the Agency's customer satisfaction matrix	Satisfactory Rating

Key Target 4—cost management

KT4—cost management	*Target*
Output based management	Deliver restricted Prototype of a Financial Management and Accounting system

Airborne Early Warning Capability

Mr. Quentin Davies: To ask the Secretary of State for Defence what plans he has to acquire a future naval airborne early warning capability; and if he will make a statement. [129228]

Dr. Moonie: We plan to acquire a Future Organic Airborne Early Warning (FOAEW) system to replace the capability currently provided by Sea King airborne early warning helicopters. FOAEW will operate from the Future Aircraft Carrier (CVF) and complement the deployment of the Future Carrier Borne Aircraft (FCBA). It will mount powerful radar systems to provide wide sensor coverage against both air and surface threats, and command and control for operations by the carrier air group. Expressions of interest for participation in the programme were sought from industry in February 2000. The planned in-service date for FOAEW is 2012.

Mr. Quentin Davies: To ask the Secretary of State for Defence how many Sea King airborne early warning variants are in service; how old they are; and how many are operationally available. [129229]

Dr. Moonie: There are 13 Sea King Airborne Early Warning helicopters in service. Of these, nine are operationally available, with the remainder undergoing major maintenance programmes and a capability upgrade. Ten of the airframes were first delivered to the Royal Navy between 1969 and 1971 and converted to the Airborne Early Warning variant between 1982 and 1987. The other three airframes first entered Service as in between 1985 and 1986, being converted during 1997 and 1998.

Mr. Quentin Davies: To ask the Secretary of State for Defence when he plans to withdraw the *(a)* Sea King airborne early warning and *(b)* Type 22 Batch II frigates from service. [129230]

Mr. Spellar: There are currently no plans to withdraw the Sea King Airborne Early Warning (Mk 2/7) aircraft from service.

Plans for the withdrawal from service of the Type 22 Batch 2 frigates currently in service are as follows:

HMS Sheffield

2012—to be superseded by a T45 Destroyer

HMS Coventry

2001—to be superseded by HMS St. Albans, a T23 Frigate.

Type 23 Frigates

Mr. Quentin Davies: To ask the Secretary of State for Defence which of the Type 23 Frigates are due for refit in the next 12 months. [129231]

Dr. Moonie: One Type 23 Frigate, HMS Iron Duke, is due to start refit at Rosyth Royal Dockyard in spring 2001.

RAF Aircraft

Mr. Quentin Davies: To ask the Secretary of State for Defence (1) what is the Royal Air Force's total inventory of Tornado F3s; and how many are operationally available; [128708]

(2) what is the Royal Air Force's total inventory of *(a)* Harrier GR7s, *(b)* Tornado GR1s and *(c)* Jaguar GR1s; and how many in (a), (b) and (c) are operationally available; [128706]

(3) how many Tornado GR4s are in operational service; [128705]

(4) how many *(a)* Tornado GR1, *(b)* Tornado F3 and *(c)* Jaguar GR1 are held in reserve; and how long it would take for the aircraft in *(a)*, *(b)* and *(c)* to be returned to front-line duties; [128707]

(5) how many Nimrod MR2s are *(a)* in service, *(b)* operationally available and *(c)* in the process of being upgraded to MR4 standard. [128703]

Mr. Spellar: The information requested is detailed in the table:

Aircraft type	*Total RAF inventory*	*Operating fleet*[1]	*Sustainment fleet*[2]	*Aircraft in storage*
Tornado F3	[3]138	85	29	—
Tornado GR1	110	73	[4]36	1
Tornado GR4	64	52	[5]12	—
Jaguar GR1/GR3/GR3A	[6]98	38	7	12
Harrier GR7	75[7]	52	[7]23	—
Nimrod MR2	[8]22	18	4	—

[1] Aircraft available to operational commanders

[2] Aircraft needed to sustain operations through major maintenance and upgrades

[3] 24 Tornado F3 currently not required by the RAF are on loan to the Italian Air Force

[4] 20 of these GR1 currently in conversion to GR4

[5] Three of these GR4 aircraft are on loan to DERA for trials

[6] 41 Jaguar GR1 are used as Ground Instructional Aircraft and are not available to fly

[7] Four of these Harrier GR7 are on loan to DERA for trials

[8] The Nimrod MR2s will be replaced by 21 Nimrod MRA4. Six airframes are currently in conversion to MRA4

The degree of operational urgency and availability of resources would dictate the time it would take to restore Tornado and Jaguar airframes in storage to front-line duties.

Belize

Mr. Key: To ask the Secretary of State for Defence what the cost of military assistance to Belize was in each year since 1992. [129078]

Mr. Spellar: The cost of military assistance provided by the Ministry of Defence to Belize has been as follows:

Financial Year	*£000*
1992–93	542
1993–94	793
1994–95	806
1995–96	835
1996–97	502
1997–98	272
1998–99	213
1999–2000	275

Note:

Provisional estimate

The Foreign and Commonwealth Office has also provided military assistance through the supply of non-lethal equipment under the Belize Defence Aid Fund (BELDA) and military training under the UK Military Training Assistance Scheme (UKMTAS) and its successor Assistance to Support Stability with In-Service Training (ASSIST). The allocations for these funds were as follows:

		£000
Financial Year	*BELDA*	*UKMTAS/ASSIST*
1992–93	450	475
1993–94	400	260
1994–95	400	325
1995–96	400	325
1996–97	350	325

£000

Financial Year	*BELDA*	*UKMTAS/ASSIST*
1997–98	300	300
1998–99	250	240
1999–2000	200	200

SIFF Programme

Mr. Hunter: To ask the Secretary of State for Defence if he will make a statement on the Successor SIFF programme, indicating when a final decision will be made. [129388]

Dr. Moonie: I refer the hon. Member to the answer given to him on 4 July 2000, *Official Report*, column 127W, by my hon. Friend the Minister for the Armed Forces.

RAF Mildenhall

Mr. Gill: To ask the Secretary of State for Defence which Polish contractors were invited to bid for work on a support centre at RAF Mildenhall; and what reasons underlay the decision to include these contractors in the bidding process. [129403]

Mr. Spellar *[holding answer 6 July 2000]:* Two Polish contractors, Exbud Joint Stock Company and Mostostal Zabrze Holding, were invited to tender for the contract to provide an Operations Support Centre at RAF Mildenhall.

The reasons for including these firms in the bidding process stem from Poland's membership of NATO.

The Support Centre at RAF Mildenhall has been identified as being eligible for NATO funding under NATO's Security Investment Programme (NSIP). The contract for this work has been opened to International Competitive Bidding (ICB).

Under ICB arrangements, firms nominated by NATO member nations that contribute to the NSIP funding must be invited to tender for the work.

The two firms in question were nominated by the Polish Embassy in London and invited to bid.

During the tender period both Exbud and Mostostal Zabrze declined to tender.

Meteorological Office

Mr. Wallace: To ask the Secretary of State for Defence what was the cost to the Meteorological Office of the recruitment campaign undertaken in late 1999 and January seeking extra observers, including the cost of press advertisements. [129453]

Dr. Moonie: This is a matter for the Chief Executive of the Meteorological Office. I have asked the Chief Executive to write to the hon. and learned Member.

Letter from Peter Ewins to Mr. James Wallace, dated 11 July 2000:

I am replying to your question to the Secretary of State for Defence about the cost to The Met. Office of the recruitment campaign undertaken in late 1999 and January seeking extra observers. This matter falls within my area of responsibility as Chief Executive of The Met. Office.

The cost of the campaign, including the cost of press advertisement, was £26,340.

Submarines

Mr. Quentin Davies: To ask the Secretary of State for Defence what the location and operational status is of each of the Royal Navy's *(a)* Trafalgar Class and *(b)* Swiftsure Class submarines. [129858]

Mr. Hoon: *(a)* Of the Royal Navy's seven Trafalgar Class submarines, three are operationally available and four are in refit, extended maintenance or repair.

(b) Of the RN's five Swiftsure Class, three are operationally available and two are in refit, extended maintenance or repair.

Class	*Operational or engaged in preparing for service, trials or training*	*Undergoing refit, extended maintenance or repair*
Swiftsure	Sovereign Splendid Superb	Sceptre (Rosyth) Spartan (Rosyth)
Trafalgar	Trafalgar Triumph Turbulent	Talent (Devonport) Tireless (Gibraltar) Torbay (Devonport) Trenchant (Devonport)

The specific operational status and location of each operational submarine is classified for security reasons and is being withheld under Exemption 1 of the Code of Practice on Access to Government Information.

Balkans

Mr. Robathan: To ask the Secretary of State for Defence what estimate he has made of the proportion of cluster munitions dropped by the RAF in Kosovo that failed to explode. [129934]

Mr. Spellar: I refer the hon. Member to the answer I gave my hon. Friend the Member for Leyton and Wanstead (Mr. Cohen) on 24 January 2000, *Official Report*, column 59W.

Mr. Robathan: To ask the Secretary of State for Defence what money has been allocated to the clearance of unexploded ordnance, with particular reference to cluster munitions dropped by the RAF in Kosovo. [129936]

Mr. Spellar: While British forces continue to play a part—particularly in the clearance of unexploded ordnance—clear-up and reconstruction after a conflict are matters for civil agencies within the international community rather than specifically for the Ministry of Defence.

The Department for International Development provided more than £7 million during the 1999–2000 financial year for the clearance of mines and unexploded ordnance in Kosovo. So far, a further £6.6 million has been committed in the current financial year.

Mr. Robathan: To ask the Secretary of State for Defence how many Army reservists in total have served in Kosovo, Macedonia and Albania since the beginning of the conflict there last year. [129935]

Mr. Spellar: Since December 1998, we have mobilised 555 members of the Territorial Army and 253 Regular Reservists for service in Kosovo, Macedonia and Albania, making a total of 808 reservists.

Ceremonial

Mr. Baker: To ask the Secretary of State for Defence what assessment he has made of the benefits of *(a)* Trooping the Colour and *(b)* Beating the Retreat in formulating his policy on each ceremony. [128808]

Dr. Moonie *[holding answer 3 July 2000]:* The Trooping of the Colour is a birthday parade laid on by the Household Division for Her Majesty the Queen as their Sovereign and Colonel in Chief. Beating the Retreat raises funds for service charities. Both events are a traditional display of pageantry and the excellent skills of our service personnel and increase the standing and esteem of the armed forces in the eyes of the public.

These are important factors in our current planning for armed forces events to be held in London annually from 2001 onwards.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Defence, pursuant to his answer of 26 June 2000, *Official Report*, column 408W, on departmental vehicles, if he will list the number of *(a)* cars and *(b)* commercial vehicles by make and model. [129075]

Mr. Spellar: I have arranged for a list showing the number of vehicles by make to be placed in the Library of the House. A further breakdown of the 23,000 vehicles by model could be provided only at disproportionate cost.

SA80 Refit

Mr. Duncan Smith: To ask the Secretary of State for Defence what reasons have been given by Heckler and Koch for the SA80 refit to be carried out in Germany. [129665]

Mr. Hoon *[holding answer 7 July 2000]:* Royal Ordnance submitted a bid to the Ministry of Defence on the basis that the bulk of the modification programme should be carried out at Heckler and Koch's Obendorf facility where the original modifications were designed and implemented. The company has indicated that to carry out the modification work elsewhere would require it to invest in the acquisition of new specialist tooling equipment and the transfer of technical expertise from Obendorf, and maintains that conducting the modification work there represents the lowest risk to the timescale and cost of the programme. Equally, early indications are that work on stripping and refurbishment of weapons prior to modification could most sensibly be done in the UK.

General Purpose Machine Gun

Mr. Duncan Smith: To ask the Secretary of State for Defence what the current timescale is for phasing out the use of the General Purpose Machine Gun. [129667]

Dr. Moonie *[holding answer 7 July 2000]:* The General Purpose Machine Gun (GPMG) in the Light Role is due to be withdrawn from service in 2015; those variants that are mounted onto vehicles or helicopters will be withdrawn in line with the relevant out of service date for the platform.

Mr. Duncan Smith: To ask the Secretary of State for Defence if he will list the facilities *(a)* in the United Kingdom and *(b)* elsewhere which (i) manufacture the general purpose machine gun barrel and (ii) are capable of manufacturing the general purpose machine gun barrel. [129668]

Dr. Moonie *[holding answer 7 July 2000]:* In the UK, the Nottingham Small Arms Factory, which trades as H&K UK Ltd. located within RO Nottingham, is capable of manufacturing the general purpose machine gun (GPMG) barrel. Elsewhere, the Heckler and Koch (H&K) facility at Oberndorf, Germany and the Fabrique Nationale (FN) facility at Herstal, Belgium also have the capability to manufacture the GPMG barrel.

Mr. Duncan Smith: To ask the Secretary of State for Defence how many general purpose machine guns *(a)* are in service and *(b)* were received into service in each of the last five years. [129666]

Dr. Moonie *[holding answer 7 July 2000]:* There are currently some 11,300 general purpose machine guns (GPMG) in service. No purchases of the GPMG have been made in any of the last five years.

Small Arms

Mr. Duncan Smith: To ask the Secretary of State for Defence what facilities in the United Kingdom are capable of high volume production of small arms at short notice; and of these, which have test and range facilities. [129664]

Dr. Moonie *[holding answer 7 July 2000]:* I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Chinook Crash

Mr. Arbuthnot: To ask the Secretary of State for Defence in relation to the 1994 Chinook crash, (1) what assessment he has made of the state of health of Flight Lieutenant Tapper *(a)* five minutes, *(b)* four minutes, *(c)* three minutes, *(d)* two minutes and *(e)* one minute before the crash; [129288]

(2) what assessment he has made of the state of health of Flight Lieutenant Cook *(a)* five minutes, *(b)* four minutes, *(c)* three minutes, *(d)* two minutes and *(e)* one minute before the crash. [129289]

Mr. Spellar: The RAF Board of Inquiry determined that Flight Lieutenants Tapper and Cook were free from emotional stress, and were well rested and physically fit prior to commencing duty on 2 June 1994. A complete medical examination of their bodies was carried out after the crash by a team headed by a consultant forensic pathologist. This showed that both were in good health and had taken neither alcohol nor drugs. Nothing was found to suggest that an explosion or any noxious agent played any part in the accident. The Board of Inquiry concluded that the mental and physical state of Flight Lieutenants Tapper and Cook was most unlikely to have been a factor in the accident.

EDUCATION AND EMPLOYMENT

Pesticides

Mr. Tyler: To ask the Secretary of State for Education and Employment what advice to local education authorities and to schools his Department has given on the use of the organophosphate pesticide chlorpyrifos in proprietary products. [129992]

Ms Estelle Morris *[holding answer 10 July 2000]:* Proprietary insecticides whose active ingredient is Chlorpyrifos, an organophosphate, continue to be available for use within schools and in school grounds. However, the HSE/DETR, MAFF and the Advisory Committee on Pesticides are currently looking at the implications for the use of these products in the UK, following the recent American restrictions on their use.

The precautionary procedures for dealing with risks from pesticides do not depend on special instructions being issued to schools. They rely on: approved uses for products; instructions for use, on the product and the packaging; and the design of suitable containers for the products.

Teenage Pregnancy

Ms McCafferty: To ask the Secretary of State for Education and Employment how many 16 and 17-year-old parents *(a)* have taken and *(b)* are taking part in the education maintenance allowance pilots following the publication of the Social Exclusion Unit report, "Teenage Pregnancy", in June 1999. [129254]

Mr. Wicks *[holding answer 10 July 2000]:* This information is not available at the present time. There is no special treatment of teenage parents in the main EMA pilots, but the evaluation should provide an indication of the numbers involved and will provide an assessment of any factors which are particularly relevant to teenage parents. The first results from this evaluation should be available towards the end of this year. Also, from September, two of the 15 original EMA pilot areas (Stoke-on-Trent and Cornwall) will test out additional flexibilities intended to help teenage parents participate in education, while still maintaining the 'something for something' principle.

Residential Care Homes

Dr. Cable: To ask the Secretary of State for Education and Employment with what frequency residential care homes are subject to Ofsted inspections; and what the Chief Inspector's assessment is of the educational standards of residential care establishments. [129771]

Ms Estelle Morris: Ofsted inspects and reports upon residential independent schools catering for pupils with special educational needs, which are registered as schools and children's homes, at least once in a six-year period. At the request of the Social Services Inspectorate, Ofsted participates in inspections of Secure Units, which take place at intervals of approximately three years. Ofsted does not inspect the education provided in other types of residential care establishments for young people. HM Chief Inspector's annual report for 1998–99 contains sections about residential special schools (page 59) and the education of young people in secure accommodation (pages 64–65).

Ritalin

Angela Smith: To ask the Secretary of State for Education and Employment (1) what guidance he issues to schools regarding the use of Ritalin; [129957]

(2) what recent representations he has received on the use of Ritalin. [129958]

Jacqui Smith: My Department and the Department of Health have jointly issued a good practice guide, "Supporting Pupils with Medical Needs", which includes general advice for schools on dealing with medicines safely. It also provides guidance on drawing up individual health care plans for pupils with medical needs, which could include the use of Ritalin if appropriate. My Department has not issued other specific guidance to schools on the use of Ritalin, and we have not received any representations recently on this issue.

Inner-city Schools

Mr. Hesford: To ask the Secretary of State for Education and Employment what recent steps he has taken to improve standards in inner-city schools. [129439]

Ms Estelle Morris: I refer my hon. Friend to the reply I gave on 3 July 2000, *Official Report*, columns 75–76W.

Bladder Problems (Women)

Mr. Austin: To ask the Secretary of State for Education and Employment what plans the Women's Unit has to commission research into the effect of bladder problems on the quality of life of women affected by the condition. [129125]

Ms Jowell *[holding answer 6 July 2000]:* The Women's Unit has no plans to commission research into the effect of bladder problems on the quality of life of women affected by the condition.

Mr. Austin: To ask the Secretary of State for Education and Employment what evidence he has received concerning the number of women over the age of 35 who experience bladder problems; and if he will make a statement. [129124]

Ms Jowell *[holding answer 6 July 2000]:* I have not, in my capacity as Minister responsible for Women, received any evidence concerning the number of women over the age of 35 who experience bladder problems. However, the Department of Health statistics show that 68,410 women aged 35 and over with bladder problems were admitted to NHS hospitals in England during the period 1998–99.

LEA/Constituency Configuration

Mr. Willis: To ask the Secretary of State for Education and Employment which parliamentary constituencies fall within which local education authorities. [129459]

Ms Estelle Morris: The information requested is shown in the table.

LEA name	*Parliamentary constituencies*
City of London	Cities of London and Westminster
Camden	Hampstead and Highgate; Holborn and St. Pancras
Greenwich	Eltham; Erith and Thamesmead; Greenwich and Woolwich
Hackney	Hackney North and Stoke Newington; Hackney South and Shoreditch
Hammersmith and Fulham	Hammersmith and Fulham Ealing Acton and Shepherd's Bush
Islington	Islington North; Islington South and Finsbury
Kensington and Chelsea	Kensington and Chelsea; Regent's Park and Kensington North
Lambeth	Dulwich and West Norwood; Streatham; Vauxhall
Lewisham	Lewisham Deptford; Lewisham East; Lewisham West
Southwark	Camberwell and Peckham; Dulwich and West Norwood; Southwark North and Bermondsey
Tower Hamlets	Bethnal Green and Bow; Poplar and Canning Town
Wandsworth	Battersea; Putney; Tooting
Westminster	Cities of London and Westminster; Regents Park and Kensington North
Barking and Dagenham	Barking; Dagenham
Barnet	Chipping Barnet; Finchley and Golders Green; Hendon
Bexley	Bexleyheath and Crayford; Erith and Thamesmead; Old Bexley and Sidcup
Brent	Brent East; Brent North; Brent South
Bromley	Beckenham; Bromley and Chislehurst; Orpington
Croydon	Croydon Central; Croydon North; Croydon South
Ealing	Ealing Acton and Shepherd's Bush; Ealing North; Ealing Southall
Enfield	Edmonton; Enfield North; Enfield Southgate
Haringey	Hornsey and Wood Green; Tottenham
Harrow	Harrow East; Harrow West
Havering	Hornchurch; Romford; Upminster
Hillingdon	Hayes and Harlington; Ruislip-Northwood; Uxbridge
Hounslow	Brentford and Isleworth; Feltham and Heston
Kingston upon Thames	Kingston and Surbiton; Richmond Park
Merton	Mitcham and Morden; Wimbledon
Newham	East Ham; Poplar and Cannington Town; West Ham
Redbridge	Chingford and Woodford Green; Ilford North; Ilford South; Leyton and Wanstead
Richmond upon Thames	Richmond Park; Twickenham
Sutton	Carshalton and Wallington; Sutton and Cheam
Waltham Forest	Chingford and Woodford Green; Leyton and Wanstead; Walthamstow
Birmingham	Birmingham Edgbaston; Birmingham Erdington; Birmingham Hall Green; Birmingham Hodge Hill; Birmingham Ladywood; Birmingham Northfield; Birmingham Perry Barr; Birmingham Selly Oak; Birmingham Sparkbrook and Small Heath; Birmingham Yardley; Sutton Coldfield
Coventry	Coventry North East; Coventry North West; Coventry South
Dudley	Dudley North; Dudley South; Halesowen and Rowley Regis; Stourbridge
Sandwell	Halesowen and Rowley Regis; Warley; West Bromwich East; West Bromwich West
Solihull	Meriden; Solihull
Walsall	Aldridge-Brownhills; Walsall North; Walsall South
Wolverhampton	Wolverhampton North East; Wolverhampton South East; Wolverhampton South West
Knowsley	Knowsley North and Sefton East; Knowsley South
Liverpool	Liverpool Garston; Liverpool Riverside; Liverpool Walton; Liverpool Wavertree; Liverpool West Derby
St. Helens	St. Helens North; St. Helens South
Sefton	Bootle; Crosby; Knowsley North and Sefton East; Southport
Wirral	Birkenhead; Wallasey; Wirral South; Wirral West
Bolton	Bolton North East; Bolton South East; Bolton West
Bury	Bury North; Bury South
Manchester	Manchester Blackley; Manchester Central; Manchester Gorton; Manchester Withington; Wythenshawe and Sale East
Oldham	Ashton under Lyne; Oldham East and Saddleworth; Oldham West and Royton
Rochdale	Heywood and Middleton; Oldham East and Saddleworth; Rochdale
Salford	Eccles; Salford; Worsley
Stockport	Cheadle; Denton and Reddish; Hazel Grove; Stockport
Tameside	Ashton Under Lyne; Denton and Redditch; Stalybridge and Hyde
Trafford	Altrincham and Sale West; Stretford and Urmston; Wythenshawe and Sale East
Wigan	Leigh; Makerfield; Wigan; Worsley
Barnsley	Barnsley Central; Barnsley East and Mexborough; Barnsley West and Penistone
Doncaster	Barnsley East and Mexborough; Doncaster Central; Doncaster North; Don Valley
Rotherham	Rotherham; Rother Valley; Wentworth
Sheffield	Sheffield Attercliffe; Sheffield Brightside; Sheffield Central; Sheffield Hallam; Sheffield Heeley; Sheffield Hillsborough
Bradford	Bradford North; Bradford South; Bradford West; Keighley; Shipley
Calderdale	Calder Valley; Halifax
Kirklees	Batley and Spen; Colne Valley; Dewsbury; Huddersfield; Wakefield
Leeds	Elmet; Leeds Central; Leeds East; Leeds North East; Leeds North West; Leeds West; Morley and Rothwell; Pudsey
Wakefield	Hemsworth; Normanton; Pontefract and Castleford; Wakefield
Gateshead	Blaydon; Gateshead East and Washington West; Jarrow; Tyne Bridge
Newcastle upon Tyne	Newcastle upon Tyne Central; Newcastle upon Tyne East and Wallsend; Newcastle upon Tyne North; Tyne Bridge
North Tyneside	Newcastle upon Tyne East and Wallsend; North Tyneside; Tynemouth
South Tyneside	Jarrow; South Shields

LEA name	*Parliamentary constituencies*
Sunderland	Gateshead East and Washington West; Houghton and Washington East; Sunderland North; Sunderland South
Isles of Scilly	St. Ives
Bath and North East Somerset	Bath; Wansdyke
Bristol, City of	Bristol East; Bristol North West; Bristol South; Bristol West; Kingswood
North Somerset	Weston-super-Mare; Woodspring
South Gloucestershire	Bristol North West; Kingswood; Northavon; Wansdyke
Hartlepool	Hartlepool
Middlesbrough	Middlesbrough; Middlesbrough South and East Cleveland
Redcar and Cleveland	Middlesbrough South and East Cleveland; Redcar
Stockton-on-Tees	Stockton North; Stockton South
Kingston upon Hull, City of	Hull East, Hull North; Hull West and Hessle
East Riding of Yorkshire	Beverley and Holderness; Brigg and Goole; East Yorkshire; Haltemprice and Howden; Hull West and Hessle
North East Lincolnshire	Cleethorpes; Great Grimsby
North Lincolnshire	Brigg and Goole; Cleethorpes; Scunthorpe
North Yorkshire	Harrogate and Knaresborough; Richmond; Tyedale; Scarborough and Whitby; Selby; Skipton and Ripon; Vale of York
York	Ryedale; Selby; Vale of York; York, City of
Bedfordshire	Bedford; Bedfordshire Mid; Bedfordshire North East; Bedfordshire South West; Luton South
Luton	Luton North; Luton South
Buckinghamshire	Aylesbury; Beaconsfield; Buckingham; Chesham and Amersham; Wycombe
Milton Keynes	Milton Keynes North East; Milton Keynes South West
Derbyshire	Amber Valley; Bolsover; Chesterfield; Derbyshire North East; Derbyshire South; Derbyshire West; Erewash; High Peak
Derby	Derby North; Derby South; Derbyshire South
Dorset	Christchurch; Dorset North; Dorset Mid and Poole North; Dorset South; Dorset West
~~Poole~~	Poole; Dorset Mid and Poole North
Bournemouth	Bournemouth East; Bournemouth West
Durham	Bishop Auckland; City of Durham; Durham North; Durham North West; Easington; Sedgfield
Darlington	Darlington; Sedgefield
East Sussex	Bexhill and Battle; Brighton Kemptown; Eastbourne; Hastings and Rye; Lewes; Wealden
Brighton and Hove	Brighton Kemptown; Brighton Pavillion; Hove
Hampshire	Aldershot; Basingstoke; Eastleigh; Fareham; Gosport; Hampshire East; Hampshire North East; Hampshire North West; Havant; New Forest East; New Forest West; Romsey, Winchester
Portsmouth	Portsmouth North, Portsmouth South
Southampton	Romsey, Southampton Itchen; Southampton Test
Leicestershire	Blaby; Bosworth; Charnwood; Harborough; Leicestershire North West; Loughborough; Rutland and Melton
Leicester	Leicester East; Leicester South; Leicester West
Rutland	Rutland and Melton
Staffordshire	Burton; Cannock Chase; Lichfield; Newcastle-under-Lyme; Stafford; Staffordshire Moorlands; Staffordshire South; Stoke-on-Trent North; Stone; Tamworth
Stoke-on-Trent	Stoke-on-Trent Central; Stoke-on-Trent North; Stoke-on-Trent South
Wiltshire	Devises; Salisbury; Swindon North; Westbury; Wiltshire North
Swindon	Swindon North; Swindon South
Bracknell Forest	Bracknell; Windsor
Windsor and Maidenhead	Maidenhead; Windsor
West Berkshire	Newbury; Reading West; Wokingham
Reading	Reading East; Reading West
Slough	Slough; Windsor
Wokingham	Bracknell; Maidenhead; Reading East; Wokingham
Cambridgeshire	Cambridge; Cambridgeshire North East; Cambridgeshire North West; Cambridgeshire South East; Cambridgeshire South; Huntingdon
Peterborough	Cambridgeshire North East; Cambridgeshire North West; Peterborough
Cheshire	City of Chester; Congleton; Crewe and Nantwich; Eddisbury; Ellesmere Port and Neston; Macclesfield; Tatton; Weaver Vale
Halton	Halton; Weaver Vale
Warrington	Warrington North; Warrington South
Devon	Devon East; Devon North; Devon West and Torridge; Devon South West; Exeter; Plymouth Devonport; Plymouth Sutton; Teignbridge; Tiverton and Honiton; Totnes
Plymouth	Devon South West; Plymouth Devonport; Plymouth Sutton
Torbay	Torbay; Totnes
Essex	Basildon; Billericay; Braintree; Brentwood and Ongar; Castle Point; Chelmsford West; Colchester; Epping Forest; Essex North; Harlow; Harwich; Maldon and East Chelmsford; Rayleigh; Rochford and Southend East; Saffron Walden
Southend-on-Sea	Rochford and Southend East; Southend West
Thurrock	Basildon; Thurrock
Herefordshire	Hereford, Leominster
Worcestershire	Bromsgrove; Leominster; Redditch; Worcester; Worcestershire Mid; Worcestershire West; Wyre Forest
Kent	Ashford; Canterbury; Chatham and Aylesford; Dartford; Dover; Faversham and Mid Kent; Folkstone and Hythe; Gravesham; Maidstone and the Weald; Sevenoaks; Sittingbourne and Sheppey; Thanet North; Thanet South; Tonbridge and Malling; Tunbridge Wells
Medway	Chatham and Aylesford; Gillingham; Medway

LEA name	*Parliamentary constituencies*
Lancashire	Blackpool North and Fleetwood; Burnley; Chorley; Fylde; Hyndburn; Lancaster and Wyre; Lancashire West; Morecambe and Lunesdale; Pendle; Preston; Ribble South; Ribble Valley; Rossendale and Darwen
Blackburn with Darwen	Blackburn; Rossendale and Darwen
Blackpool	Blackpool North and Fleetwood; Blackpool South
Nottinghamshire	Ashfield; Bassettlaw; Broxtowe; Gedling; Mansfield; Newark; Rushcliffe; Sherwood
Nottingham	Nottingham East; Nottingham North; Nottingham South
Shropshire	Ludlow; Shrewsbury and Atcham; Shropshire North; The Wrekin
Telford and Wrekin	Telford; The Wrekin
Cornwall	Cornwall North; Cornwall South East; Falmouth and Cambourne; St. Ives; Truro and St. Austell
Cumbria	Barrow and Furness; Carlisle; Copeland; Penrith and the Border; Westmorland and Lonsdale; Workington
Gloucestershire	Cheltenham; Cotswold; Forest of Dean; Gloucester; Stroud; Tewkesbury
Hertfordshire	Broxbourne; Hemel Hempstead; Hertford and Stortford; Hertfordshire North East; Hertfordshire South West; Hertsmere; Hitchin and Harpenden; St. Albans; Stevenage; Watford; Welwyn and Hatfield
Isle of Wight	Isle of Wight
Lincolnshire	Boston and Skegness; Gainsborough; Grantham and Stamford; Lincoln; Louth and Horncastle; Sleaford and North Hykeham; South Holland and the Deepings
Norfolk	Great Yarmouth; Norfolk Mid; Norfolk North; Norfolk North West; Norfolk South; Norfolk South West; Norwich North; Norwich South
Northamptonshire	Corby; Daventry; Kettering; Northampton North; Northampton South; Wellingborough
Northumberland	Berwick-upon-Tweed; Blyth Valley; Hexam; Wansbeck
Oxfordshire	Banbury; Henley; Oxford East; Oxford West and Abingdon; Wantage; Witney
Somerset	Bridgewater; Somerton and Frome; Taunton; Wells; Yeovil
Suffolk	Bury St. Edmunds; Ipswich; Suffolk Central and Ipswich North; Suffolk Coastal; Suffolk South; Suffolk West; Waveney
Surrey	Epsom and Ewell; Esher and Walton; Guildford; Mole Valley; Reigate; Runneymede and Weybridge; Spelthorne; Surrey East; Surrey Heath; Surrey South West Woking
Warwickshire	Nuneaton, Rugby and Kenilworth; Stratford-on-Avon; Warwick and Leamington; Warwickshire North
West Sussex	Arundel and South Downs; Bognor Regis and Littlehampton; Chichester; Crawley; Horsham; Sussex Mid; Worthington East and Shoreham; Worthing West

Student Drop-outs

Mr. Levitt: To ask the Secretary of State for Education and Employment what the drop-out rate was for students on courses of further education in the most recent academic year for which figures are available. [129704]

Mr. Wicks: Published figures are in terms of the median college in-year retention rate, which in 1997–98 was 87 per cent. for full-time students and 84 per cent. for part-time students.

Source:

"Performance Indicators 1997–98: Further Education College in England", Further Education Funding Council, September 1999.

Standards Funds

Mr. Sawford: To ask the Secretary of State for Education and Employment how he will ensure that education authorities which have a below average Standard Spending Assessment per pupil are able to take full advantage of the money offered through the Standards Fund. [129696]

Ms Estelle Morris: For 2000–01, local education authorities have now accepted over 98 per cent. of the allocations offered to them through the Standards Fund. Most authorities accepted their allocations in full, including authorities that have below average standard spending assessments per pupil. The requirement for authorities to contribute to the Standards Fund was allowed for in the 5.4 per cent. increase in education Standard Spending Assessment. In addition, schools have received a share of the £290 million funding increase announced in the budget to further drive up standards, and benefit from their share of the £50 million extra in grant for general support of school budgets announced in November. Since 1997, spending per pupil has increased £300 in real terms.

Private Finance Initiative

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what monitoring is undertaken of Private Finance Initiative contracts for *(a)* schools, *(b)* further education colleges and *(c)* higher education institutions; and if he will make a statement. [129203]

Mr. Wicks: Responsibility for monitoring PFI projects lies with the relevant procuring body. For schools, monitoring is the responsibility of local education authorities or other procuring bodies. The Department informs the Department of the Environment, Transport and the Regions about services and payments arising from new projects, so that the overall level of revenue commitments can be monitored.

The Further Education Funding Council supports colleges in developing projects and monitors educational achievement, financial returns and the efficient use of property. The Higher Education Funding Council for England monitors progress by requiring higher education institutions to submit progress reports on PFI contracts as part of their annual financial forecasts.

The Department works closely with LEAs and the Funding Councils to ensure that procedures are in place to monitor progress and value for money effectively.

Correspondence

Mrs. Roe: To ask the Secretary of State for Education and Employment when the hon. Member for Broxbourne will receive a reply to her letters to him of 14 April, 11 May, 8 June and 6 July, relating to her constituent, the Secretary of the East Hertfordshire Branch of the National Union of Teachers. [130117]

Mr. Wills: A reply will be issued today.

Undergraduates

Dr. Lynne Jones: To ask the Secretary of State for Education and Employment how many home-domiciled applicants aged under 21 there were to *(a)* full-time and *(b)* sandwich undergraduate courses in each of the last three years; and how many acceptances there were onto such courses, indicating (i) the proportion of the age group in each socio-economic group this represents and (ii) the proportion of acceptances that were (A) to former polytechnics and (B) accepted in an institution in the locality of the applicant's home address. [127724]

Mr. Wicks: The available information is shown in the table.

Applicants and acceptances to full-time and sandwich undergraduate courses in the UK via the Universities and Colleges Admissions Service (UCAS)

Home domiciled students aged under 21

	1997	*1998*	*1999*
Applicants	300,926	303,729	306,809
Acceptances	237,519	239,663	245,626
Percentage of acceptances to former polytechnics	35.2	35.5	35.1
Percentage of acceptances to institutions in the applicant's home region[1]	42.2	42.3	43.5
Participation rates by social class[2]			
Non-manual household head[4]	48	45	[3]45–46
Manual household head[5]	18	17	[3]17–18

[1] Based on Standard Statistical Regions in 1997 and Government office Regions in 1998 and 1999. Data at a more disaggregated geographical level are not available centrally.

[2] Derived from the number of initial entrants to full-time undergraduate courses and population data from the 1991 census.

[3] Provisional estimates.

[4] Social Classes, I, II, IIIN (Professional, Intermediate, Skilled non-manual).

[5] Classes IIIM, IV, V (Skilled manual, Partly skilled, Unskilled).

The social class mix of the underlying population is taken directly from the 1991 Census. Over time this approach becomes less reliable, particularly at a disagreggated level and the social class groupings have therefore been aggregated.

Over the period shown, participation rates of young people by social class have fluctuated in line with overall participation. These overall trends in part reflect a large increase in the size of the age-group and the decision by some students to pull forward their year of entry to higher education from 1998 to 1997 in advance of the introduction of fees. Over the same period the proportion of young students who come from the lower social classes (IIIM, IV, V) has remained constant at around 27 per cent. and the proportion who come from the higher social classes (I, II, IIIN) has remained at around 73 per cent.

HEALTH

Health Authorities

Mr. Harvey: To ask the Secretary of State for Health which *(a)* NHS trusts and *(b)* health authorities fall within which parliamentary constituencies. [129460]

Ms Stuart: A copy of the information available has been placed in the Library. The information refers only to England and does not contain a direct mapping of constituency to trust, only health authority to trust and health authority to constituency.

Press Releases

Mr. Steen: To ask the Secretary of State for Health how many press releases his Department has issued in the first six months of the present year. [130188]

Ms Stuart: The Department has issued 395 press releases in the first six months of the present year.

Osteopathy

Mr. Brake: To ask the Secretary of State for Health (1) what arrangements will be made to support students *(a)* financially and *(b)* otherwise in obtaining a professionally recognised osteopathy qualification who are currently students at the John Wernham College of Classical Osteopathy; [130017]

(2) how many students will be affected by the decision of the General Osteopathic Council to refuse accreditation to *(a)* the John Wernham College of Classical Osteopathy and *(b)* similar colleges in the UK; [130015]

(3) how many vacancies exist in the UK on osteopathy courses accredited by the General Osteopathic Council; [130016]

(4) what discussions he has had with the General Osteopathic Council regarding the decision to refuse accreditation to the John Wernham College of Classical Osteopathy; and if he will make a statement. [130013]

Yvette Cooper: I have had no discussions with the General Osteopathic Council (GOsC) on these matters. Under the Osteopaths Act 1993, the GOsC may formally recognise osteopathic qualifications for the purposes of statutory registration with the approval of the Privy Council. However, the Act does not require the GOsC to seek the approval of the Privy Council for any decision it makes not to recognise a qualification. I understand that the John Wernham College of Classical Osteopathy has been given leave to apply for a judicial review of GOsC's decision in its case.

The Department has been informed that some 75 students at the John Wernham College are likely to be affected by the GOsC's decision not to recognise its qualification. The college, and its validating body the North East Surrey College of Technology, are responsible for advising and assisting those students. The GOsC has no statutory duty to assist students in these circumstances but has requested that all schools of osteopathy applying to have their qualifications recognised prepare a contingency plan in the event that their applications are unsuccessful. It is now trying to assist the John Wernham College to activate its contingency plan.

The GOsC has recognised osteopathic qualifications provided by five other schools. The Department has been informed that these currently cater for around 850 students in total but the Department does not have information on any vacancies that may exist.

HOUSE OF COMMONS

Lightbulbs

Mr. Brake: To ask the Chairman of the Accommodation and Works Committee what percentage of lightbulbs used in the House are low energy. [129379]

Sir Sydney Chapman: Some 75 per cent. of lightbulbs on the parliamentary estate are of the low energy type. More light fittings will be adapted for low energy lightbulbs during the Summer Adjournment as part of a continuing exercise.

Recycling

Mr. Brake: To ask the Chairman of the Accommodation and Works Committee in what location in the House waste paper for recycling is sorted from other waste. [129383]

Sir Sydney Chapman: Under the present waste disposal contract, Vote Office waste paper is recycled and other waste paper is incinerated to generate electricity for the national grid; competitive tendering showed that it would cost an additional £250,000 to separate more waste paper for recycling. The Accommodation and Works Committee has, however, resolved that the issue should be considered again when the contracts are next retendered.

Mr. Brake: To ask the Chairman of the Accommodation and Works Committee what plans there are to introduce facilities for the recycling of *(a)* plastics, *(b)* aluminium and steel and *(c)* glass in the House. [129377]

Sir Sydney Chapman: The House has a contract with London Waste Ltd. for waste disposal. As part of the disposal process, the company recovers ferrous and non-ferrous metals for recycling; glass is also recycled separately. General kitchen waste and packaging are incinerated, generating electricity for the national grid.

Renewable Energy

Mr. Brake: To ask the Chairman of the Accommodation and Works Committee what percentage of electricity used in the House is supplied from renewable sources. [129378]

Sir Sydney Chapman: At present none of the energy used in the House is from renewable sources. Power for the House is purchased in the competitive market on the basis of lowest price, and energy from renewable sources has proved more expensive in the past. It is the intention to obtain prices for renewable energy as part of the exercise to renew contracts for electricity supplies later this year.

Annunciators

Mr. Brake: To ask the Chairman of the Accommodation and Works Committee how many annunciators there are in the House. [129380]

Sir Sydney Chapman: There are 900 annunciators in the Palace of Westminster, and 1,718 on the Parliamentary estate as a whole.

Paper

Mr. Brake: To ask the Chairman of the Administration Committee (1) what was the volume of paper provided by the House in each of the last three years; [129381]

(2) what percentage of paper provided by the House in the last 12 months was made from recycled paper. [129382]

Mrs. Roe: This is a matter for the Serjeant at Arms; I have asked him to write to the hon. Member.

Organic Food and Drink

Mr. Brake: To ask the Chairman of the Catering Committee what percentage of food and drink served in the House is organic. [129376]

Mr. Dennis Turner: The House of Commons Refreshment Department does not compile any statistics on the quantity of organic food and drink purchased or sold through its catering operations. The Department is a member of the Soil Association and recognises the significant demand for organic produce. Last year the Department introduced, on a trial basis, an organic menu in the Members' Dining Room. While indisputably popular with its customers, the menu was reluctantly discontinued as a consequence of the inconsistent availability and quality of supply, and the high cost of such produce. The Department now pursues a policy of purchasing organic produce or ingredients wherever consistent availability and quality can be guaranteed by suppliers, and where it is judged that the price to be passed on to the Department's customers is affordable.

Environmental Performance

Mr. Brake: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what *(a)* measures and *(b)* targets have been established relating to the use by the House of Commons' of resources and the Government's targets for environmental performance. [129317]

Mr. Kirkwood: The Parliamentary Works Directorate is preparing to operate an environmental management system under ISO 14001. Using the Property Advisers to the Civil Estate (PACE) methodology, which was recently promulgated, measurements are being made of the percentage of our total office waste which is recovered. Targets for improvement are then to be set. Energy usage is closely monitored and significant savings will be achieved when Portcullis House is occupied and other buildings are vacated.

INTERNATIONAL DEVELOPMENT

Departmental Payments

Mr. Chope: To ask the Secretary of State for International Development what percentage of correctly presented bills were paid by her Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130037]

Clare Short: In line with Treasury guidance my Department's standard payment terms commit us to paying bills within 30 days of receipt of the goods or services or the presentation of a valid invoice, whichever is the later. The percentage of invoices settled within the 30 day period during the last financial year was 96.8 per cent. The comparable figure for 1998–99 was 96.3 per cent. We do not generally enter into different payment terms.

Bangladesh

Ms Oona King: To ask the Secretary of State for International Development if Bangladesh qualifies for debt relief under the Heavily Indebted Poor Countries initiative. [129595]

Clare Short: From the latest information available, Bangladesh's debt sustainability ratios are below the minimum thresholds used by the enhanced Heavily Indebted Poor Countries (HIPC) initiative, which means that it would not qualify for debt relief.

For a country to receive HIPC debt relief, it requires not only unsustainable levels of debt, but also a commitment to poverty reduction and reform. In the case of Bangladesh, any consideration of debt relief would be likely to require further progress in areas such as public expenditure allocations on essential services for poor people, measures to improve the quality of public services, improving revenue administration, and a serious start on structural measures such as financial sector and public enterprise reform.

Our substantial aid programme to Bangladesh—£65 million in 1999–2000—focuses on promoting the reduction of poverty both directly and by addressing constraints on faster pro-poor growth and improved governance.

Telephone Steering Systems

Mr. Ben Chapman: To ask the Secretary of State for International Development how many of her Department's telephone lines used by the general public are responded to by touch tone telephone steering systems. [129615]

Clare Short: My Department has no telephone lines used by the general public that are responded to by touch tone telephone steering systems.

Mr. Ben Chapman: To ask the Secretary of State for International Development how many agencies of her Department use touch tone telephone steering systems when dealing with telephone inquiries from the general public. [129632]

Clare Short: This Department does not have any agencies.

WALES

Inward Investment

Mr. Barry Jones: To ask the Secretary of State for Wales what discussions he has had with the First Secretary concerning the prospects for inward investment to Wales; and if he will make a statement. [129499]

Mr. Paul Murphy: I have regular discussions with the First Secretary about a range of topics including the prospects for inward investment to Wales.

Wales continues to do well in attracting inward investment, but cannot afford to be complacent in the face of increasingly severe competition. Every effort is being made to raise awareness of Wales and to improve the potential for investment. The National Assembly, Welsh Development Agency and others will continue to keep existing measures under review. I believe that this will place Wales in a good position to exploit all opportunities for securing future investment.

PFI Contracts

Mr. Alan Williams: To ask the Secretary of State for Wales if he will list the PFI contracts entered into by the Welsh Office prior to July 1999, indicating *(a)* their dates of commencement, *(b)* their value, *(c)* if they have been subject to refinancing and *(d)* if his Office has a claw-back entitlement to share in savings arising from refinancing. [129060]

Mr. Paul Murphy: The information requested is as follows:

OSIRIS—IT Network

(a) June 1996
(b) £48 million
(c) No
(d) Not applicable

A55 Anglesey Dualling

(a) December 1998
(b) £110 million
(c) No
(d) Not applicable.

National Insurance

Mr. Webb: To ask the Secretary of State for Wales what has been the policy since 1989 on writing annually to those of his Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129477]

Mr. Paul Murphy: From 1989 to 1 July 1999 it was not the policy of the Welsh Office to write annually to members of staff who pay reduced rate National Insurance contributions.

The Wales Office does not currently have any staff who pay such a reduced rate, but it is intended that an office notice will be issued annually, to remind any member of staff who may be paying reduced rates of the necessity of informing Personnel of any change in circumstances.

Departmental Payments

Mr. Chope: To ask the Secretary of State for Wales what percentage of correctly presented bills were paid by his Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130044]

Mr. Paul Murphy: The percentage of currently presented bills paid by my Department within 30 days of receipt of the valid invoice or the satisfactory receipt of goods/services, whichever was the later, or the agreed contractual terms if otherwise specified, was *(a)* 97 per cent. for 1989–99 and *(b)* 97 per cent. for 1999–2000.

TRADE AND INDUSTRY

Saudi Oil

Mr. Cohen: To ask the Secretary of State for Trade and Industry if he will make a statement on the oil trade component in the Al Yamamah agreements with Saudi Arabia; and what assessment he has made of the impact of oil price changes on those arrangements with Saudi Arabia since 1985. [129362]

Mr. Hoon: I have been asked to reply.

Details of the funding arrangements under the Al Yamamah agreements are confidential between Her Majesty's Government and the United Kingdom of Saudi Arabia and I am therefore withholding that information under the provisions of Exemption 1 of Part II of the Code of Practice on access to Government Information. However, the funding arrangements of the Al Yamamah programme are kept under review by both the Ministry of Defence and the Saudi Arabian Government and adjustments have been made periodically in response to prevailing economic conditions.

Research Councils

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry how much money each research council allocated to the public understanding of science in each year since 1994. [128278]

Ms Hewitt: Research Council expenditure on public understanding of science activities in the years 1994–95 to 1999–2000 was as follows:

Research Council Public Understanding Spend

£million

	1994–95	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
BBSRC	0.28	0.32	0.40	0.40	0.60	0.80
EPSRC	0.55	0.93	0.93	0.93	0.93	0.93
ESRC	—	—	0.53	0.59	0.54	0.75
MRC	0.10	0.30	0.20	0.33	0.66	0.51
NERC	0.16	0.16	0.14	0.23	0.15	0.15
PPARC	0.20	0.20	0.32	0.33	0.44	0.53
Total	1.29	1.91	2.52	2.81	3.32	3.67

In the case of MRC and ESRC these figures also include some public relations activity not accounted for separately.

These figures do not include public understanding work undertaken by Research Council grant holders as a condition of their grant, as figures on this activity are generally not available. However, as an example, BBSRC estimates that the value of such activity undertaken by its own grant holders totals at least £3 million per annum. The figures also exclude the significant amount of activity undertaken by Research Council funded institutes/centres, figures for which are not available centrally.

Engineering

Mrs. Curtis-Thomas: To ask the Secretary of State for Trade and Industry what *(a)* steps he has taken and *(b)* funding has been allocated to promote (i) science engineering and (ii) other science activities to (A) children and (B) the public in each year since 1994. [128277]

Ms Hewitt: There is a great deal of activity led by industrial interests and charities to which the Government's efforts are complementary. The Government support a range of activities to promote science and engineering to children and the general public. We also consider that it is important to do more than promote science and engineering, and takes steps to involve the public over major scientific issues and to increase the opportunities for dialogue. Except for some very specific activities, it is not practicable to provide accurate total costings of promotional activities or to provide a breakdown for the cost of activities aimed at children.

My Department's largest investment is through the Science Budget grant-aided activities of the Research Councils, who all have science promotion as one of their responsibilities. Estimates of expenditure by the Research Councils are given in answer to the preceding question. The Royal Society also undertakes activities in this area some of which are grant-aided from the Science Budget at about £1 million per annum, and supports among other things the activities of COPUS.

The Department also administers two main programmes. A general programme administered by the Office of Science and Technology (OST), provides core funding to the British Association for the Advancement of Science, and funds the BA's co-ordination of National Science Week. It also provides additional support for the COPUS grants scheme, including its projects aimed specifically at promoting SET for women and ethnic minorities, and funds innovative projects aimed at bringing science to a wider audience through, for example, drama, art, and the Internet. In order to gain a better understanding of the public's attitudes to science, the OST also funded last year's 'Public Consultation on Developments in the Biosciences', and this year, in partnership with the Wellcome Trust, has undertaken a survey looking at public attitudes to science in the UK. The OST's budget for these activities in 1994–95 was £1.0 million, and has since risen to an average of £1.25 million per annum.

The second main programme, supported from the Department's Innovation Budget specifically supports engineering and has had several manifestations since 1994. They include:

> The Action for Engineering (AfE) Initiative ran from October 1994 to June 1996. AfE brought together 125 people representing industry, education, the engineering profession and Government to take co-ordinated action to increase substantially the influence, involvement and achievement of professional engineers for the benefit of British industry. A total of £820,000 was spent under this programme over the period 1994 to 1999.
>
> One of the key outcomes of AfE was the establishment of the Science Engineering Technology Mathematics Network (SETNET), which has the objective of bringing coherence and co-ordination to the many schemes and resources aimed at fostering the teaching and learning of engineering related subjects (the sciences, mathematics, design and technology) in schools. In the period 1996–99, SETNET received funding of half a million pounds. A further £260,000 has been committed in this financial year to enable SETNET to plan for expansion of its network of SETpoints.
>
> The Year of Engineering Success (YES), which followed AfE in January 1997, was an industry led initiative that received some £520,000 in Government support. It was aimed at increasing the awareness of the vital contribution of engineering to the nation's success and prosperity, through an ambitious public participation exercise during the calendar year 1997.
>
> The Campaign to Promote Engineering (CPE) was formally launched in July 1998 following the conclusion of the YES. Funding of up to £425,000 per annum was approved in February 1999 for an initial three years with an option for a further two years after review.

The various scientific advisory bodies, including those that fall within my Department's responsibilities all see engagement of the general public as an important part of their activities, and the Chief Scientific Adviser's Guidelines on the use of scientific advice in policy-making stress the importance of transparency.

"Made in Britain"

Mr. Loughton: To ask the Secretary of State for Trade and Industry what "Made in Britain" emblems are available from his Department to British companies to mark the country of origin of their products. [125677]

Mrs. Liddell *[holding answer 12 June 2000]:* None.

Royal Mail

Mrs. Browning: To ask the Secretary of State for Trade and Industry what assessment he has made of the disruption to post for businesses as a result of recent industrial action at Royal Mail offices in North London; and if he will make a statement. [130187]

Mr. Byers: This is an operational matter for the Post Office.

Mr. Paice: To ask the Secretary of State for Trade and Industry what representations he has received regarding Royal Mail's decision to cease the use of private motor vehicles for delivery; and what assessment he has made of its impact upon service in rural areas. [129983]

Mr. Alan Johnson *[holding answer 10 July 2000]:* I have received no representations on this matter. Such decisions are an operational matter for the Post Office. I understand that Royal Mail does not plan any deliveries on the basis of the use of private cars and that all deliveries have a designated mode of official transport. However, some employees have preferred to use their own private vehicles to travel to and from their deliveries. I understand that a pilot scheme to discontinue the use of private motor vehicles on delivery has had no impact on service.

Japanese Automotive Companies

Mr. Chope: To ask the Secretary of State for Trade and Industry what evidence underlay the statement in his Department's recent memorandum to the Trade and Industry Committee concerning the total amount of inward investment in the UK planned by Japanese automotive companies. [130047]

Ms Hewitt: The total amount of inward investment in the UK referred to in the memorandum represents commitments made by Japanese automotive companies in manufacturing facilities in the UK, some of which has yet to be spent.

Vehicle Manufacturing

Mr. Chope: To ask the Secretary of State for Trade and Industry what evidence underlay the statement in his Department's recent memorandum to the Trade and Industry Committee on the competitive environment for vehicle manufacturing in the UK. [130046]

Mr. Alan Johnson: The recent problems at BMW and Ford are not indicative of the general state of the UK vehicle manufacturing industry. The evidence points to a robust UK vehicle manufacturing industry: in 1999 car exports at 1.1 million were the highest ever; UK sales were the 4th highest on record and UK car production at its highest level since 1972[1].

Significant new investment continues, with c£2.0 billion worth of capital expenditure and c8,000 new jobs announced since 1997. This year alone (2000) GM/Vauxhall has announced a £189 million investment plan for its three UK plants and Honda £130 million for the modernisation of its manufacturing line at Swindon.

We consider that this demonstrates that a positive environment exists in the UK in which to do business.

[1] *Source:*

SMMT

Post Offices

Mr. Chidgey: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 29 November 1999, *Official Report*, column 22W, to the hon. Member for Birmingham, Erdington (Mr. Corbett) how many post offices there are in each constituency; and how many of them are operating unprofitably in each constituency. [130050]

Mr. Alan Johnson: I understand from the Post Office that the information given in the answer to the hon. Member for Erdington on 29 November 1999, *Official Report*, column 22W, remains the most recent data available on the number of post offices in each parliamentary constituency.

I would also refer the hon. Member to the answer given to him on 5 July 2000, *Official Report*, column 210W.

BNFL

Mr. Miller: To ask the Secretary of State for Trade and Industry if he will make a statement on the MOX fuel supplied to Japan by BNFL in respect of which data had been falsified. [130369]

Mrs. Liddell: I am pleased that agreement on a resolution to this problem has today been reached. BNFL has agreed that it should bring back to the UK the fuel at Takahama in Japan. BNFL's Japanese customer, Kansai Electric Power Company, has today announced that it has lifted the moratorium that it imposed on BNFL on 17 January this year on new reprocessing and MOX business with Japan.

The Government have long recognised that finding a solution to this problem, while primarily a matter between the two companies, gave rise to various inter-government issues, including on implementation of the return of fuel. These considerations are set out in an agreement that the Government have today signed with the Government of Japan. There are two aspects to this inter-governmental agreement, an understanding based on our discussions with the Government of Japan, and a letter from my Department to Kansai Electric Power Company. Both documents are being placed in the Library of the House.

Small Businesses

Mr. Miller: To ask the Secretary of State for Trade and Industry what operational targets he has set for the Small Business Service for 2000–01. [130370]

Ms Hewitt: The Small Business Service (SBS) was established on 1 April. The Framework Document, which sets out the relationship between the SBS and the Department of Trade and Industry, has already been placed in the Library of the House.

I have agreed with David Irwin, the Chief Executive, that the mission of the SBS should be to build an enterprise society in which all small businesses thrive and achieve their potential.

The aims of the SBS are:

To help all small businesses realise their potential;

To promote world class business support to enhance the performance of small firms with growth potential;

To help promote enterprise across society and particularly in under-represented groups and disadvantaged communities; and

To achieve the highest standards of service delivery and provide value for money.

I expect the SBS to review its plans regularly in response to the needs of small businesses, particularly in its first year of operation. In line with the request for all Agencies to be given operational targets, I have set the following targets for the 2000–01 year:

Operational Targets

150,000 individuals and businesses to use SBS services each quarter;

80 per cent. of customers to be satisfied;

SBS service standards to be published by September 2000;

Review business support services and publish the results by December 2000;

Establish an index of the impact of regulation on small businesses by December 2000;

45 franchises to be established by April 2001;

Establish the Information and Advisory Service, including systems to allow on-line transactions and notification of regulation to small businesses by April 2001.

Finance

100 per cent. of valid invoices paid within 30 days.

Questions Delegated to the Chief Executive

Chief Executive to reply to all letters within 10 working days, including letters from MPs delegated to him for reply.

Investors in People

SBS Agency to achieve its own recognition as an Investor in People by 31 March 2001.

Mr. Fearn: To ask the Secretary of State for Trade and Industry if he will introduce a small business employers' charter stipulating the rights of employers. [129954]

Ms Hewitt: The Government have no plans to introduce an employers' charter as described.

The European Charter for Small Enterprises, agreed last month at the Feira Council, set out a number of commitments to help small businesses. Areas for action, both at the European and member state level, include improving access to finance, enhancing business support, better regulation and strengthening innovation and entrepreneurship. These actions are designed to ensure that small businesses thrive in the European Union and that it becomes the most competitive and dynamic knowledge-based economy in the world.

Petroleum Prices

Mr. Pollard: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 8 June 2000, *Official Report*, column 298W, on petroleum prices, what recent discussions he has had with the petroleum industry on the supply of petroleum to the United Kingdom market; what assessment he has made of the statement made by OPEC in Vienna on 21 June that the high level of crude oil prices was in part a consequence of market speculation; and if he will make a statement. [129303]

Mrs. Liddell: Officials in my Department meet regularly with Oil Industry representatives. A number of factors are influencing crude oil and product prices at the current time. Market speculation is always one of these.

Mr. Pollard: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 8 June 2000, *Official Report*, column 298W, on petroleum prices in the United Kingdom, what recent discussions he has had with OPEC regarding increases in production. [129301]

Mrs. Liddell: The Government are not a member of OPEC and have no direct contact with it. Through membership of the International Energy Agency we do, however, engage in and encourage dialogue between groups of oil consuming and oil producing countries on matters of common interest.

Mr. Pollard: To ask the Secretary of State for Trade and Industry, pursuant to his answer of 8 June 2000, *Official Report*, column 298W, on petroleum prices, what assessment he has made of when the OPEC decision of 21 June, to increase production to above pre-March 1999 levels with effect from 1 July, will be reflected in petroleum prices in the United Kingdom; and if he will make a statement. [129302]

Mrs. Liddell: Petrol prices, which were rising for a variety of reasons not limited to the price of crude oil, are expected to ease soon. The OPEC decision of 21 June has not yet had an impact on crude oil prices and the timing of any reduction remains unclear.

Internet Access

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what percentage of the population of each county in Wales has access to the internet. [129752]

Ms Hewitt: Figures are not available for individual counties in Wales. However, figures from the Family Expenditure Survey show that 15 per cent. of households in Wales could access the internet from a home computer, averaged over the financial year 1999–2000, up from 7 per cent. in the previous year.

Nuclear Fuel

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what plans he has to publish information on the civil plutonium inventory. [129968]

Mrs. Liddell: Figures for the United Kingdom's civil plutonium holdings are published by my Department each year and are placed in the Libraries of both Houses. The most recent were published on 13 June 2000 covering holdings at 31 December 1999.

Mr. Llew Smith: To ask the Secretary of State for Trade and Industry what recent assessment *(a)* his Department, *(b)* consultants to his Department and *(c)* non-departmental public bodies responsible to his Department have made of electrometallurgical techniques to process spent nuclear fuel as developed in the (i) United States and (ii) Russia. [129966]

Mrs. Liddell: DTI has made no assessment of electrometallurgical techniques to process spent nuclear fuels, nor have we commissioned consultants to do so. The United Kingdom Atomic Energy Authority, a non-departmental body reporting to DTI, recently considered pyrometallurgical processing (developed in the United States) as a potential technology for the future management of nuclear fuels at its Dounreay site. It concluded that the technology was not a practicable option for dealing with the non-metallic fuels at Dounreay, and that the waste products might not be acceptable in the UK without further treatment.

FOREIGN AND COMMONWEALTH AFFAIRS

Moluccas

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent reports he has received concerning the destruction of the Christian University in the Moluccas. [129457]

Mr. Battle: I refer the hon. Member to the answer I gave him on 10 July 2000, *Official Report*, column 390W. We are disturbed by press reports that State Pattimura University in Ambon has been attacked. We will continue to monitor the situation closely.

Kashmir

Dr. Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what reports he has received about physical attacks on the Chairman of the Hurriyat conference in Kashmir; and if he will make a statement. [129946]

Mr. Hain: We are aware of media reports of an incident involving the Chairman of the all-party Hurriyat conference, Syed Ali Shah Gilani, on 30 June in Kashmir. We condemn all acts of violence and abuses of human rights which bring suffering to the people of Kashmir.

Greece

Mr. Maude: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government's assessment of UK threat levels to, and protective measures for, UK diplomatic staff in Greece has changed since the date of its submission on this subject to the Foreign Affairs Committee. [129758]

Mr. Battle *[holding answer 7 July 2000]:* We increased the level of our threat assessment to British Diplomatic and Military interests throughout mainland Greece in the immediate aftermath of the assassination of Brigadier Saunders. No further change has been made since then. Measures to increase security are being implemented following the visit of a specialist security adviser.

Community Forums

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Community Forums held by his Department to encourage wider ethnic diversity in the Diplomatic Service. [129929]

Mr. Hain: I am grateful to my hon. Friend for hosting the successful Community Forum which the Department recently organised in Glasgow. Community Forums enable the Department to reach out to communities that might otherwise not have considered the Foreign Office as a career for their young people. The Minister of State, my hon. Friend the Member for Leeds, West (Mr. Battle) hosted a Forum in Leeds yesterday. I am delighted that the Forums, together with other initiatives taken by the Department and which we continue to pursue, have led to a significant increase in the number of applications from members of minority ethnic communities.

Feira Presidency

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will deposit in the Library the paper referred to in section II. A. 1 of the first annexe of the Feira Presidency conclusions. [129811]

Mr. Vaz: Yes.

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reason, in Annexe 1 of the Feira Presidency conclusions, DSACEUR rather than SACEUR will be consulted on the headline goal; and if he will make a statement on the proposed involvement of the United States Government. [129919]

Mr. Vaz: DSACEUR operates under the overall command of SACEUR. NATO has made DSACEUR the focal point within the Alliance for issues relating to ESDI. Given DSACEUR's European responsibilities, he can make an important contribution to NATO input to the elaboration of the EU's Headline Goal.

The decisions taken at the Feira European Council will ensure effective transparency and dialogue between NATO and the EU, particular EU/NATO Working Groups on security, capability goals, EU access to NATO assets and permanent EU/NATO structures. The United States Government will be fully involved in this process. President Clinton has welcomed the Feira Conclusions.

European Treaties

Mr. Mitchell: To ask the Secretary of State for Foreign and Commonwealth Affairs how many European documents have been designated as treaties by statutory instrument under section 1(3) of the European Communities Act 1973 in the periods *(a)* 1973 to 1982, *(b)* 1983 to 1993 and *(c)* 1994 to 1999. [130073]

Mr. Vaz: Between 1973 and 1982, 31 European Documents were designated as treaties under section 1(3) of the European Communities Act 1972. From 1983 to 1993 this number was 10, and from 1994 to 1999, 31.

Democratic Republic of the Congo

Mr. Coleman: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the export of a truck to the Democratic Republic of the Congo. [130365]

Mr. Hain: Following consultations with this Department and the Ministry of Defence, the Department of Trade and Industry issued an export licence for an ex-military Bedford 4x4 truck for use by the Catholic Relief Service in Kinshasa. This will provide the Catholic Relief Service with the means to deliver urgent humanitarian assistance. We are satisfied that the truck will not be used for military purposes. This decision is consistent with and does not affect the Government's continued support for the EU Common Position on arms exports to the Democratic Republic of the Congo.

Bosnia-Herzegovina

Ms Buck: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the export of two military rated trucks to the United Methodist Committee for Relief in Bosnia-Herzegovina. [130368]

Mr. Vaz: The Government have approved the export of two 4x4 wheel drive all purpose vehicles to the United Methodist Committee for Relief in Sarajevo. These goods are of ex-army stock and are rated on the Military List. The Committee needs the trucks to distribute relief to remote villages in the region. The Committee has substantially modified the trucks to curtail their military applications and has undertaken that the vehicles will be for their sole use.

This decision does not affect the Government's continued support for the EU Common Position on arms exports to Bosnia-Herzegovina.

David Chell

Mr. Hilary Benn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Malaysia about the case of Mr. David Chell. [130085]

Mr. Hain: We have not yet made any representations about the case of David Chell in Malaysia. However, if the death sentence is upheld once the appeals process is exhausted we will make strong representations to the Malaysian Government to grant clemency and have the sentence commuted. We would also consider making representations if, after all legal remedies have been exhausted, Mr. Chell and his lawyer have prima facie evidence of a miscarriage or denial of justice.

Departmental Payments

Mr. Chope: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of correctly presented bills were paid by his Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130032]

Mr. Hain: In 1998–99 the Foreign and Commonwealth Office paid 97.7 per cent. of such bills. In 1999 this figures rose to 97.9 per cent. Calculations are in accordance with HM Treasury's approved method.

CULTURE, MEDIA AND SPORT

Arts

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what the per capita Government spending was on the arts in *(a)* England, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland in the last financial year; and what his planned figures are for the current year. [129725]

Mr. Chris Smith *[holding answer 7 July 2000]:* Central Government grant in aid spend per capita, distributed by the Arts Council of England, was: for 1999–2000 £4.57 (final outturn); and for 2000–01 £4.75 (projected). Projected figures can differ from those of final outturn: these calculations are based on population estimates (final figures for which will be available later this summer).

I have also asked the Devolved Administrations of Scotland, Wales and Northern Ireland to provide this information. When it is available, I will write to the hon. Member, and place a copy in the Library of the House.

Millennium Dome

Mr. Cox: To ask the Secretary of State for Culture, Media and Sport how many visitors there have been to the Millennium Dome. [129963]

Janet Anderson: Attendance at the Dome to date totals 3.28 million, making it the most popular pay-to-visit attraction in the UK. Visitors figures are posted on the Dome website (www.dome2000.co.uk) monthly.

Mr. Redwood: To ask the Secretary of State for Culture, Media and Sport if he will publish the total sums of *(a)* Lottery and *(b)* public money spent and pledged to the Dome project. [123983]

Janet Anderson *[holding answer 5 June 2000]:* A total of £538 million of National Lottery money has been granted to the project. No taxpayers' money has been invested in the Dome.

Mr. Redwood: To ask the Secretary of State for Culture, Media and Sport (1) if he will publish the forecasts of cash shortfall at the Dome if visitor numbers are below the present estimate for the rest of the year; [123981]

(2) what forecasts he has made of the projected revenue and costs of the Millennium Dome. [124478]

Janet Anderson *[holding answer 5 June 2000]:* The New Millennium Experience Company's (NMEC) current business plan is based on 6 million revenue-generating visitors. Should visitor numbers fall below this level the business plan will need to be reviewed. Details of the business plan are commercially confidential. NMEC's most recent budget, contained within the business plan, is as follows:

Project Lifetime Expenditure

Dome structure and associated infrastructure—£271.2 million

Set-up costs, Staff, Accommodation, IT, Legal and Corporate Services—£55.4 million

Commercial, Communications and Marketing—£42.7 million

Exhibits and Attractions—£240.2 million

Operations and Running costs in year of operation—£104.6 million

National Programme: Projects (£37.3 million) and Programme Support (£9.9 million)—£47.2 million

Project Lifetime Income

Millennium Commission Grant—£525 million

Commercial Income—£86 million

Sponsorship Income—£123 million (excludes sponsorship by Ford and BT who have designed, built and funded their zones)

Legacy: Sale of Dome—£30.0 million (as budgeted prior to the Legacy competition commencing. Original 1997 budget provision of £15 million was on the basis that the Dome would remain on-site for one year only)

Total budget is £758 million plus an additional £3 million granted by the Millennium Commission to enhance marketing of the Millennium Experience.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport, pursuant to his answer of 21 June 2000, *Official Report*, column 232W, on the Millennium Dome, in what way the precise content of a winning bid for the Dome's legacy might affect the division of the proceeds between the New Millennium Experience Company and English Partnerships. [128004]

Janet Anderson *[holding answer 27 June 2000]:* The recommended decision on the division of proceeds will be taken by Ministers in my Department, the Department of the Environment, Transport and the Regions (DETR), the Cabinet Office and HM Treasury. In taking this decision Ministers will receive information and advice from the New Millennium Experience Company (NMEC), English Partnerships, the Millennium Commission, and officials in their respective Departments. This will include information about the nature of the preferred bid, including the associated financial offer and the land and other assets required. Such information will be taken into account in deciding how the proceeds of the sale will be divided between NMEC and EP.

National Lottery

Mr. Ruane: To ask the Secretary of State for Culture, Media and Sport how many *(a)* successful and *(b)* unsuccessful applications for Lottery funding there have been from each constituency in the UK, ranked in descending order of the number of successful applications. [129747]

Kate Hoey *[holding answer 7 July 2000]:* I have today placed a table showing the number of successful Lottery applications by constituency, ranked in descending order of the number of applications, in the Libraries of the House. This information is taken from my Department's National Lottery Awards database. No complete list of unsuccessful applications by constituency is available.

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport what the administration costs were as a percentage of Lottery income for each of the Lottery funding bodies in the most recent year for which figures are available. [129533]

Kate Hoey *[holding answer 10 July 2000]:* The percentage of Lottery income spent on financing administration costs for each of the Lottery funding bodies during the financial year of 1998–99 (the most recent year for which figures are available from all distributors) is set out in the table:

Distributing body	*Percentage administration*
Sports Council Scotland	6.3
Sports Council Wales	3.6
Sports Council Northern Ireland	6.8
Sports England	4.8
Arts Council England	9.1
Scottish Arts Council	7.9
Arts Council Northern Ireland	7.5
Arts Council Wales	8.1
Heritage Lottery Fund	3.8
National Lottery Charity Board	8.0
New Opportunities Fund	1.0
Millennium Commission	3.2

Miss Geraldine Smith: To ask the Secretary of State for Culture, Media and Sport how much Lottery money was awarded to projects in the Morecambe and Lunesdale constituency *(a)* between 1993 and May 1997 and *(b)* since May 1997; and if he will list the projects which received funding. [128343]

Kate Hoey: According to my Department's National Lottery Awards Database, between the start of the Lottery (November 1994) and 30 April 1997, 24 Lottery awards, with a total value of £3,419,980 were made in the Morecambe and Lunesdale constituency. From 1 May 1997 to 30 June 2000, the database indicates that 44 awards, with a total value of £2,240,908 were made. I am today placing lists of these projects in the Libraries of the House.

Telephone Steering Systems

Mr. Ben Chapman: To ask the Secretary of State for Culture, Media and Sport how many agencies of his Department use touch tone telephone steering systems when dealing with telephone inquiries from the general public. [129636]

Mr. Chris Smith: The only Agency of my Department is the Royal Parks Agency, who do not use any touch tone telephone steering systems for public telephone lines.

Mr. Ben Chapman: To ask the Secretary of State for Culture, Media and Sport how many of his Department's telephone lines used by the general public are responded to by touch tone telephone steering systems. [129618]

Mr. Chris Smith: My Department does not use any touch tone telephone steering systems for public telephone lines.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Culture, Media and Sport if he will list for his Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if he will make a statement on his Department's leasing and purchasing policy. [128985]

Mr. Chris Smith: I refer my hon. Friend to my answer to his earlier question on 19 May 2000, *Official Report*, column 280W.

The Royal Parks Agency does not operate an approved list of manufacturers for the vehicles it leases. It operates a number of framework agreements which are all obtained within the framework of "The Public Supply Contract Regulations 1995". The contractors chosen are those which offer the most economically advantageous tender in terms of both price and technical considerations. The vehicles are specified by the standards and performance they are required to meet and not by manufacturer.

New Deal

Mr. Brady: To ask the Secretary of State for Culture, Media and Sport how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage of total staff this represents. [129144]

Mr. Chris Smith: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Bradford, North (Mr. Rooney) on 6 July 2000, *Official Report*, column 286W.

The number of New Dealers within my Department as at 1 April 2000 is 4, or 1 per cent. of total staff. There are currently no New Dealers employed in the Royal Parks Agency.

New Millennium Experience Company

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will publish the correspondence between the Chief Executive of the New Millennium Experience Company and the Accounting Officer of the Millennium Commission regarding the request for an additional grant of £38.6 million. [126873]

Mr. Chris Smith *[holding answer 19 June 2000]:* On 9 June the National Audit Office wrote to the Chairman of the Public Accounts Committee enclosing a paper on the circumstances in which an Accounting Officer Direction was given to the Millennium Commission Accounting Officer. The substance of the application for grant is contained within the paper, which has been placed in the Libraries of the House.

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what indemnities have been granted to directors of the New Millennium Experience Company. [126870]

Janet Anderson *[holding answer 19 June 2000]:* The New Millennium Experience Company considers that publication of details of indemnities are commercially in confidence. To reveal details would adversely affect the NMEC's ability to operate in an effective and commercial manner.

Mr. Cohen: To ask the Secretary of State for Culture, Media and Sport when the New Millennium Experience Company will produce its annual report. [128484]

Janet Anderson: The New Millennium Experience Company (NMEC) will publish its Annual Report and Financial Statement before the start of Parliamentary recess. Copies of the Report will be placed in the Libraries of the House.

SCOTLAND

Special Advisers

Mr. Tyrie: To ask the Secretary of State for Scotland on how many occasions since 31 March 1999 *(a)* departmental and *(b)* non-departmental special advisers have travelled abroad in an official capacity. [124119]

Dr. Reid *[holding answer 5 June 2000]:* None.

AGRICULTURE, FISHERIES AND FOOD

Pig Farmers

Mr. Gill: To ask the Minister of Agriculture, Fisheries and Food what cash resources he has allocated for an outgoers scheme for pig farmers. [129398]

Ms Quin *[holding answer 6 July 2000]:* In the "Action Plan for Farming", £26 million was allocated to the Pig Industry Restructuring Scheme (PIRS) in its first year. As the outgoers element of the PIRS will operate using a sealed bid system, it is not possible to estimate how much of this initial £26 million will be used on this part of the scheme. However, the aim of using a sealed bid system is to obtain the best value for money, with the expectation that a good proportion of the £26 million, plus the additional funds for which bids have been made, can be available for the ongoers element.

CABINET OFFICE

Ministerial Residences

Mr. Gordon Prentice: To ask the Minister for the Cabinet Office if she will establish an official residence in the County Palatine. [128881]

Marjorie Mowlam: I have no plans to establish an official residence in the County Palatine. The Duchy of Lancaster has an estate office in Lancashire which is sufficient for the Duchy's needs.

Telephone Steering Systems

Mr. Ben Chapman: To ask the Minister for the Cabinet Office how many of her Department's telephone lines used by the general public are responded to by touch tone telephone steering systems. [129625]

Mr. Ian McCartney: One. The Cabinet Office public inquiry telephone is the only Cabinet Office line that uses a touch tone steering system.

Mr. Ben Chapman: To ask the Minister for the Cabinet Office how many agencies of her Department use touch tone telephone steering systems when dealing with telephone inquiries from the general public. [129606]

Mr. Ian McCartney: The Government Car and Despatch Agency, which is the only agency of the Cabinet Office, does not normally deal with members of the general public and does not use touch tone telephone steering systems for inquiries.

The Central Office of Information is a department and executive agency that reports to the Minister for the Cabinet Office. It does not itself employ touch tone telephone steering systems when dealing with inquiries that it receives directly from the general public. However, as part of its Direct Marketing services it does contract, on behalf of its government clients, response houses and contact centres that do use touch tone telephone steering systems as a backup to live handling of calls.

Ministerial Red Boxes

Mr. Gray: To ask the Minister for the Cabinet Office, pursuant to her answer of 12 May 2000, *Official Report*, column 486W, on ministerial red boxes, on what occasions she has left her ministerial red box unattended on public transport. [125744]

Mr. Stringer: I am not aware of any occasions on which any of the Cabinet Office Ministers' red boxes have been left unattended on public transport.

SOCIAL SECURITY

Telephone Steering Systems

Mr. Ben Chapman: To ask the Secretary of State for Social Security (1) how many of his Department's telephone lines used by the general public are responded to by touch tone telephone steering systems; [129617]

(2) how many agencies of his Department use touch tone telephone steering systems when dealing with telephone inquiries from the general public. [129635]

Angela Eagle: The Department has three telephone lines which are responded to by touch tone.

The Benefits Agency's Child Benefit Centre Helpline and the Disability Living Allowance and Attendance Allowance Customer Care Helpline both use this system.

The Department's Winter Fuel Payments Helpline uses touch-tone technology when all lines are busy. The system give callers a choice between leaving a message or holding to speak to an operator.

Pensioners (Benefits)

Mrs. Lait: To ask the Secretary of State for Social Security what income support benefits are available to British pensioners living in other EU countries other than basic state pension and disability benefits. [129737]

Angela Eagle: Most of the contributory benefits, with the exception of contribution-based Jobseeker's Allowance are available to pensioners living in other EU countries. However, it is a condition of entitlement to the income related benefits (Income Support, income-based Jobseeker's Allowance, Housing Benefit and Council Tax Benefit) that a person is resident in Great Britain.

Ministerial Code

Mr. Robathan: To ask the Secretary of State for Social Security (1) on how many occasions since May 1997 Ministers in his Department have made a declaration of interest to their colleagues under circumstances envisaged in Paragraph 110 of the Ministerial Code; [129154]

(2) how many times Ministers in his Department have sought the advice of the Permanent Secretary under the circumstances envisaged in Paragraphs 118, 121 and 123 of the Ministerial Code; and on which occasions such advice was sought. [129169]

Mr. Darling: Information relating to internal advice and consultation is not disclosed under Exemption II of the code of practice on access to Government information.

Housing Benefit

Dr. Iddon: To ask the Secretary of State for Social Security what plans he has to amend the period of time during which Housing Benefit claimants may appeal against their benefit decision; and if he will make a statement. [129470]

Angela Eagle: As part of our proposals to bring Housing Benefit and Council Tax Benefit decisions within the scope of the Appeals Service from 1 April 2001 we intend to introduce regulations to mirror the decision-making arrangements for other social security benefits.

This will mean that Housing Benefit and Council Tax Benefit claimants will be given a calendar month to dispute a decision. This period may be extended for up to a maximum of 13 months where there are special reasons for delay.

We will be consulting with local authority associations and the Council of Tribunals on these changes in due course.

Dr. Iddon: To ask the Secretary of State for Social Security what plans he has to amend the regulations concerning the backdating of Housing Benefit; and if he will make a statement. [129469]

Angela Eagle: We propose to introduce regulations to align the current Housing Benefit and Council Tax Benefit backdating rules with those for the other income-related benefits from April 2001. This will involve replacing the current 52 week limit which rests on a broad definition of "good cause". Instead, where a claimant delays his claim, that claim can be backdated for up to three months based on a set of prescriptive circumstances.

The Social Security Advisory Committee are currently consulting on the draft regulations and will report to my right hon. Friend the Secretary of State in due course. We also propose to open consultation with the local authority associations this week.

Ms Buck: To ask the Secretary of State for Social Security what estimates he has made of savings in Housing Benefit arising from reduced house repossessions if a flat rate housing allowance were introduced at *(a)* £10, *(b)* £15, *(c)* £20, *(d)* £25 and *(e)* £30 per week and paid to all households in receipt of Working Families Tax Credit and Disabled Persons Tax Credit. [125411]

Angela Eagle: The uncertain behavioural effects that would result from the introduction of such an allowance means that no reliable estimates can be made.

Ms Buck: To ask the Secretary of State for Social Security what he estimates to be the gross cost to public funds of a flat rate housing allowance payable to recipients of working families tax credit and disabled persons tax credit, if such an allowance was paid at the rate of *(a)* £10 per week, *(b)* £15 per week, *(c)* £20 per week, *(d)* £25 per week and *(e)* £30 per week. [125409]

Angela Eagle: Precise estimates cannot be made because of the uncertain behavioural effects that would result from the introduction of such an allowance. If a flat rate housing allowance of £30 per week were introduced for all recipients of the tax credits, it is estimated that the gross cost would be of the order of £2 billion per year.

Pensions

Mr. Welsh: To ask the Secretary of State for Social Security what steps are being undertaken to establish the means by which pensioners prefer to have their pensions paid. [129452]

Mr. Rooker: Pensioners are routinely asked to specify which method of payment they prefer when making a claim to Retirement Pension from the choices of Post Office or ACT into a bank or building society.

Currently over 50 per cent. of new pensioners are choosing to have their pension paid into a bank or building society account.

Incapacity Benefit

Mr. Russell Brown: To ask the Secretary of State for Social Security how many claimants over the last five years in *(a)* the United Kingdom, *(b)* Scotland and *(c)* South West Scotland District have had their Incapacity Benefit withdrawn after an all work test carried out by the Benefits Agency Medical Services; how many of these claimants requested a review; how many went to appeal; and how many of these (i) reviews and (ii) appeals resulted in benefit being re-instated. [129498]

Mr. Bayley: The information is not available in the format requested. Such information as is available is as follows.

Entitlement to Incapacity Benefit requires the claimant to provide evidence of incapacity. An initial award of benefit is made if there is acceptable medical evidence to support the claim. Subsequently, incapacity is assessed under the relevant medical test: during the first 28 weeks of incapacity, where the claimant has a recent work record, this is the own occupation test; after 28 weeks, or from the start of the claim where the claimant has not recently worked, it is the All Work Test (AWT) which was replaced from 3 April 2000 by the Personal Capability Assessment. If the relevant test is not satisfied, benefit is disallowed from that point. Incapacity is reassessed from time to time to check continuing entitlement.

Information on disallowances following the All Work Test is in table 1 (Great Britain) and table 2 (Scotland). The national data on benefit disallowances shown in table 1 are derived from a different source, and are collected over a different period from the available data for Scotland in table 2. The two tables are therefore not directly comparable. Disallowances include claimants who have failed to return the All Work Test questionnaire or attend for medical examination.

Data on appeals are in table 3. The time lag between disallowance, lodging and hearing an appeal means there is no direct relationship between decisions to disallow benefit and appeals made and heard in each year.

There has never been a requirement in Incapacity Benefit for a person who is dissatisfied with their decision to apply for a review. Since September 1999 a claimant may ask for an unfavourable decision to be reconsidered and revised within a one month time limit.

Table 1.

Great Britain	*Total AWT disallowances*
1995[1]	54,080
1996	189,571
1997	208,545
1998	219,007
1999	196,928

[1] From the introduction of Incapacity Benefit (IB) on 13 April 1995

Note:

Includes credits only disallowances

Source:

These figures for All Work Test disallowances are taken from a 100 per cent. count of adjudication decisions from the benefit computer system. Multiple decisions are given where increases for dependants are also claimed

Table 2.

	1997–98	*1998–99*	*1999–2000*
Scotland			
Total AWT disallowances	30,700	26,020	20,760
South West Scotland District			
Total AWT disallowances	2,840	2,820	2,380

Notes:

1. The year is taken from 1 March to 28(9) February in each year. Data on disallowances are not available from this source for the period 13 April 1995 (the introduction data of IB) up to and including 31 August 1996. Because of changes to the recording system, terminations due to the All Work Test are unreliable for November 1998.

2. The Government Office Region figures from February 2000, are derived using the claimant's postcode. Prior to this date the GOR figures were derived using the local office serial number.

3. Includes credits only disallowances.

Source:

Five per cent. scan of the benefit computer system of benefit spells ending and will exclude some clerically held cases. Figures are not directly comparable to those in Table 1.

Table 3.

All Work Test appeals	*1995*	*1996*	*1997*	*1998*	*1999*
Great Britain					
Number cleared at hearing	3,038	38,473	51,153	62,603	57,151
Found in favour of the appellant	1,471	18,024	22,162	25,175	23,646
Percentage found in favour	48.4	46.8	43.3	40.2	41.4
Scotland					
Number cleared at hearing	1,173	7,313	7,897	9,696	11,321
Found in favour of the appellant	598	3,273	3,837	4,555	5,729
Percentage found in favour	51.0	44.8	48.6	47.0	50.6

Notes:

1. Appeals data are in calendar years. Figures for 1999 are up to and including September 1999.

2. There is no breakdown of South West Scotland available.

3. Figures are based on cases at the Glasgow office of The Appeals Service, which covers all Scotland.

Sources:

1. For figures prior to Autumn 1997, 100 per cent. extract from ITS computerised records.

2. For figures after Autumn 1997, 100 per cent. download from the Appeals Service GAPS computer system.

Child Support Agency

Mr. Ruane: To ask the Secretary of State for Social Security how many non-resident parents who have not co-operated with the Child Support Agency have *(a)* been processed through Child Support Agency enforcement procedures, *(b)* been made to pay maintenance, *(c)* had arrest warrants issued against them and *(d)* been imprisoned. [129249]

Angela Eagle: The administration of the Child Support Agency is a matter for the Chief Executive, Mrs. Faith Boardman. She will write my the hon. Friend.

Letter from Mike Isaac to Mr. Chris Ruane, dated 10 July 2000:

I am replying to your Parliamentary Question to the Secretary of State for Social Security about enforcement action taken by the Child Support Agency. Mrs. Boardman is unavailable and therefore I am writing to you on her behalf.

The information that I have provided is applicable to England and Wales. Different arrangements apply to Scotland though the underlying principles are similar. The Government believes that non-resident parents should pay maintenance for their children if they can afford to do so and we will continue to pursue non-resident parents who persistently seek to avoid their responsibilities.

The Agency's policy is that, if necessary, it will use the powers given to it by Parliament to enforce payment of child maintenance. Where normal collection arrangements fail and arrears of child maintenance build up, the Agency will initiate enforcement action if the non-resident parent does not make an acceptable offer to pay. However, each case is considered on its merits and the Agency will take account of the likely effect of enforcement action on the welfare of any children involved.

The full range of powers available will be considered. Where an uncooperative non-resident parent is employed a deduction from earnings order can be imposed. This is an effective, value for money method of collecting maintenance and arrears without resorting to the court system. It is a criminal offence for an employer to fail to act on a deduction from earnings order. Where an employer does fail to act they may be prosecuted. During 1999–2000 the Agency prosecuted 5 such cases.

Where a deduction from earnings order cannot be issued, e.g. the non-resident parent is self-employed, and no agreement can be reached to pay maintenance, a Liability Order is made. This means the debt is registered with the Magistrates Court and a County Court Judgement will then be considered making it difficult for a non-resident parent to obtain credit, mortgage, loans etc. During 1999–2000 Liability Orders were granted on 2,169 cases and County Court Judgements sought on 563 cases.

By taking this action it is hoped that the non-resident parent will start to cooperate, however, if this proves ineffective, Bailiff action is taken to seize goods to the value of the debt or, alternatively, a Garnishee or Charging order is imposed. A Garnishee Order freezes the non-resident parent's bank account. A Charging order freezes the non-resident parent's property that could be sold, for example, a car or house that may be up for sale at the time of the order. During 1999–2000 the Agency applied for 130 Garnishee Orders, 69 Charging Orders and took Bailiff action on 1,916 cases.

The final sanction is committal to prison, although this does not discharge the debt. During 1999–2000 a total of 22 applications for committal to prison were made. Of these 18 were successful, 11 of which were suspended sentences.

By making positive telephone or face to face contact with a non-resident parent early on in the assessment process the Agency aims to obtain full compliance and reduce the number of parents who refuse to cooperate. Non-resident parents are encouraged to make regular payments, preferably by direct debt, standing order or a deduction from earnings order.

The Government believes that child maintenance should not be seen as an optional expense to be paid or not as personal circumstances dictate. New legislation, which will support the Child Support Reforms means that maintenance assessments will be simpler to calculate and easier for both parents to understand. This should encourage more parents to co-operate. It will allow the Agency to use more of its resources to deal with those parents who refuse to pay their assessed liability. Additional penalties such as the removal of driving licences are also being considered, though the Agency's aim will remain to ensure the proper flow of maintenance without the use of penalties.

I hope this is helpful.

ENVIRONMENT, TRANSPORT AND THE REGIONS

Stations

15. **Dr. Cable:** To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to make public transport stations safer. [128414]

Mr. Hill: We have a number of initiatives planned or under way to improve safety at both rail and bus stations. For example, we are encouraging station operators to apply for accreditation under the Secure Stations Scheme that we introduced in April 1998, which is designed to improve and standardise good security practices at all overground and underground stations. 63 stations are currently accredited.

We are also currently undertaking research designed to improve personal security in bus travel (including at bus stations) and we are piloting a safe transport route in the North West of England.

Homelessness

16. **Mr. Love:** To ask the Secretary of State for the Environment, Transport and the Regions what steps he is taking to address homelessness in the capital. [128415]

Mr. Raynsford: The aim of the Government's housing strategy, set out in the Housing Green Paper, "Quality and Choice: A decent home for all", is to offer everyone the opportunity of a decent home and so promote social cohesion, well-being and self-dependence. We have increased housing investment programme resources for London local authorities by 54 per cent. in the current financial year and we are supporting the Association of London Government's Housing Partnership Initiative to help alleviate the shortage of social housing in the London area. We are also spending £160 million in London over the three financial years to April 2002 as part of our commitment to reducing the numbers sleeping rough.

Regional Development Agencies

17. **Mr. Quinn:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the role of the Regional Development Agencies in the regional economy in Yorkshire and the Humber. [128416]

Ms Armstrong: The role of Yorkshire Forward, the Regional Development Agency for Yorkshire and Humber, is to improve the region's competitiveness through the promotion of integrated sustainable economic development and social and physical regeneration. Key to achieving this is working in close partnership with a range of regional and local partners.

Ms Rosie Winterton: To ask the Secretary of State for the Environment, Transport and the Regions what progress Regional Development Agencies are making in the development of regional economic strategies. [128423]

Ms Armstrong: RDAs submitted their Regional Strategies to Ministers in October of last year. The Government responded in January this year giving them a broad welcome. The RDAs have since been implementing their Strategies through the production of a series of Action Plans.

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the remuneration of each director of each Regional Development Agency. [129114]

Ms Beverley Hughes *[holding answer 4 July 2000]:* The annual accounts of the RDAs contain complete information on the remuneration and pension arrangements for senior personnel. The annual accounts for the year ended 31 March are currently with the National Audit Office. When the audit reports on these accounts have been signed they will be laid in the Library of both Houses in line with the Department's usual practice.

NATS

19. **Mr. Dalyell:** To ask the Secretary of State for the Environment, Transport and the Regions what recent representations he has received from *(a)* the IPMS and *(b)* BALPA on National Air Traffic Services Ltd. [128418]

Mr. Hill: My right hon. and noble Friend the Minister for Transport has had continuing discussions with the IPMS on employees' interests in the proposed public-private partnership for National Air Traffic Services, and on their views on safety. We have received no recent representations from BALPA.

Council Tax (Pensioners)

20. **Mr. Chope:** To ask the Secretary of State for the Environment, Transport and the Regions if he will meet Age Concern to discuss the level of Council Tax upon pensioners. [128419]

Ms Armstrong: I will be happy to meet Age Concern if they want a meeting.

Local Authority Housing

21. **Dr. Iddon:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the management of local authority-owned housing. [128420]

Mr. Raynsford: Tenants have a right to expect well managed, high quality housing and services. The Housing Green Paper sets out our commitment to achieve a step change in the quality and management of social housing over the next decade.

We set out in the Green Paper various approaches which we believe will help to achieve this change: stock transfer, arm's-length management companies, and the Private Finance Initiative.

Traffic Calming

22. **Mr. Bob Russell:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make additional funds available to local authorities for the purpose of providing more road safety traffic calming schemes. [128421]

Mr. Hill: Local authorities support road safety schemes from the general resources that we make available for integrated transport in the annual local transport capital settlement. This year these increased by 20 per cent., and we plan to increase them further for 2001–02. In addition, a further £30 million was made available to authorities in the Budget to spend on child safety, safe routes to school and other small scale improvements.

Song Thrushes

23. **Helen Jackson:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received about the declining number of song thrushes in Britain. [128422]

Mr. Meacher: My Department has received a number of representations concerning the decline in populations for a number of song birds, including Song Thrushes.

Railway Land

25. **Mr. Gordon Prentice:** To ask the Secretary of State for the Environment, Transport and the Regions if he will take steps to prevent the British Railways Board from selling former railway land which could in future be returned to railway use. [128424]

Mr. Hill: The British Railways Board is now part of the shadow Strategic Rail Authority (SSRA), which is currently reviewing sites where a potential transport interest has been identified. SSRA is prepared to withhold sites with a potential strategic transport use from the sale process for sufficient time to allow for detailed consideration of the future use and ownership of the site.

Economic Regeneration (Birmingham)

26. **Mr. Burden:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on his Department's plans to promote economic and community regeneration in south-west Birmingham. [128425]

Ms Armstrong: My right hon. Friend the Secretary of State for Trade and Industry received the Final Report of the Rover Task Force on 3 July. The report sets out a strategic framework for helping the communities in South West Birmingham and more widely within the West Midlands. The Government are considering the report's recommendations and will work with Advantage West Midlands and other partners to ensure that the local business economy is better able to cope with future changes.

Civic Forums

27. **Mr. Casale:** To ask the Secretary of State for the Environment, Transport and the Regions what assessment he has made of the role of civic forums in promoting participation in local decision-making processes. [128426]

Ms Armstrong: In September and October 1998 my Department published a research report and guidance on how local authorities can develop and enhance public participation in local decision making ("Enhancing Public Participation in Local Government—A research report", DETR, September 1998; "Guidance on Enhancing Public Participation", DETR, October 1998). Local organisations such as residents groups and civic amenity societies must always be an important feature of local authorities' consultation and participation strategies.

Local Deprivation

28. **Mr. Coleman:** To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the underlying data used to compile the proposed index of local deprivation. [128427]

Ms Armstrong: Last December, we published for consultation the information relating to local authority district rankings on five different measures of deprivation. As part of the consultation exercise we also offered each authority information on the ward rankings for their area. The summary report will be published later this year, along with the deprivation scores and ranks of all wards and districts in England. The report will provide details of where to obtain the underlying raw data.

Seaside Transport Links

29. **Miss Geraldine Smith:** To ask the Secretary of State for the Environment, Transport and the Regions what steps are being taken to improve transport links to seaside towns. [128428]

Mr. Hill: We have made more resources available to authorities to implement their integrated transport strategies, with an increase of 20 per cent. over last year. The requirement to produce Local Transport Plans and Regional Transport Strategies will ensure that authorities work together towards meeting transport need such as improving transport links to seaside towns. Investment in the trunk road network, through the Targeted Programme of Improvements, will also in a number of cases improve such links.

Regional Railways

30. **Mr. Leigh:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on planned subsidies to regional railways. [128429]

Mr. Hill: The level of subsidy for each year of the existing rail franchises including those which cover regional railways—is published in the Franchising Director's Annual Report (copies are available in the House Libraries). The Franchising Director has recently announced proposals to change the franchise map of Great Britain (copies of his Press Release are available in the House Libraries). That will lead to some adjustment of contracted subsidies.

Council Tax Bands

31. **Mr. Pike:** To ask the Secretary of State for the Environment, Transport and the Regions if he will increase the number of Council Tax bands. [128430]

Ms Armstrong: I refer my hon. Friend to the reply given to the hon. Member for Oxford, West and Abingdon (Dr. Harris) on 29 June 2000, *Official Report*, column 603W.

Canals

32. **Mr. Hoyle:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on prospects for the use of the canal network for *(a)* urban and *(b)* rural regeneration. [128431]

Mr. Hill: Our policy paper "Waterways for Tomorrow", published on 27 June, describes how our inland waterways can make a significant contribution to tackling social exclusion and deprivation by acting as a catalyst for economic and social renewal. Improving and restoring our waterways, and redeveloping disused and derelict waterside land can help deliver the Government's target for development on brownfield sites as well as creating jobs and business opportunities.

Fuel Taxation

33. **Mrs. Laing:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the impact of taxes on fuel on the road haulage industry. [128432]

Mr. Hill: The Government keep under review the impact of fuel taxation on all sectors of UK industry, including the road haulage industry. Budget 2000 itself contained an important package of measures specifically to further boost the competitiveness of the road haulage industry. These included £45 million of cuts to Vehicle Excise Duty; the introduction of 44-tonne lorries; and tougher enforcement to tackle illegally operating hauliers and protect the competitiveness of legitimate operators. The Road Haulage Forum chaired by Lord Macdonald is also continuing to consider the competitive pressures facing the industry.

Construction Industry

34. **Mr. Gareth R. Thomas:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the performance of the construction industry. [128433]

Mr. Raynsford: Having experienced a recession in the early 1990s, the UK construction industry is now showing clear signs of steady growth. Output has risen by about 2.5 per cent. in real terms between the last two financial years, and that level of growth is forecast to continue at least until 2002.

Council Housing

35. **Dr. Lynne Jones:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the levels of public investment he plans to make available to improve the council housing stock. [128435]

Mr. Raynsford: The level of allocations for housing investment by local authorities for the next three years will be decided in the current spending review, the results of which are due to be announced later this month.

Development (South-East)

36. **Mr. Lidington:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from *(a)* SERPLAN and *(b)* councillors from the south-east region concerning development in the south-east. [128436]

Mr. Raynsford: My right hon. Friend the Secretary of State has received SERPLAN's response and also over 800 other responses, including representations from local authorities. All responses are now being considered.

Local Government

37. **Mrs. Lait:** To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received from councils concerning the abolition of the committee system in local government. [128437]

Ms Armstrong: We have received a wide range of comments in response to the various consultations we have conducted about councils' executive constitutions, for which the Local Government Bill [*Lords*], now passed by this House, provides.

HFCs

38. **Mrs. Brinton:** To ask the Secretary of State for the Environment, Transport and the Regions what further progress he has made in reducing emissions of HFCs. [128438]

Mr. Meacher: The Government set out their policy position on HFCs in the draft climate change programme, which was published for consultation earlier this year. This included a series of possible measures which could be taken to reduce emissions of HFCs. The consultation has now ended and we will be developing these measures further taking account of the points raised during the consultation.

Road Haulage

39. **Mr. Paterson:** To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the Government's energy policy and its impact on the road haulage industry. [128439]

Mr. Hill: The Government are determined to encourage energy conservation and efficiency across all sectors of the economy, as part of our strategy to tackle climate change and improve the competitiveness of UK industry. In the road haulage sector, we are committed to improving the efficiency of freight transport and logistic operations, and set out last year how we would achieve this in our Sustainable Distribution Strategy. The strategy sets out a wide range of measures, including, for instance, the dissemination of advice to hauliers through my Department's Energy Efficiency Best Practice Programme about ways of reducing fuel costs.

VAT (Housing)

Mr. Gordon Marsden: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received in relation to the harmonisation of VAT between new build and repair in connection with the forthcoming urban and rural White Papers. [128417]

Mr. Raynsford: Lord Rogers's Urban Taskforce recommended that we should harmonise VAT on new build and repair and maintenance. Our Urban and White Papers will take forward the Government's response to Lord Rogers's recommendations, although final decisions on taxation will be for my right hon. Friend the Chancellor.

Incinerator Ash

Mr. Pickthall: To ask the Secretary of State for the Environment, Transport and the Regions (1) which UK heat stations other than Byker have used incinerator ash for construction; [126334]

(2) what data *(a)* the Government and *(b)* the Environment Agency hold on levels of dioxin contamination in incinerator ashes. [126335]

Mr. Meacher *[holding answer 20 June 2000]:* Data on levels of dioxins in ash sent for disposal are not routinely held by the Agency or my Department.

The operators of incineration plant are required by section 34 of the Environmental Protection Act 1990 to provide sufficient information to those managing waste ash to ensure that is it disposed of appropriately, for example chemical and physical information. They are also required to ensure that ashes which contain hazardous substances above certain thresholds are disposed of in accordance with the Special Waste Regulations 1996 (as amended).

Commercially processed incineration bottom ash is currently supplied to the construction market from the following incinerators: Edmonton, SE London Combined Heat and Power (SELCHP), and Tyseley.

Data from these incinerators indicate that the processed ash entering the construction market has dioxin concentrations of between 20 to 50 ng/kg toxic equivalent, which falls within the range observed in urban soils.

Aldermaston

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the statutory consultees for the Environment Agency's consultation on the re-authorisation of the radioactive discharges from Aldermaston; and if he will place copies of submissions by *(a)* statutory consultees and *(b)* other parties in the Library. [128455]

Mr. Meacher: The statutory consultees for the re-authorisation of the Aldermaston discharges are MAFF, HSE (NII), Thames Water, West Berkshire council and Reading borough council. The Environment Agency has provided copies of their responses to my Department and copies are being placed in the Library.

Approximately 4,000 responses were received by the Agency. These responses are summarised, and some of them are quoted with the consent of the consultees concerned, in the Agency's decision document. I am arranging for copies of that document to be placed in the Library shortly.

Rail Franchises

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what periods of consultation have taken place between the shadow Strategic Rail Authority and interested local parties over the award of *(a)* new and *(b)* extended rail franchises. [129390]

Mr. Hill: The Franchising Director is operating an inclusive consultation process for franchise replacement. The Instructions and Guidance given to him by the Deputy Prime Minister require him to consult the Chairman of the British Railways Board, local authorities, Passenger Transport Executives, the Rail Regulator, regional planning bodies, Regional Development Agencies and Rail Passenger Committees. He has consulted widely about the replacement of franchises and there will be further on-going consultation as the process continues. Bidders will be encouraged to consult interested stakeholders, including local authorities and Rail Passengers' Committees, giving them the opportunity to raise issues which they would like to see addressed.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what account the Government and the shadow Strategic Rail Authority will take of the record, including safety record, of an existing franchisee and its owner company in the award of *(a)* new and *(b)* extended franchises. [129392]

Mr. Hill: The Deputy Prime Minister has asked the Franchising Director to evaluate bids for replacement franchises against the following criteria: commitment to secure better performance and customer services, the extent to which extra or earlier investment can be secured, the extent to which passengers will be given a greater voice in the level and standard of services, and value for money to the taxpayer. Bidders will be encouraged to consult interested stakeholders, including local authorities and Rail Passengers' Committees, giving them the opportunity to raise issues which they would like to see addressed.

Rural Bus Services

Mr. Edwards: To ask the Secretary of State for the Environment, Transport and the Regions if he will meet representatives of Stagecoach to discuss the withdrawal of rural bus services. [129645]

Mr. Hill: I meet various representatives of the bus industry from time to time, to discuss a range of relevant issues, which can include rural services.

Decisions on withdrawal of individual local services are matters for the bus operator concerned and for the relevant local authority, which has the power to provide subsidy for socially necessary services which would otherwise not be provided.

HGVs

Mr. Levitt: To ask the Secretary of State for the Environment, Transport and the Regions what data he collates on the stopping and thinking distances relating to HGVs. [129644]

Mr. Hill: Stopping distances for HGVs are governed by United Nations Economic Commission for Europe Regulation Number 13 and European Council Directive 71/320/EEC as amended by Commission Directive 98/12/EC.

Provided that the vehicle meets the requirements for stopping distance and deceleration during the Type Approval test there are no further requirements for measuring and collating stopping distances.

Strategic Rail Authority

Mr. Moore: To ask the Secretary of State for the Environment, Transport and the Regions what information has been supplied to him by the shadow Strategic Rail Authority on its plans for a Scottish office, with particular reference to the number of staff it will employ. [129802]

Mr. Hill: The Strategic Rail Authority, which will be the national strategic rail authority for Great Britain, is currently based in London and has no plans to establish separate offices in Scotland, or any other part of Britain.

Toxic Waste

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions how many methane explosions have taken place in the past 10 years arising from the operation of landfill sites. [129975]

Mr. Meacher: The Environment Agency has no records of any explosions attributable to landfill gas occurring in England and Wales since 1 April 1996. Records for the period prior to this are not held centrally.

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what assessment procedures are in place to monitor the spread of toxic leachate from landfill sites; and what remedial measures exist to combat public health threats from such leachate. [129964]

Mr. Meacher: Recommended procedures and protocols for monitoring ground and surface waters for evidence of contamination by leachate are set out in the Government's statutory guidance to the Environment Agency—Waste Management Papers 4 and 26. Operators of landfills must undertake such monitoring and report the results to the Agency on a regular basis. The Agency also undertakes its own monitoring as a check on operator performance. Extensive research has been conducted on landfill leachate and, although potentially polluting, it is not normally classed as toxic.

Landfill Sites

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what assessments he has made of the increase in *(a)* heavy vehicle traffic, *(b)* vermin and *(c)* noise levels arising from the operation of a landfill site. [129969]

Mr. Meacher: The Government have not made such assessments for individual sites. An assessment of the impact of an individual site is made when a development planning application is made.

The Government have published two relevant studies. "The Control of Noise at Surface Mineral Workings" was in 1990, and "The Environmental Effects of Traffic Associated with Minerals Working" in 1998. While they refer to surface mineral workings, the contents are applicable to landfilling. The Department issued in May 2000 a consultation draft of Mineral Planning Guidance Note 11, "Controlling and Mitigating the Environmental Effects of Minerals Extraction in England". This provides guidance on noise, with specific reference to the issue of waste disposal sites.

Vermin should be controlled by the operator and regulated by suitable conditions in the waste management licence.

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions how many landfill operators were prosecuted for breach of the site licence in the past 10 years; and what were the *(a)* largest and *(b)* smallest fines imposed for those found guilty. [129974]

Mr. Meacher: Data are only available from April 1999, since when there have been 50 prosecutions relating to waste management licences. The largest total fine since April 1999 was for £87,500, and the smallest was £400.

Mr. Llew Smith: To ask the Secretary of State for the Environment, Transport and the Regions what guidance he gives to landfill operators to reduce gas generation from putrescible materials deposited to their site. [129970]

Mr. Meacher: None. Guidance from the Secretary of State is directed at controlling emissions of landfill gas. This is in the form of Waste Management Papers which address the issues of site design, engineering and operation. Waste Management Paper 27 relates solely to landfill gas.

Tolls

Mr. Fearn: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* tunnels and *(b)* bridges in the UK are subject to tolls. [130100]

Mr. Hill: In the United Kingdom the following undertakings are part of a public highway and have their tolls set by statute:

The Aldwark Bridge, Yorkshire
The Cleddau Bridge, Wales
The Clifton Suspension Bridge, Bristol
The Dartford Thurrock Crossings—Bridge and Tunnels
The Dunham Bridge, Lincolnshire
The Erskine Bridge, Scotland
The Forth Bridge, Scotland
The Mersey Tunnel
The Humber Bridge
The Itchen Bridge, Southampton
The Rixton and Warburton Bridge, on the Manchester Ship Canal
The Severn Bridges
The Shrewsbury (Kingsland) Bridge
The Skye Bridge, Scotland
The Swinford Bridge (Oxfordshire)
The Tamar Bridge
The Tay Bridge, Scotland
The Tyne Tunnel
The Whitchurch Bridge (Oxfordshire)
The Whitney on Wye Bridge (Hereford and Worcester).

There are also a number of toll bridges that provide access across private land. Because they do not have their tolls set by a statutory procedure I do not have a complete list.

Road Traffic Reduction

Mr. Baker: To ask the Secretary of State for the Environment, Transport and the Regions for what reason he has abandoned plans to set targets for reductions in national road traffic levels. [128434]

Mr. Hill: The Government have never promised that they would set a national road traffic reduction target; nor does the Road Traffic Reduction (National Targets) Act 1998 require us to do so, if we are satisfied that other measures or targets would be better for tackling the adverse effects of traffic. As we set out in "Tackling Congestion and Pollution", our first report under the 1998 Act, published in January, our targets and policies focus on improving the outcomes that matter to people, such as congestion, pollution and road safety, rather than national traffic volume figures.

Health and Safety Executive

Mr. McNamara: To ask the Secretary of State for the Environment, Transport and the Regions how many internal and external advertisements were placed from 1997 to 2000 for inspector vacancies in the Hull office which stated that Hull was the location for the post; and if he will place copies of such advertisements in the Library. [128792]

Mr. Meacher: External recruitment of inspectors is conducted on a national basis and recruitment adverts do not state a particular location for posts. Our records show that no advertisements for Inspectors have stated Hull as the location for a post since 1997.

Mr. McNamara: To ask the Secretary of State for the Environment, Transport and the Regions how many educational and promotional visits were made by HSE inspectors to locations in *(a)* Hull, *(b)* East Riding, *(c)* North Lincolnshire and *(d)* North East Lincolnshire from 1974 to 2000; and in which offices the visiting speakers were based. [128793]

Mr. Meacher: The data provided are for 1996 onwards. Data pre 1996 are available only at disproportionate cost.

Educational and promotional visits made by HSE inspectors

Year	*Hull*	*East Riding*	*North Lincolnshire*	*North East Lincolnshire*
1996–97	18	9	7	12
1997–98	5	2	3	4
1998–99	12	11	2	6
1999–2000	13	10	0	9

HSE does not keep records of visiting speakers. However, our records on FOCUS are able to determine how many educational and promotional visits were made to each of the named locations by Inspectors based in Hull.

Educational and promotional visits made by HSE inspectors based in Hull

Year	*Hull*	*East Riding*	*North Lincolnshire*	*North East Lincolnshire*
1996–97	11	6	2	3
1997–98	4	2	1	2
1998–99	7	9	0	5
1999–2000	3	5	0	9

Mr. McNamara: To ask the Secretary of State for the Environment, Transport and the Regions how many HSE inspectors within the jurisdiction of the Hazardous Installation Directorate are located in each of the following divisions and how many Control of Major Accident Hazards sites there are by upper and lower tier in *(a)* Hull, *(b)* East Riding, *(c)* East Lincolnshire, *(d)* North East Lincolnshire, *(e)* Barnsley, *(f)* Doncaster, *(g)* Sheffield and *(h)* Rotherham. [128794]

Mr. Meacher: For the inspection of COMAH sites and other premises storing and manufacturing chemicals in the ares listed the Hazardous Installations Directorate of HSE has six Inspectors based at Sheffield, managed by a Principal Inspector. These Inspectors also cover the rest of Lincolnshire, Derbyshire and Nottinghamshire. COMAH sites operated by BG Transco are inspected by a separate group of five Inspectors, also based at Sheffield, who inspect BG Transco sites throughout the north of England. Explosives sites subject to COMAH are inspected by three HM Explosives Inspectors who cover eastern and south east England.

All these Inspectors are able to call on the advice and assistance of other HSE inspectors to provide support on a range of specialist topics.

The enforcement of COMAH is undertaken by the Competent Authority (HSE and the Environment Agency). Therefore, Environment Agency Inspectors are also involved in the inspect of COMAH sites.

The number of premises subject to COMAH in the following local authority areas are:

LA Area	*Top Tier*	*TT (Gas)*	*TT (Exp)*	*Lower Tier*	*LT (Gas)*	*LT (Exp)*	*Total*
(a) Hull	1	—	—	3	1	—	5
(b) East Riding	5	1	—	8	—	2	16
(c) East Lincolnshire	10	—	—	2	1	—	13
(d) North East Lincolnshire	10	—	—	2	1	—	13
(e) Barnsley	—	—	—	2	1	—	3
(f) Doncaster	1	1	1	2	1	—	6
(g) Sheffield	3	—	—	4	—	—	7
(h) Rotherham	2	—	—	4	—	—	6
Totals	33	2	1	29	4	2	71

Mr. McNamara: To ask the Secretary of State for the Environment, Transport and the Regions if the costing upon which the closure of the Hull HSE office was based took account of future travel and transfer expenses; and what environmental assessment was carried out. [128795]

Mr. Meacher: I can confirm that account has been taken of future travel and transfer expenses. Consideration has been made in relation to the issue of environmental considerations, as transferring the two operational inspector posts to Sheffield will incur some additional mileage. It is difficult to be specific about the actual extra mileage as it will depend on where the inspectors choose to live and the operational need for visits to Humberside.

Mr. McNamara: To ask the Secretary of State for the Environment, Transport and the Regions what discussions he held before deciding to close the HSE office in Hull with *(a)* local employers, *(b)* trade unions and *(c)* local authorities: over what length of time such consultations took place; and what the opinions were of those who were consulted. [128796]

Mr. Meacher: On this occasion at the request of the Deputy Prime Minister, Bill Callaghan, Chair, Health and Safety Commission and Chris Willby, Director, HSE Yorkshire and North East have met with trade unions to discuss with them how HSE's role in the current and future issues of Hull is properly preserved.

Mr. McNamara: To ask the Secretary of State for the Environment, Transport and the Regions how many inspectors of Band 2 or equivalent and below were in *(a)* Health and Safety Executive offices and *(b)* operational inspection groups in each year between 1974 and 2000 in (i) Newcastle, (ii) Leeds, (iii) Sheffield, (iv) Hull and (v) North Allerton. [128845]

Mr. Meacher: Information is provided from 1995. Information prior to that date could be provided only at disproportionate cost.

(a) Total inspectors at Band 2 and below in all HSE offices

Date as at 1 April	*Band 2*	*Band 3*	*Band 4*	*Total*
1995	449	892	143	1,484
1996	471	916	80	1,467
1997	462	890	105	1,457
1998	460	895	105	1,460
1999	448	925	157	1,530
2000	476	915	140	1,531

(b) Total inspectors at Band 2 and below in Newcastle, Leeds, Sheffield, Hull and North Allerton

Band	*Newcastle*	*Leeds*	*Sheffield*	*Hull*	*North Allerton*
1 April 1995:					
2	10	16	6	2	1
3	24	33	19	4	1
4	6	9	6	2	1
Total	40	58	31	8	3
1 April 1996:					
2	7	15	5	2	1
3	29	40	22	5	2
4	2	2	6	—	—
Total	38	57	33	7	3
1 April 1997:					
2	7	15	5	2	1
3	28	37	17	4	2
4	3	3	5	—	—
Total	38	55	27	6	3
1 April 1998:					
2	6	14	6	2	—
3	32	35	20	3	—
4	3	5	5	—	—
Total	41	54	31	5	0
1 April 1999:					
2	6	14	5	2	—
3	35	36	25	3	—
4	5	8	8	—	—
Total	46	58	38	5	0
1 April 2000:					
2	6	15	5	2	—
3	34	38	28	4	—
4	8	8	7	—	—
Total	48	61	40	6	0

Mr. McNamara: To ask the Secretary of State for the Environment, Transport and the Regions how many premises, for which the HSE had inspection responsibility, were registered on HSE databases for Areas 14, 15 and 19 in each year from 1974 to 1995; and how many open incumbent records there were for each of these areas for the years 1996 to 2000. [128846]

Mr. Meacher: The question asks for data from 1974 to 2000. The Field Operations Directorate of HSE currently uses a computer data system introduced in 1996. The previous data system was in use from 1980 to 1995. The information requested is not kept in a format which allows the question to be answered. FOCUS is a dynamic record of clients and locations with which HSE has had recent and/or continuing contact. The following table gives the current number of open incumbent records categorised by role, e.g. employer, self-employed, sub-contractor etc.

Open incumbents by 'incumbent role' in FOCUS databases for areas 14, 15 and 19 on 3 July 2000

	Area 14	*Area 15*	*Area 19*
Employer	21,738	32,260	23,958
Self-employed	626	1,631	1,061
Partner	112	284	173
Responsible officer	17	37	9
Employee	54	49	25
Principal contractor	2,118	3,146	1,324
Sub-contractor	1,561	1,660	860
Plant hirer	48	98	27
Product supplier	81	188	74
Importer	9	11	5
Installer	360	291	276
Quarry owner	29	54	3
Competent person	18	13	12
Professional adviser	100	62	38
Vehicle operator	113	29	37
Landlord	312	616	383
Managing agent	37	81	47
Trainer	75	35	24
Employment agency	11	21	3
Others	349	466	515
Client	186	269	113
Designer	36	96	54
Planning supervisor	164	303	100
Intermediary	4	6	6

Source:
FOCUS live database as at 3 July 2000

Mr. McNamara: To ask the Secretary of State for the Environment, Transport and the Regions how many site visits and contacts of all types were made by HSE inspectors in each of Areas 14, 15 and 19 in each year from 1974 to 2000. [128844]

Mr. Meacher: The following data are provided for 1996 onwards. Data pre-1996 are available only at disproportionate cost.

FOCUS recorded contacts 1996–97 to 1999–2000 for databases 14, 15 and 19 by contact location

Contact location	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
Area 14				
Elsewhere[1]	583	394	252	256
Head office[2]	176	105	56	45
HSE office[3]	1,017	1,290	1,596	1,586
Site[4]	7,446	4,996	4,582	5,535
Area 15				
Elsewhere[1]	736	534	517	457
Head office[2]	300	224	163	140
HSE office[3]	2,390	1,605	1,756	1,665
Site[4]	8,054	7,713	7,763	6,542

FOCUS recorded contacts 1996–97 to 1999–2000 for databases 14, 15 and 19 by contact location

Contact location	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
Area 19				
Elsewhere[1]	524	464	324	441
Head office[2]	199	165	93	95
HSE office[3]	622	824	1,389	954
Site[4]	7,619	6,508	6,954	7,538

[1] Used when an activity/topic is dealt with at a location other than site, office or head office.

[2] Used when an activity/topic is dealt with at the head office of any client.

[3] Used when an activity/topic is dealt with at an HSE office or any other place regarded as an HSE office.

[4] Used when an activity/topic is dealt with at an incumbent's location.

Source:

FOCUS live databases as at 3 July 2000

Mr. McNamara: To ask the Secretary of State for the Environment, Transport and the Regions how many *(a)* site visits and *(b)* incumbent contacts were made to premises in Humberside County Commission area in each year from 1974 to 2000 (i) by HSE inspectors based in Hull and (ii) by all inspectors. [128847]

Mr. Meacher: The following data cover the period from 1996 onwards.

Site visits and incumbent contacts made to premises in Humberside County Commission by HSE inspectors based in Hull

	1996–97	*1997–98*	*1998–99*	*1999–2000*
Site visits	1,366	905	657	520
Incumbent contacts	1,718	1,243	883	638

Site visits and incumbent contacts made to premises in Humberside County Commission by all HSE inspectors (including those based in Hull)

	1996–97	*1997–98*	*1998–99*	*1999–2000*
Site visits	3,481	2,205	2,193	2,235
Incumbent contacts	4,377	3,045	3,022	2,823

The question asks for data from 1974 to 2000. The Field Operations Directorate of HSE currently uses a computer data system introduced in 1996. The previous data system was in use from 1980 to 1995. It is no longer practicable to search in this database for the details requested. There was no database prior to 1980. Data pre-1996 are available only at disproportionate cost.

Freightliner

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to continue funding the track access grants for Freightliner. [130193]

Mr. Hill: In December 1999, Freightliner Ltd. lodged an application with the Department's Freight Grants Unit for track access and freight facilities grants, to take effect on the expiry of the existing grant arrangements in May 2001. PricewaterhouseCoopers were appointed jointly by the Department and the shadow Strategic Rail Authority to advise on the application, and their report was received at the end of May. The Secretary of State is currently considering the application in the light of advice from PricewaterhouseCoopers and officials.

Gas Installers

Mr. Robertson: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement about his plans to replace the CORGI registration system for gas installers. [130051]

Mr. Meacher: There are no such plans. The Health and Safety Commission is currently carrying out a review of the gas safety regime, and is likely to report to Ministers within the next few months with its conclusions and recommendations. One of the issues being examined in the review is whether the statutory registration scheme for gas installation businesses is still appropriate. The Commission has not yet formed a view on that question.

Cornelis Johanna

Mr. Steen: To ask the Secretary of State for the Environment, Transport and the Regions when he will reply to the compensation claim submitted to his Department by Mr. Paul Reeman, of Beverly Court, Upton, Manor Road, Brixham, following the report by the Parliamentary Commissioner for Administration dated 10 August 1999, regarding the certificate of seaworthiness for the fishing vessel 'Cornelis Johanna'. [130116]

Mr. Hill: A significant interim payment was made to Mr. P. Reeman by the Department in November 1999, prior to the submission of a fully substantiated claim. The Treasury Solicitors' Department is considering carefully the detailed claim submitted by Mr. Reeman's solicitors on 22 May 2000, and will be responding to them very shortly.

A30

Mr. Bradshaw: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish the latest noise tests on the A30 Exeter to Honiton Road; and if he will make a statement. [130363]

Mr. Hill: I have published today the results of the tests. Copies of the report have been placed in the Library of both House. The report shows that noise levels are somewhat higher than expected. Our 10-year Transport Strategy which will be published shortly will include further proposals for dealing with road noise. One result will be that this stretch of the A30 will be resurfaced with a lower noise surface.

Park Homes

Maria Eagle: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the report of the Park Homes Working Party. [130364]

Mr. Raynsford: I am pleased to announce today the publication of the report of the Park Homes Working Party, copies of which have been placed in the Library of the House. I would like to thank the members of the Working Party for the work they have done over the last two years to consider the operation of the control regime applying to the residential park homes sector. The Working Party has produced a large number of wide-ranging recommendations for changes to this regime.

The recommendations will need careful consideration, and it would be helpful therefore to have comments on them from interested bodies or individuals who have not already had a change to contribute to the report. I am requesting that any such comments are sent to my Department by 31 October. I will announce my conclusions on the recommendations in due course after that date.

PRESIDENT OF THE COUNCIL

Telephone Steering Systems

Mr. Ben Chapman: To ask the President of the Council how many of her Department's telephone lines used by the general public are responded to by touch tone telephone steering systems. [129626]

Mrs. Beckett: My Department has no touch tone telephone steering systems.

New Deal

Mr. Brady: To ask the President of the Council how many employees of her Department and its agencies have been recruited from the New Deal; and what percentage this represents of total staff. [129090]

Mrs. Beckett: My Department has recruited one employee from the New Deal, who started work on 3 April 2000. The Department is small, with low recruitment requirements, and this represents 3 per cent. of the total staff.

TREASURY

Internet Access

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 28 June 2000, *Official Report*, column 540W, on the knowledge economy, (1) what is the maximum distance or travelling time a member of the public can reside from a public internet access point under the definition of having access to the internet; and if he will make a statement; [129216]

(2) what is the maximum distance that a person can live from a point of public access to the internet and still be considered to have access; what is the maximum cost that a provider of a point of public access to the internet can charge with access still being considered to be available; and if he will make a statement. [130074]

Mr. Andrew Smith: It is not so defined; the Government are considering the steps to improve access, bearing in mind the need for a practical approach, the underlying objective of convenient, affordable access to the internet, and taking into account a wide range of factors, including the developing market.

Parliamentary Questions

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 4 July 2000, *Official Report*, column 178W, if he will list his Department's targets for answering *(a)* named day questions, *(b)* ordinary written questions and *(c)* written questions tabled in the House of Lords; and if he will make a statement. [130026]

Mr. Timms: The targets are to answer *(a)* 50 per cent. of named day questions on the nominated day; *(b)* 70 per cent. of ordinary written questions within a working week of tabling; and *(c)* 80 per cent. of House of Lords written questions within a fortnight of tabling.

Public Sector (Ill-health Retirement)

Mrs. Lawrence: To ask the Chancellor of the Exchequer if he will make a statement on the outcome of the review of ill-health retirement in the public sector. [130362]

Mr. Andrew Smith: The report of the review is being published today. A copy is being placed in the House library.

The review has confirmed that ill-health retirement should be available to employees who are genuinely unable to remain in employment for health reasons. But it has found that the present levels of ill-health retirement in the public sector are higher than necessary and higher than in the private sector. Variations in rates between individual sectors, and between employers in the same sector, are also significant indicating that there is scope to bring rates down.

The review concluded that the rules and procedures governing the granting of ill-health retirements need to be tightened in a number of cases, and that action is needed to prevent its misuse and to expose the cost involved. It also concluded that many employers can help to reduce the number of such retirements by adopting best practice on workplace health.

The report sets out 36 recommendations for reducing the incidence of ill-health retirement across the public sector. Departments will draw up action plans for each sector implementing these recommendations. Targets will be set challenging individual employers with the highest rates to reduce these to match those of the best in their sector by 2005.

VAT (Fuels)

Mr. Boswell: To ask the Chancellor of the Exchequer what VAT revenue from petrol and diesel sales was anticipated for 2000–01 at the time of the Budget; and what his current forecast is of the yield. [129273]

Mr. Timms *[holding answer 6 July 2000]:* The forecasts of total VAT are published each year in the Financial Statement and Budget report. No forecasts are made of VAT on individual goods and services.

National Insurance Numbers

Mr. Willetts: To ask the Chancellor of the Exchequer how many new National Insurance numbers were awarded to *(a)* children and *(b)* adults in each year since 1990, broken down into geographical regions. [128936]

Dawn Primarolo *[holding answer 4 July 2000]*: New NI numbers were no allocated to children until May 1992. The numbers allocated since that date are as follows:

Calendar year	*Numbers allocated*
1992 (from May)	8,424,054
1993	2,909,215
1994	797,372
1995	759,368
1996	732,072
1997	720,541
1998	712,643
1999	702,221
2000 (to June)	347,497

As numbers are allocated centrally, it is not possible to break the number down geographically.

Bank Access (Wales)

Mr. Llew Smith: To ask the Chancellor of the Exchequer how many bank branches closed in Wales *(a)* between 1990 and 1997 and *(b)* since 1997. [129735]

Miss Melanie Johnson: The information is not available.

Mr. Llew Smith: To ask the Chancellor of the Exchequer how many people in Wales do not have a bank account. [129734]

Miss Melanie Johnson: Results from the 1998–99 Family Resources Survey suggest that around 300,000 adults in Wales do not have a bank or building society account.

Euro

Mr. Heathcoat-Amory: To ask the Chancellor of the Exchequer what costs have so far been incurred by *(a)* the Inland Revenue and *(b)* Her Majesty's Customs and Excise in preparing for a possible changeover to the euro. [129593]

Miss Melanie Johnson: Expenditure on changeover planning was set out in the second Outline National Changeover Plan, published on 9 March.

Working Families Tax Credit

Mr. Donald Anderson: To ask the Chancellor of the Exchequer if he will list the procedures involved in relation to the working families tax credit when a company becomes insolvent; and what targets the Inland Revenue has for resolving cases which arise in this area within a particular time. [129405]

Dawn Primarolo: When a company that is paying tax credits to one or more of its employees becomes insolvent, the Inland Revenue will pay the tax credits direct to the employee for the remainder of the tax credit award period. The system is designed to ensure that employees of the insolvent company continue to receive their tax credit payments on time.

LORD CHANCELLOR'S DEPARTMENT

Stipendiary Magistrates

Mr. Gareth Thomas: To ask the Parliamentary Secretary, Lord Chancellor's Department how many stipendiary magistrates, including deputy and acting stipendiary magistrates, sit in the courts of each region of England and Wales. [130194]

Jane Kennedy: The table lists the stipendiary and acting stipendiary magistrates sitting in each commission area in England and Wales. Some acting stipendiary magistrates sit in more than one commission area. All commission areas can request stipendiary cover when the need arises.

Commission area	*Stipendiary magistrate*	*Acting stipendiaries*
Avon	1	2
Cheshire	1	4
Derbyshire	2	2
Devon	1	7
Dorset	1	0
Essex	1	3
Greater Manchester	4	9
Hampshire	2	4
Outer London	4	3
Norfolk	1	2
Nottinghamshire	2	6
Shropshire	1	2
South Yorkshire	5	17
Humberside	[1]1	5
Leicestershire	2	5
Merseyside	3	6
Lancashire	1	0
South Wales	3	4
Staffordshire	1	6
East & West Sussex	2	6
West Midlands	7	15
West Yorkshire	4	11
Inner London	47	39

[1] vacant at present

Magistrates Courts

Mr. Gareth Thomas: To ask the Parliamentary Secretary, Lord Chancellor's Department, pursuant to his answer of 20 June 2000 to the hon. Member for North-West Leicestershire (Mr. Taylor), *Official Report*, column 168W, if he will estimate the number of trials heard in magistrates courts by *(a)* lay benches and *(b)* stipendiary magistrates, including acting and deputy stipendiaries, for each of the last five years. [130196]

Jane Kennedy: A breakdown of trials heard in magistrates courts *(a)* by lay benches and *(b)* by stipendiary magistrates, including acting and deputy stipendiaries, is not held centrally, and could be obtained only at disproportionate cost.

Case Guidance

Mr. Gareth Thomas: To ask the Parliamentary Secretary, Lord Chancellor's Department what guidance his Department provides as to the nature of the cases which should be heard by *(a)* lay magistrates and *(b)* stipendiary magistrates. [130195]

Jane Kennedy: The Lord Chancellor's Department provides no guidance as to the nature of the cases which should be heard by *(a)* lay magistrates and *(b)* stipendiary magistrates.

Telephone Steering Systems

Mr. Ben Chapman: To ask the Parliamentary Secretary, Lord Chancellor's Department how many agencies of his Department use touch tone telephone steering systems when dealing with telephone inquiries from the general public. [129639]

Jane Kennedy: Both of the Department's agencies, the Court Service and Public Trust Office, make use of touch tone telephone steering systems for some of their public inquiries. These systems are also used in the Land Registry and Public Record Office, which are Departments responsible to the Lord Chancellor and run on agency lines.

Mr. Ben Chapman: To ask the Parliamentary Secretary, Lord Chancellor's Department how many of his Department's telephone lines used by the general public are responded to by touch tone telephone steering systems. [129621]

Jane Kennedy: The Lord Chancellor's Department's Headquarters makes use of touch tone telephone steering on one inquiry line; the Public Trust Office uses it on its Mental Health Customer Service inquiry line; the Public Record Office uses it on its Family Record centre inquiry line. The Court Service and the Land Registry both make some use of touch tone telephone steering systems but the information requested is not available and could be obtained only at disproportionate cost.

Solicitors' Negligence Cases

Dr. Cable: To ask the Parliamentary Secretary, Lord Chancellor's Department in how many cases legal aid has been granted over the last five years in solicitors' negligence cases to *(a)* solicitors and *(b)* complainants. [129451]

Mr. Lock: Under the system in place until 31 March 2000, solicitors were unlikely to obtain legal aid to defend negligence cases as they would not usually be financially eligible. Generally they would also have the benefit of professional indemnity insurance.

In the last five years for which figures are available, the number of certificates issued to claimants in actions for legal professional negligence was:

	Number
1993–94	3,342
1994–95	3,509
1995–96	3,717
1996–97	2,959
1997–98	2,365

Figures from 1998–99 onwards are not available and could be obtained only at disproportionate cost.

National Insurance

Mr. Webb: To ask the Parliamentary Secretary, Lord Chancellor's Department what has been the policy since 1989 on writing annually to those of his Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129483]

Jane Kennedy: This reply covers the Headquarters of the Lord Chancellor's Department (with Associated Offices), the Court Service and the Public Trust Office. CSL Managed Services, who provide the payroll service for this Department, write each year to staff who have been identified as making reduced rate NI contributions to determine whether these contributions continue to be appropriate.

HOME DEPARTMENT

Crime Statistics

Mr. Darvill: To ask the Secretary of State for the Home Department what plans he has for the publication of crime statistics to assist comparison of performance at a local level. [130291]

Mr. Straw: The next publication of crime statistics is due on July 18. As in January, an Annexe to the publication will give crime and detection figures for police Basic Command Units for six types of crime which are of particular public concern. But, for the first time, my Department will be publishing these crime figures in relation to Crime and Disorder Reduction Partnerships. The partnership data will be published in 13 groups, or 'families', of partnerships. The families draw together areas with similar policing and crime reduction characteristics to assist comparison between the areas. There are 376 partnerships. The Home Office will today publish a Policing and Reducing Crime Unit Briefing Note to provide a description of how the family groups have been devised, which includes the list of the family groups. I have placed a copy of this briefing note in the Library.

Departmental Payments

Mr. Chope: To ask the Secretary of State for the Home Department what percentage of correctly presented bills were paid by his Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130034]

Mr. Straw: Owing to disproportionate cost, I am unable to provide information on bills paid by my Department in the format the hon. Member requires. However, I am able to provide information on the percentage of bills paid within 30 days of a valid invoice as given in the table.

	Percentage
Year	*Valid invoices*
1998–99	96.6
1999–2000	96.3

Coroners Courts

Mr. Greenway: To ask the Secretary of State for the Home Department what research his Department is supporting into the work and efficiency of coroners courts. [130010]

Mr. Boateng: We are currently funding research at the University of Reading into the way in which information is provided to the bereaved by Coroners. The results of this work are expected to become available in the second half of 2001.

Kosovan Refugees

Mr. Lidington: To ask the Secretary of State for the Home Department (1) if his Department will reimburse local authorities for costs incurred after 25 June in respect of Kosovans evacuated to the United Kingdom under humanitarian and medical evacuation programmes; [130111]

(2) what is his policy on the provision of accommodation and support to Kosovans who came to the United Kingdom under humanitarian or medical evacuation programmes and who remained here after 25 June. [130110]

Mrs. Roche: Kosovan Albanians who were evacuated to the United Kingdom on the Humanitarian Evacuation Programme between 25 April and 25 June 1999 or who were later evacuated on the medical evacuation programme were granted a maximum of 12 months leave to enter. They were eligible to claim social security benefits or to take employment during this period. They will continue to qualify for support (including accommodation) if they made an application for further exceptional leave before their original leave expired until 28 days after the decision to refuse their application. They are also eligible to work until an appeal has been dealt with. If they are granted further leave to remain they will be eligible for support during that extended period of leave.

The special grants we propose to pay to certain local authorities in England, towards expenditure incurred in 2000–01, are specified in Special Grant Report (No. 68) which was laid before the House on 6 July.

Under the terms of the Report, Kosovans evacuated under the Humanitarian Evacuation Programme ceased to be eligible for support when their initial period of exceptional leave to enter the UK expired (25 June 2000 at the latest). However, local authorities will be able to claim for costs associated with the closure of certain vacated reception and return centres up to 25 July.

Expenditure on support for evacuees who arrived on authorised medical evacuation flights will continue until their initial period of exceptional leave to enter ends: up to 31 March 2001 (in some cases).

Asylum Seekers

Mr. Lidington: To ask the Secretary of State for the Home Department if he will list each local authority which claimed grants from his Department for supporting asylum seekers between 6 December 1999 and 31 March 2000, giving in each case *(a)* the actual expenditure by the local authority and *(b)* the grant-eligible expenditure of the local authority. [130112]

Mrs. Roche: The information is as follows:

Asylum seekers support grant 6 December to 31 March 1999–2000
Local authority claims

£

Local authority	*Gross expenditure net of housing benefit*	*Grand total grant paid*
Barking and Dagenham	3,864,101.00	3,864,101.00
Barnet	2,413,926.09	2,353,366.79
Barnsley	162,069.00	139,960.00
Bath and North East Somerset	15,073.37	15,073.37
Bedford	641,600.00	619,240.00
Bexley	401,225.00	401,225.00
Birmingham	1,085,835.20	1,085,835.20
Blackburn with Darwen	39,449.00	25,300.00
Blackpool	25,573.00	25,573.00
Blaenau Gwent County	0.00	0.00
Bolton Metro	115,368.00	112,580.00
Bournemouth	139,270.00	134,480.00
Bracknell Forest	12,185.71	8,600.00
Bradford	70,703.68	70,703.68
Brent	3,632,880.13	2,918,720.00
Bridgend County	3,750.00	3,524.00
Brighton and Hove	316,776.12	316,776.12
Bristol City	409,448.47	409,448.47
Bromley	845,307.00	736,452.00
Buckinghamshire	65,557.53	51,276.00
Bury	183,300.00	79,190.00
Caerphilly County	8,816.63	8,816.63
Calderdale	37,773.00	37,773.00
Cambridgeshire	464,662.00	464,662.00
Camden	3,454,298.00	2,576,460.00
Cardiff	189,947.00	189,947.00
Carmarthenshire	166.00	166.00
Ceredigion CC	0.00	0.00
Cheshire	70,295.00	68,320.00
City of Newcastle	376,906.63	376,906.63
Conwy CBC	0.00	0.00
Cornwall	713.00	713.00
Corporation of London	450,900.00	301,000.00
Coventry	218,670.00	180,123.00
Croydon	901,954.00	901,954.00
Cumbria	350.00	350.00
Darlington	2,745.00	2,745.00
Denbighshire County	1,260.00	1,300.00
Derby	158,420.00	120,680.00
Derbyshire	23,786.00	21,420.00
Devon	18,265.93	18,265.93
Doncaster	47,139.63	47,139.63
Dorset	12,378.00	10,460.00
Dudley	73,759.00	60,820.00
Durham	2,717.97	2,717.97
Ealing	2,239,147.00	2,029,940.00
East Riding of Yorkshire	19,664.00	19,664.00
East Sussex	240,435.00	232,048.00
Enfield	3,144,896.00	3,040,122.00
Essex	576,145.99	518,360.00
Flintshire	1,750.00	1,750.00
Gateshead	54,327.00	54,327.00
Gloucestershire	164,791.00	164,791.00
Greenwich	1,953,404.00	1,953,404.00
Gwynedd	0.00	0.00
Hackney	3,713,649.86	3,687,443.58
Halton	0.00	0.00
Hammersmith and Fulham	4,587,902.00	3,428,220.00
Hampshire	114,017.53	107,034.29
Haringey	6,376,251.00	6,376,251.00
Harrow	1,242,218.00	1,016,220.00
Hartlepool	0.00	0.00
Havering	1,093,419.00	831,961.00
Herefordshire	11,568.32	11,568.32
Hertfordshire	1,230,238.61	1,230,238.61
Hillingdon	3,646,464.00	2,918,320.00

Asylum seekers support grant 6 December to 31 March 1999–2000
Local authority claims

£

Local authority	*Gross expenditure net of housing benefit*	*Grand total grant paid*
Hounslow	1,754,462.00	1,632,380.00
Isle of Anglesey CC	—	—
Isle of Wight	2,050.00	2,050.00
Isles of Scilly	0.00	0.00
Islington	6,894,840.00	6,894,840.00
Kensington and Chelsea	3,464,507.00	2,883,580.00
Kent	7,522,422.00	7,522,422.00
Kingston upon Hull	215,008.00	199,160.00
Kingston upon Thames	433,750.00	360,520.00
Kirklees	266,883.00	207,393.00
Knowsley	84,778.00	55,648.00
Lambeth	4,333,762.00	4,333,762.00
Lancashire	39,725.85	39,725.85
Leeds	117,718.24	117,718.24
Leicester	417,329.00	412,785.00
Leicestershire	214,732.63	210,954.06
Lewisham	3,012,011.00	3,012,011.00
Lincolnshire	117,746.36	117,746.36
Liverpool	603,857.02	412,171.44
Luton	1,126,123.00	1,126,123.00
Manchester	1,629,507.00	1,607,460.00
Medway	60,710.07	60,710.07
Merthyr Tydfil County	1,220.65	1,220.65
Merton	1,383,158.00	1,282,060.00
Middlesbrough	87,506.00	87,506.00
Milton Keynes	481,624.90	481,624.90
Monmouthshire County	6,425.24	4,480.00
Neath Port Talbot	1,685.81	1,685.81
Newham	6,521,596.00	6,521,596.00
Newport County (South Wales)	29,608.82	25,111.00
Norfolk	145,520.00	145,520.00
North East Lincolnshire	63,051.95	63,051.95
North Lincolnshire	6,853.21	6,853.21
North Somerset	33,078.00	27,140.00
North Tyneside	57,923.50	32,079.83
North Yorkshire	8,854.09	8,854.09
Northamptonshire	4,123,033.00	4,123,033.00
Northumberland	1,700.00	1,700.00
Nottingham	127,131.60	127,131.60
Nottinghamshire	82,792.69	71,153.98
Oldham	54,718.00	54,718.00
Oxfordshire	2,184,757.00	1,988,200.00
Pembrokeshire	6,953.32	6,953.32
Peterborough	103,003.00	103,003.00
Plymouth	42,449.00	42,449.00
Poole	19,620.00	19,620.00
Portsmouth	358,836.00	354,680.00
Powys CC	0.00	0.00
Reading	656,471.00	650,562.00
Redbridge	2,911,757.00	2,911,757.00
Redcar and Cleveland	69,265.25	69,125.79
Rhondda Cynon Taff County	15,595.82	14,160.00
Richmond upon Thames	1,624,087.00	1,063,492.00
Rochdale	86,817.00	78,664.00
Rotherham	100,318.88	55,609.00
Rutland	13,994.90	13,994.90
Salford	115,872.00	115,872.00
Sandwell	246,195.00	246,120.00
Sefton	17,393.12	17,393.12
Sheffield	1,163,310.00	1,163,310.00
Shropshire	6,706.00	6,706.00
Slough	2,557,110.00	2,512,480.00
Solihull	18,243.00	18,243.00
Somerset	21,859.72	19,256.00
South Gloucestershire	68,514.74	57,748.37
South Tyneside	80,674.00	26,360.00
Southampton	405,027.78	397,660.00
Southend on Sea	428,857.00	428,857.00
Southwark	5,453,538.00	4,826,420.00
St. Helens	560.00	560.00
Staffordshire	194,055.00	182,338.00
Stockport	99,134.25	81,880.00
Stockton on Tees	8,340.42	8,340.42
Stoke on Trent	86,624.48	81,860.00
Suffolk	56,063.00	53,281.00
Sunderland	84,259.03	64,040.00
Surrey	570,664.00	508,892.00
Sutton	1,156,266.00	970,680.00
Swansea City and County	6,973.15	6,973.15
Swindon	146,469.00	146,469.00
Tameside	44,388.00	37,320.00
Telford and Wrekin	22,813.00	18,800.00
Thurrock	485,941.00	485,941.00
Torbay	0.00	0.00
Torfaen CBC	0.00	0.00
Tower Hamlets	1,241,061.00	998,480.00
Trafford	64,238.68	64,238.68
Vale of Glamorgan	17,380.00	13,320.00
Wakefield	236,803.98	217,340.00
Walsall	75,676.00	64,048.00
Waltham Forest	3,066,246.00	3,066,246.00
Wandsworth	1,625,791.14	1,280,492.52
Warrington	19,800.00	16,660.00
Warwickshire	178,821.00	178,821.00
West Berkshire	12,157.61	12,157.61
West Sussex	269,666.85	229,710.00
Westminster	5,373,888.00	3,477,920.00
Wigan	111,399.00	63,380.00
Wiltshire	78,762.00	76,220.00
Windsor and Maidenhead	24,920.63	20,060.00
Wirral	2,046.66	2,046.66
Wokingham	41,140.00	41,140.00
Wolverhampton	47,966.58	47,966.58
Worcestershire	152,531.00	152,531.00
Wrexham	0.00	0.00
York	4,127.63	4,127.63

Mr. Lidington: To ask the Secretary of State for the Home Department when he expects the National Asylum Support Service to assume responsibility for all in-country asylum applicants. [130118]

Mrs. Roche: I propose to extend the new support arrangements for asylum seekers in England and Wales as set out in Part VI of the Immigration and Asylum Act 1999 according to the following timetable:

Date	
Monday 24 July	London in-country cases
Monday 31 July	North East, Yorkshire and Humberside and Wales in-country cases
Monday 14 August	In-country cases in North West, East Midlands, Eastern, South West and South Central
Tuesday 29 August	In-country cases in West Midlands and Sussex
Monday 25 September	All disbenefited cases in England and Wales

The arrangements which take effect between 24 July and 29 August will apply to all new asylum seekers in England and Wales who claim asylum on, or after, the relevant dates set out in the table (in-country applications in Scotland and Northern Ireland are already covered by the new arrangements). All asylum seekers who are currently being supported by local authority social services departments under the interim arrangements in Schedule 9 to the Immigration and Asylum Act 1999 will continue to be so supported.

"Disbenefited cases" are those asylum seekers who, prior to 3 April 2000, were in receipt of social security benefits, but who on or after 25 September 2000 receive a first negative decision, who are thus no longer eligible for social security benefits, who go on to appeal and who continue to be eligible for support.

Mr. Lidington: To ask the Secretary of State for the Home Department how many asylum seekers have *(a)* been offered, *(b)* accepted and *(c)* refused an offer of accommodation by him under the support arrangements introduced on and after 1 April. [130108]

Mrs. Roche: The National Asylum Support Service began on 3 April 2000. The available information is that as at 3 July 2000 there had been 5,100 claims for support from asylum seekers. Not all claims for support will involve a request for accommodation. Of these claims, 2,190 were offered accommodation.

Mr. Lidington: To ask the Secretary of State for the Home Department what is the state of contract negotiations between the National Asylum Support Service and each of the regional consortiums. [130113]

Mrs. Roche: As of 10 July, contracts have been exchanged with Scotland and the North-East. Negotiations with other consortia are ongoing and we hope that a number of areas will be signing up over the coming months. I am not prepared to give information about the current state of any of these negotiations, since to do so could harm the outcome of these negotiations.

Mr. Lidington: To ask the Secretary of State for the Home Department how may children of school age are *(a)* asylum seekers and *(b)* dependants of asylum seekers in the United Kingdom; how many of those children have been dispersed outside London and the South-East; and if he will make a statement. [130109]

Mrs. Roche: In 1999, the United Kingdom received 3,349 applications for asylum from unaccompanied minors (aged under 18).

Information on the age of asylum seeker dependants in the United Kingdom is not currently available.

Information on dispersal of asylum seekers by age is not held centrally.

Mr. Streeter: To ask the Secretary of State for the Home Department if he will delay the placement of additional asylum seekers in Plymouth until proper facilities and support services are in place which are fully funded by his Department. [130120]

Mrs. Roche: London and the South-East have had to manage a disproportionate number of asylum seekers and there is a recognised need to disperse asylum seekers to suitable areas throughout the United Kingdom. National Asylum Support Service (NASS) has acquired some accommodation in Plymouth through the private sector who are contracted to provide various services, apart from accommodation. There is a "one stop shop" located in Plymouth. We are satisfied that adequate facilities and support infrastructure are available for asylum seekers in Plymouth and that there is no need to delay further placements.

Mr. Streeter: To ask the Secretary of State for the Home Department if he will make a statement on the negotiations to place asylum seekers in Plymouth and the extent to which he consulted the South West Consortium of local authorities. [130119]

Mrs. Roche: We have made clear our intention to disperse asylum seekers throughout the United Kingdom. The placing of asylum seekers in Plymouth is part of that dispersal programme. As of 10 July, ten asylum seekers have been dispersed to Plymouth by the National Asylum Support Service. There is an established consultation process between NASS and the regional consortiums regarding dispersal and siting of cluster areas. NASS last wrote to the South West Consortium confirming that Plymouth remained a cluster area on 8 June. The consortium is also fully aware of the contractors within the area.

The Director of NASS has written to the Chief Executive of South Gloucestershire explaining the circumstances surrounding the acquisition of property in Plymouth and expressing regret that we were unable to consult in advance.

Dr. Iddon: To ask the Secretary of State for the Home Department what arrangements have been made to put dispersed asylum seekers in contact with immigration and advisory services which offer free advice. [129473]

Mrs. Roche: The Legal Services Commission provides funding, through contracts with quality-assured suppliers of legal services, for the provision of free legal advice and representation to those who are eligible. In addition, the voluntary sector is establishing "one stop shops" in each of the cluster areas where asylum seekers can obtain advice.

Dr. Iddon: To ask the Secretary of State for the Home Department if he will supply immigration and advisory services that provide free advice with the names and addresses of dispersed asylum seekers. [129472]

Mrs. Roche: No. The routine disclosure of personal details of asylum seekers supported by the National Asylum Support Service to third parties would not be compatible with data protection legislation or our duty to confidentiality to asylum seekers.

Europol

Mr. Mitchell: To ask the Secretary of State for the Home Department what reply he has sent to the request of the Presidency of the European Union (7369/00) for approval of a draft recommendation for rules relating to requests from Europol to member states to initiate investigations on its behalf, with particular reference to the proposal that member states should inform Europol of their reasons for not agreeing to such requests. [130055]

Mr. Charles Clarke: The draft Council Recommendation relating to the possibility of Europol asking member states to initiate investigations (7369/00 now 7369/1/00) is under discussion in the Europol Working Group. The Government's position is set out in an explanatory memorandum deposited with the scrutiny committees on 2 June, copies of which have been placed in the Library. We are negotiating the draft Recommendation on the basis that it is broadly acceptable. The Recommendation does not impose any obligations on the member states. Competent authorities in the United Kingdom would in general already adhere to the principles in the Recommendation in dealing with requests from Europol through the Europol National Unit. We consider that, while it will not always be appropriate for member states to inform Europol of the reasons for not agreeing to their request to conduct an investigation, it is good practice to do so wherever possible.

Edwards Report

Mr. Cohen: To ask the Secretary of State for the Home Department if he will make a statement on the implementation of the recommendations of the Edwards Report. [128509]

Mr. Straw: I refer my hon. Friend to the reply I gave my hon. Friend the Member for Liverpool, Garston (Maria Eagle) on 16 March 2000, *Official Report*, column 262W.

The Islands have continued to implement the Edwards Report. Developments since 16 March include:

Guernsey: on 31 May, the Guernsey States approved the "policy letter" for new legislation on regulating director services, which will address the "Sark Lark", among other things. This step paves the way for drafting the legislation and presentation to the states in the autumn.

Isle of Man: the Corporate Services Providers Bill has been making legislative process in the Isle of Man.

Jersey: the Financial Services (Extension) (Jersey) Law has been referred to the Home Office for Royal Assent. It extends supervision to providers of services in connection with companies and trusts.

Police Training

Mr. Brake: To ask the Secretary of State for the Home Department if he will list the respondents to Police Training: A Consultation Document, published in November 1999. [129589]

Mr. Charles Clarke: A full list of respondents to Police Training: A Consultation Document, published in November 1999, is as follows:

A. Police staff associations

1. Police Federation of England and Wales
2. Police Superintendents' Association of England and Wales

B. ACPO and individual forces

3. Association of Chief Police Officers of England, Wales and Northern Ireland
4. Metropolitan Police
5. Avon and Somerset Constabulary
6. Bedfordshire Police
7. Cambridgeshire Constabulary
8. Cleveland Constabulary
9. Devon and Cornwall Constabulary
10. Essex Police
11. Gloucestershire Constabulary
12. Greater Manchester Police
13. Hertfordshire Constabulary
14. Humberside Police
15. Gwent Police
16. Kent County Constabulary
17. Leicestershire Constabulary
18. Merseyside Police
19. Norfolk Constabulary
20. Northamptonshire Police
21. North Wales Police
22. North Yorkshire Police
23. Suffolk Constabulary
24. Thames Valley Police
25. West Midlands Police
26. West Yorkshire Police
27. Wiltshire Constabulary

C. APA and individual police authorities

28. Association of Police Authorities
29. Durham Police Authority
30. Humberside Police Authority
31. Kent Police Authority
32. Lincolnshire Police Authority
33. Northumbria Police Authority
34. Nottinghamshire Police Authority
35. Thames Valley Police Authority

D. Others

36. HM Inspectorate of Constabulary
37. National Police Training
38. British Transport Police
39. Sir John Wheeler, Chairman of NCIS and NCS Service Authorities
40. Ian Johnston QPM, Assistant Commissioner, Metropolitan Police
41. DC Debbie Carson, Metropolitan Police
42. Training Unit, Northumbria Police
43. Inspector Karl Burns, Specialist Skills Section, Northumbria Police
44. Management Training Team, Nottinghamshire Police
45. No. 5 Region, ACPO Training Practitioners Group
46. Ian Symonds, ACPO Competency Framework project
47. Steve Trimmins, Crime Reduction College
48. NTO Division, Department for Education and Employment
49. Metropolitan Police Committee
50. Metropolitan Police Special Constabulary
51. Cheshire Special Constabulary
52. City of London Special Constabulary
53. Cumbria Special Constabulary
54. Warwickshire Special Constabulary
55. Examinations and Assessment, National Police Training
56. National Training Centre for Scientific Support to Crime Investigation
57. Police Complaints Authority
58. Improvement and Development Agency
59. Public and Commercial Services Union (PCS)
60. Institution of Professionals, Managers and Scientists (IPMS)
61. Unison
62. First Division Association
63. Community Justice NTO
64. Justices' Clerks' Society
65. Association of Chief Officers of Probation

66. National Association for the Care and Rehabilitation of Offenders
67. Commission for Racial Equality
68. National Schizophrenia Fellowship
69. Crime Concern
70. Victim Support
71. National Neighbourhood Watch Association
72. University of Portsmouth Institute of Criminal Justice Studies
73. The Police Foundation
74. Edexcel
75. The Newspaper Society
76. Geoff Swaithe
77. Nick Ross
78. Gareth Hadley, Director of Personnel, Prison Service
79. Crown Prosecution Service
80. Donald Bligh.

Glen Howard

Mr. Brake: To ask the Secretary of State for the Home Department what action he intends to take following the inquest into the death of Glen Howard; and if he will make a statement. [129588]

Mr. Charles Clarke: The Crown Prosecution Service have now received a transcript of the inquest into the death of Glenn Howard. They will be reconsidering the case in light of all the evidence that was presented there and it would not be appropriate for me to comment on the specific details at this stage. However, the use of restraint tactics when dealing with mentally disordered persons is a matter which I understand the police are reviewing as part of the continual process of evaluating and improving training.

CS Spray

Mr. Brake: To ask the Secretary of State for the Home Department what assessment he has made of the Association of Chief Police Officers' decision to make its guidance on the use of CS spray available to interested parties; and if he will make a statement. [129584]

Mr. Charles Clarke: I welcome it.

Mr. Brake: To ask the Secretary of State for the Home Department if he will make it his policy that the planned research into the interaction of CS spray and anti-psychotic medication used in the treatment of schizophrenia will involve wide consultation with relevant service users, carers and voluntary organisations. [129586]

Mr. Charles Clarke: I am not aware of any research planned specifically on the interaction of CS spray and anti-psychotic medication, although the research we shall be carrying out at the recommendation of the Committee on Toxicity on the longer-term effects of CS spray may provide information on this subject.

Mr. Brake: To ask the Secretary of State for the Home Department what assessment he has made of the Association of Chief Police Officers' decision on local protocols with health and social services departments about the use of CS spray on people known to have a severe mental illness; and if he will make a statement. [129585]

Mr. Charles Clarke: I agree with the Association of Chief Police Officer's (ACPO) recommendation that chief officers should consider drawing up local protocols with health authorities and social services departments on this matter.

Metropolitan Police

Mr. Cox: To ask the Secretary of State for the Home Department how many police officers from the Metropolitan police left the service in the last 12 months; and what were the reasons given for leaving. [129507]

Mr. Charles Clarke: Figures provided by the Metropolitan police show that in the 12 months from April 1999 to March 2000, 1,504 people ceased to serve as Metropolitan police officers. This equates to a turnover rate of 5.66 per cent.

Out of the total 554 officers retired on ordinary police pensions, 361 resigned, 285 were medically retired and 243 transferred to other forces. A further 61 officers left for other reasons, including dismissal and death in service.

I understand that concerns about quality of life and the costs associated with living in London have been reasons historically given by those resigning and transferring to other forces for their decisions. A new exit poll introduced by the Metropolitan police in April 2000 will give more detailed information for future years.

Police Force Areas

Mr. Simon Hughes: To ask the Secretary of State for the Home Department which police force areas fall within which parliamentary constituencies. [129458]

Mr. Charles Clarke: The information requested is set out as follows for each police force area in England and Wales.

Parliamentary constituencies by police force area

Avon and Somerset constabulary

Bath
Bristol:
  East
  North-West
  South
  West
Kingswood
Northavon
Wansdyke
Weston-Super-Mare
Woodspring
Bridgwater
Somerton and Frome
Taunton
Wells
Yeovil

Bedfordshire police

Bedford
Mid-Bedfordshire
North-East Bedfordshire
South-West Bedfordshire
Luton, North
Luton, South

Cambridgeshire constabulary
- Cambridge
- North-East Cambridgeshire
- North-West Cambridgeshire
- South, Cambridgeshire
- South-East Cambridgeshire
- Huntingdon
- Peterborough

Cheshire constabulary
- City of Chester
- Congleton
- Crewe and Nantwich
- Eddisbury
- Ellesmere Port and Neston
- Halton
- Macclesfield
- Tatton
- Weaver Vale
- Warrington, North
- Warrington, South

Cleveland police
- Hartlepool
- Middlesbrough
- Middlesbrough, South and Cleveland, East
- Redcar
- Stockton, North
- Stockton, South

Cumbria constabulary
- Barrow and Furness
- Carlisle
- Copeland
- Penrith and The Border
- Westmorland and Lonsdale
- Workington

Derbyshire constabulary
- Amber Valley
- Bolsover
- Chesterfield
- Derby, North
- Derby, South
- North-East Derbyshire
- South Derbyshire
- West Derbyshire
- Erewash
- High Peak

Devon and Cornwall constabulary
- Exeter
- East Devon
- North Devon
- South-West Devon
- Torridge and West Devon
- Plymouth, Sutton
- Plymouth, Devonport
- Teignbridge
- Tiverton and Honiton
- Torbay
- Totnes
- North Cornwall
- South-East Cornwall
- Falmouth and Camborne
- St. Ives
- Truro and St. Austell

Dorset police
- Bournemouth, East
- Bournemouth, West
- Christchurh
- Mid-Dorset and North Poole
- North Dorset
- South Dorset
- West Dorset
- Poole

Durham constabulary
- Bishop Auckland
- City of Durham
- Darlington
- North Durham
- North-West Durham
- Easington
- Sedgefield

Dyfed-Powys police
- West Carmarthen and South Pembrokeshire
- East Carmarthen and Dinefwr
- Ceredigion
- Llanelli
- Preseli Pembrokeshire
- Brecon and Radnorshire
- Montgomeryshire

Essex police
- Billericay
- Basildon
- Braintree
- Brentwood and Ongar
- Castle Point
- West Chelmsford
- Colchester
- Epping Forest
- North Essex
- Harwich
- Harlow
- Maldon and East Chelmsford
- Saffron Walden
- Rayleigh
- Rochford and Southend, East
- Southend, West
- Thurrock

Gloucestershire constabulary

- Cheltenham
- Cotswold
- Forest of Dean
- Gloucester
- Stroud
- Tewkesbury

Greater Manchester police

- Altrincham and Sale, West
- Ashton-under-Lyne
- Bolton, North-East
- Bolton, South-East
- Bolton, West
- Bury, North
- Bury, South
- Cheadle
- Denton and Reddish
- Eccles
- Hazel Grove
- Heywood and Middleton
- Leigh
- Makerfield
- Manchester:
  - Central
  - Blackley
  - Gorton
  - Withington
- Oldham, East and Saddleworth
- Oldham, West and Royton
- Rochdale
- Salford
- Stalybridge and Hyde
- Stockport
- Stretford and Urmston
- Wigan
- Worsley
- Wythenshawe and Sale, East

Gwent constabulary

- Blaenau Gwent
- Islwyn
- Monmouth
- Merthyr Tydfil and Rhymney
- Newport, East
- Newport, West
- Torfaen

Hampshire constabulary

- Aldershot
- Basingstoke
- Eastleigh
- Fareham
- Gosport
- East Hampshire
- North-East Hampshire
- North-West Hampshire
- Havant
- Isle of Wight
- New Forest, East
- New Forest, West
- Portsmouth, North
- Portsmouth, South
- Romsey
- Southampton, Itchen
- Southampton, Test
- Winchester

Hertfordshire constabulary

- Broxbourne
- Hemel Hempstead
- Hertford and Stortford
- North-East Hertfordshire
- South-West Hertfordshire
- Hertsmere
- Hitchin and Harpenden
- St. Albans
- Stevenage
- Watford
- Welwyn Hatfield

Humberside police

- Beverley and Holderness
- Brigg and Goole
- Cleethorpes
- Great Grimsby
- Haltemprice and Howden
- Hull, East
- Hull, North
- Hull, West and Hessle
- Scunthorpe
- East Yorkshire

Kent county constabulary

- Ashford
- Canterbury
- Chatham and Aylesford
- Dartford
- Faversham and Mid-Kent
- Folkestone and Hythe
- Gillingham
- Gravesham
- Maidstone and The Weald
- Medway
- Sevenoaks
- Sittingbourne and Sheppey
- North Thanet
- South Thanet
- Tonbridge and Malling
- Tunbridge Wells

Lancashire constabulary

- Blackburn
- Blackpool, North and Fleetwood
- Blackpool, South
- Burnley
- Chorley
- Fylde
- Hyndburn
- West Lancashire
- Lancaster and Wyre
- Morecambe and Lunesdale
- Pendle
- Preston
- South Ribble
- Ribble Valley
- Rossendale and Darwen

Leicestershire constabulary

- Blaby
- Bosworth
- Charnwood
- Harborough
- Leicester, East
- Leicester, South
- Leicester, West
- North-West Leicestershire
- Loughborough
- Rutland and Melton

Lincolnshire police

- Boston and Skegness
- Gainsborough
- Grantham and Stamford
- Lincoln
- Louth and Horncastle
- Sleaford and North Hykeham
- South Holland and The Deepings

Merseyside police

- Birkenhead
- Bootle
- Crosby
- Knowsley, North and Sefton East
- Knowsley, South
- Liverpool:
  - Garston
  - Riverside
  - Wavertree
  - Walton
  - West Derby
- Southport
- St. Helens, North
- St. Helens, South
- Wallasey
- Wirral, South
- Wirral, West

Norfolk constabulary

- Great Yarmouth
- Mid-Norfolk
- North Norfolk
- North-West Norfolk
- South Norfolk
- South-West Norfolk
- Norwich, North
- Norwich, South

Northamptonshire police

- Corby
- Daventry
- Kettering
- Northampton, North
- Northampton, South
- Wellingborough

Northumbria police

- Berwick-upon-Tweed
- Blyth Valley
- Hexham
- Wansbeck
- Blaydon
- Gateshead, East and Washington, West
- Houghton and Washington, East
- Jarrow
- Newcastle-upon-Tyne:
  - Central
  - East and Wallsend
  - North
- South Shields
- Sunderland, North
- Sunderland, South
- Tyne Bridge
- Tynemouth
- Tyneside, North

North Wales police

- Caernarfon
- Conwy
- Meirionnydd Nant Conwy
- Ynys Mon
- Alyn and Deeside
- Clwyd, South
- Clwyd, West
- Delyn
- Vale of Clwyd
- Wrexham

North Yorkshire police

- City of York
- Harrogate and Knaresborough
- Richmond
- Ryedale
- Scarborough and Whitby
- Selby
- Skipton and Ripon
- Vale of York

Nottinghamshire police

Ashfield
Bassetlaw
Broxtowe
Gedling
Mansfield
Newark
Nottingham, East
Nottingham, North
Nottingham, South
Rushcliffe
Sherwood

South Wales police

Bridgend
Caerphilly
Cynon Valley
Ogmore
Pontypridd
Rhondda
Cardiff:
  Central
  North
  South and Penarth
  West
Vale of Glamorgan
Aberavon
Gower
Neath
Swansea, East
Swansea, West

South Yorkshire police

Barnsley, Central
Barnsley, East and Mexborough
Barnsley, West and Penistone
Don Valley
Doncaster, Central
Doncaster, North
Rotherham
Rother Valley
Sheffield:
  Central
  Attercliffe
  Brightside
  Hallam
  Heeley
  Hillsborough
Wentworth

Staffordshire police

Burton
Cannock Chase
Lichfield
Newcastle-under-Lyme
Stafford
Staffordshire, Moorland
South Staffordshire
Stoke on Trent, Central
Stoke on Trent, North
Stoke on Trent, South
Stone
Tamworth

Suffolk constabulary

Bury St. Edmunds
Central Suffolk and Ipswich, North
Suffolk, Coastal
South Suffolk
West Suffolk
Waveney

Surrey police

Epsom and Ewell
Esher and Walton
Guildford
Mole Valley
Reigate
Runnymede and Weybridge
Spelthorne
East Surrey
Surrey Heath
South-West Surrey
Woking

Sussex police

Arundel and South Downs
Bexhill and Battle
Bognor Regis and Littlehampton
Brighton, Kemptown
Brighton, Pavilion
Chichester
Crawley
Eastbourne
Hastings and Rye
Horsham
Hove
Lewes
Mid-Sussex
Wealden
East Worthing and Shoreham
Worthing, West

Thames Valley police

Bracknell
Maidenhead
Newbury
Reading, East
Reading, West
Slough
Windsor
Wokingham
Banbury
Henley
Oxford, East
Oxford, West and Abingdon
Wantage
Witney
Aylesbury
Beaconsfield
Buckingham
Milton Keynes, North-East
Milton Keynes, South-West
Wycombe

Warwickshire constabulary

- Nuneaton
- Rugby and Kenilworth
- Stratford-upon-Avon
- Warwick and Leamington
- North Warwickshire

West Mercia constabulary

- Bromsgrove
- Hereford
- Leominster
- Redditch
- Worcester
- Mid-Worcestershire
- West Worcestershire
- Wyre Forest
- Ludlow
- Shrewsbury and Atcham
- North Shropshire
- Telford
- The Wrekin

West Midlands police

- Aldridge-Brownhills
- Birmingham:
  - Sparkbrook and Small Heath
  - Edgbaston
  - Erdington
  - Hall Green
  - Hodge Hill
  - Ladywood
  - Northfield
  - Perry Barr
  - Selly Oak
  - Yardley
- Coventry, North-East
- Coventry, North-West
- Coventry, South
- Dudley, North
- Dudley, South
- Halesowen and Rowley Regis
- Meriden
- Solihull
- Stourbridge
- Sutton Coldfield
- Warley
- West Bromwich, East
- West Bromwich, West
- Walsall, North
- Walsall, South
- Wolverhampton, North-East
- Wolverhampton, South-East
- Wolverhampton, South-West

West Yorkshire police

- Batley and Spen
- Bradford, North
- Bradford, South
- Bradford, West
- Calder Valley
- Colne Valley
- Elmet
- Dewsbury
- Halifax
- Hemsworth
- Huddersfield
- Keighley
- Leeds:
  - Central
  - East
  - North-East
  - North-West
  - West
- Morley and Rothwell
- Normanton
- Pontefract and Castleford
- Pudsey
- Shipley
- Wakefield

Wiltshire constabulary

- Devizes
- Salisbury
- Swindon, North
- Swindon, South
- Westbury
- North Wiltshire

Metropolitan police

- Barking
- Battersea
- Beckenham
- Bethnal Green and Bow
- Bexleyheath and Crayford
- Brent, East
- Brent, North
- Brent, South
- Brentford and Isleworth
- Bromley and Chislehurst
- Camberwell and Peckham
- Carshalton and Wallington
- Chingford and Woodford Green
- Chipping Barnet
- Cities of London and Westminster
- Croydon, Central
- Croydon, North
- Croydon, South
- Dagenham
- Dulwich and West Norwood

Ealing, North
Ealing, Acton and Shepherd's Bush
Ealing, Southall
East Ham
Edmonton
Eltham
Enfield, North
Enfield, Southgate
Erith and Thamesmead
Feltham and Heston
Finchley and Golders Green
Greenwich and Woolwich
Hackney, North and Stoke Newington
Hackney, South and Shoreditch
Hammersmith and Fulham
Hampstead and Highgate
Harrow, East
Harrow, West
Hayes and Harlington
Hendon
Holborn and St. Pancras
Hornchurch
Hornsey and Wood Green
Ilford, North
Ilford, South
Islington, North
Islington, South and Finsbury
Kensington and Chelsea
Kingston and Surbiton
Lewisham, East
Lewisham, West
Lewisham Deptford
Leyton and Wanstead
Mitcham and Morden
Old Bexley and Sidcup
Orpington
Poplar and Canning Town
Putney
Regent's Park and Kensington, North
Richmond Park
Romford
Ruislip-Northwood
Southwark, North and Bermondsey
Streatham
Sutton and Cheam
Tooting
Tottenham
Twickenham
Upminster
Vauxhall
Walthamstow
West Ham
Wimbledon

City of London police

Cities of London and Westminster.

Police Complaints

Ms Oona King: To ask the Secretary of State for the Home Department what the average length of time was the Police Complaints Authority took to deal with complaints in the last 12 months; and what the PCA guidelines stipulate this should be. [129464]

Mr. Charles Clarke: The Police Complaints Authority (PCA) agreed targets for the completion of each stage of the complaints process in a joint statement of intent with the Crown Prosecution Service (CPS) and the Association of Chief Police Officers (ACPO) in 1992. The PCA's performance against these targets is set out in its annual report.

In 1998–99, the last year for which figures are available, 63 per cent. of PCA supervised investigations were completed within the agreed target of 120 days. The PCA took an average of 47 days to complete its discipline review of completed investigations, against an agreed target of 28 days.

Judicial Decisions

Mr. Mitchell: To ask the Secretary of State for the Home Department under which European Union or Community instrument Her Majesty's Government *(a)* have agreed and *(b)* plan to agree the mutual recognition of court judgments among EU member states; if he will list each such document and when it (i) was published, (ii) was considered in Parliament and (iii) came into or is expected to come into force; and which bodies or persons the Government consulted before reaching such decisions. [129753]

Mrs. Roche: Action to follow up the conclusions of the Tampere European Council on mutual recognition of judicial decisions has not yet reached the stage of European Union or Community legislation. The French Presidency has however tabled a document in the Article 36 Committee, dated 26 June, (reference 9737/00) which outlines a programme of legislative measures to implement the principle of mutual recognition of decisions in criminal matters. The document has been deposited for scrutiny in both Houses. The Government intend to support work on the programme of measures, and will consult appropriate United Kingdom bodies including those concerned in implementing the proposals, before any legislation is adopted.

Immigration

Mr. Mitchell: To ask the Secretary of State for the Home Department, pursuant to his answer of 14 June 2000, *Official Report*, column 626W, on immigration, if he will list those parts of European treaties coming into force subsequent to the passage of the Immigration Act 1971 which permit questioning, searching and detention on grounds of public policy through derogation from treaty provisions concerning freedom of movement and absence of internal frontiers within the European Union and Community. [129754]

Mrs. Roche: Under the Treaty establishing the European Community (TEC), the right to move and reside freely within the territory of the European Union is subject to derogations on grounds of public policy, public security and public health. These limitations on the Treaty freedoms are allowed by Article 39(3) (as regards freedom of movement for workers), Article 46 (as regards the right of establishment) and Article 55 (as regards the provision of services), and are also recognised by Article 18 (inserted by the Treaty on European Union).

The same limitations can be found in the secondary Community legislation on freedom of movement, including Directives 68/360/EEC, 73/148/EEC and 75/34/EEC. The use by member states of these derogations is subject to Directive 64/221/EEC on the co-ordination of special measures concerning the movement and residence of foreign nationals which are justified on the grounds of public policy, public security, or public health, extended by Directives 72/194/EEC and 75/35/EEC.

In order for Immigrations Officers to decide whether a person should be excluded on the grounds of public policy, public security or public health, Article 20(2)(e) of the Immigration (European Economic Area) Order 1994 applies the powers to question, search and detain contained in Schedule 2 to the Immigration Act 1971 to EEA nationals.

In the case of the United Kingdom, the question of derogation from provision concerning the absence of internal frontiers within the EU does not arise, having regard to our special position on the maintenance of internal frontier controls.

Citizenship Applicants (Language Difficulties)

Mr. Gordon Prentice: To ask the Secretary of State for the Home Department how many applicants for UK citizenship in each year since 1990 were turned down because they had an inadequate grasp of English. [129614]

Mrs. Roche: Information is not available in the form requested for the years 1990–94.

The number of applications refused for an insufficient knowledge of English between 1995 and June 2000 (the latest month for which information is available) are shown in the table.

Year	*Total*
1995	23
1996	27
1997	46
1998	53
1999	27
2000	12

As of 30 June

Firearms

Sir Teddy Taylor: To ask the Secretary of State for the Home Department if he will publish his response to the Second report of the Home Affairs Committee for Session 1999–2000 on Controls over Firearms (HC95). [129505]

Mr. Charles Clarke: The Government are currently considering the Select Committee's report and hopes to publish their response by way of a Command Paper shortly.

Sir Teddy Taylor: To ask the Secretary of State for the Home Department what information he collates on the amount of time which is taken by each constabulary to come to a decision on applications for shotgun licences in the last five years; and what were the longest and shortest waiting times. [129506]

Mr. Charles Clarke: The Government do not collect statistics routinely on the time taken by individual police forces to grant or renew shotgun certificates.

Children's Homes

Dr. Cable: To ask the Secretary of State for the Home Department what plans exist for a co-ordinated police response in relation to *(a)* child abuse in care, *(b)* disappearances from children's homes and *(c)* child deaths in children's homes. [129769]

Mr. Charles Clarke: The Association of Chief Police Officers (ACPO)/Local Government Association jointly issued a set of guidelines, "Missing from Care: Procedures and Practices in Caring for Missing Children" (1988), underlining the importance of close co-operation between police and social services when children go missing from care.

"Working Together to Safeguard Children" is a Department of Health document which has been prepared and issued jointly by the DOH, the Home Office and the Department of Education and Employment. It is addressed to those who work in the health and education services, the police, social services, the probation service, and those whose work brings them into contact with children and families. It is intended to provide a national framework within which agencies at a local level draw up and agree detailed ways of working together to promote children's welfare and to protect them from abuse and neglect and, in the most extreme cases, death.

Following publication of "Learning the Lessons—the Government's response to the Waterhouse Report", there is to be an inter-agency review of best practice in conducting complex abuse investigations. A Review Group is being established to take forward this work, bringing together representatives from the Home Office, Department of Health, Local Government Association, the Association of Directors of Social Services and the Association of Chief Police Officers.

Child Detainees

Dr. Vis: To ask the Secretary of State for the Home Department how many girls aged 15, 16 and 17 years were received into custody during 1999 *(a)* under sentence, *(b)* convicted unsentenced and *(c)* unconvicted. [129697]

Mr. Boateng: The information requested is given in the table.

Receptions[1] into prisons and young offender institutions in England and Wales of females aged 15, 16 and 17, by type of custody in 1999[2]

Type of custody	*Age 15*	*Age 16*	*Age 17*
Untried	—	—	219
Convicted Unsentenced	—	—	162
Sentenced	59	110	185

[1] Total receptions cannot be calculated by adding together receptions in each category because there is double counting.

[2] Provisional figures

Dr. Vis: To ask the Secretary of State for the Home Department what the average length of sentence was, by type of offence, for girls aged under 18 years received into custody in each year from 1994 to 1999. [129698]

Mr. Boateng: The information requested is given in the table.

Average sentence length[1] for females aged under 18 received into prisons and young offender establishments in England and Wales, by type of offence, 1994–99

Average sentence length—months

	Year of sentenced reception					
Offence group	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*
Violence against the person	7.5	8.5	7.6	6.5	7.1	6.4
Sexual offences	—	23.7	—	—	—	—
Burglary	10.3	6.4	6.9	10.2	10.0	9.0
Robbery	8.2	17.6	11.5	13.5	9.6	15.3
Theft and handling	6.2	6.1	5.7	5.2	4.4	5.0
Fraud and forgery	—	—	5.0	—	5.7	4.8
Drugs offences	20.0	10.0	22.5	20.3	7.6	16.5
Other offences	10.9	10.7	6.1	12.3	6.6	5.6
Offence not recorded	10.6	6.8	10.2	15.9	10.7	6.8
All females under 18	8.2	10.0	8.3	9.6	7.6	7.1

[1] Excludes those sentenced to life

Immigration (Carriers' Liability)

Mr. Alasdair Morgan: To ask the Secretary of State for the Home Department how many of the haulage companies charged under the Carriers' Liability (Clandestine Entrants and Sale of Transporters) Regulations 2000 have been charged on more than one occasion. [129793]

Mrs. Roche: Four.

Mr. Alasdair Morgan: To ask the Secretary of State for the Home Department how many of the haulage companies charged under the Carriers' Liability (Clandestine Entrants and Sale of Transporters) Regulations 2000 were registered in Scotland. [129792]

Mrs. Roche: Of a total of 233 penalties raised by 6 July 2000, 59 had been raised against British registered companies. Records relating specifically to Scottish registered companies are not kept separately.

Mr. Alasdair Morgan: To ask the Secretary of State for the Home Department if he will make a statement on *(a)* the effectiveness and *(b)* the effect upon the haulage industry of the Carriers' Liability (Clandestine Entrants and Sale of Transporters) Regulations 2000. [129797]

Mrs. Roche: The civil penalty provisions of the Immigration and Asylum Act 1999 were introduced as recently as 3 April 2000. Provisional figures indicate that the number of illegal entrants detected in Kent since the introduction of the provisions has fallen by 25 per cent., and that the number detected nationally has fallen by about 22 per cent. Total penalties imposed up to 6 July 2000 amount to £2,530,000.

There is now an obligation on lorry drivers to search their vehicles before they embark for the United Kingdom. A code of practice established in consultation with the industry protects drivers from the imposition of a civil penalty if they can show that they have complied with its terms.

Mr. Alasdair Morgan: To ask the Secretary of State for the Home Department how many hauliers convicted of transporting clandestine entrants into the United Kingdom since the implementation of the Carriers' Liability (Clandestine Entrants and Sale of Transporters) Regulations 2000 have been fined, for each particular incident *(a)* £2,000, *(b)* £4,000, *(c)* £6,000, *(d)* £8,000, *(e)* £10,000, *(f)* £12,000, *(g)* £14,000, *(h)* £16,000, *(i)* £18,000, *(j)* £20,000, *(k)* £22,000, *(l)* £24,000, *(m)* £26,000, *(n)* £28,000, *(o)* £30,000, *(p)* £32,000, *(q)* £34,000, *(r)* £36,000, *(s)* £38,000, *(t)* £40,000, *(u)* £42,000, *(v)* £44,000, *(w)* £46,000, *(x)* £48,000, *(y)* £50,000 and *(z)* £52,000 and over. [129956]

Mrs. Roche: The Civil penalty is set at £2,000 for each clandestine illegal entrant found concealed in a transporter. Penalties imposed thus far have been as follows. Fourteen charges of £2,000; 31 charges of £4,000; 49 charges of £6,000; 37 charges of £8,000; 27 charges of £10,000; 18 charges of £12,000; 15 charges of £14,000; eight charges of £16,000; 10 charges of £18,000; five charges of £20,000; seven charges of £22,000; one charge of £24,000; two charges of £26,000; one charge of £28,000; one charge of £32,000; one charge of £36,000; two charges of £38,000; one charge of £42,000; one charge of £44,000; one charge of £46,000; one charge of £50,000; and one charge of £100,000.

Xenotransplantation

Mr. Wyatt: To ask the Secretary of State for the Home Department how many primates have been used in the years since 1995 in research involving pig kidneys and pig hearts being transplanted into primates; and what percentage of these primates have rejected the transplanted organs. [129961]

Mr. Mike O'Brien: The number used in xenotransplantation research in each of the last four years for which information is available is as follows:

1996—60

1997—83

1998—81

1999—49.

The majority of the primates were euthanased once they began to show clinical or biochemical evidence of terminal organ failure or when their clinical condition began to give rise for concern.

Child Curfew Orders

Mr. Clappison: To ask the Secretary of State for the Home Department (1) what plans he has to extend the age range covered by child curfew orders; [129243]

(2) what guidance he has issued regarding child curfew orders; [129239]

(3) how many *(a)* child curfew orders and *(b)* antisocial behaviour orders have been granted; and if he will break down the number granted in each (i) local authority and (ii) parliamentary constituency. [129265]

Mr. Charles Clarke: The Government issued detailed guidance to local authorities and the police in September 1998 on the provisions for local child curfew schemes under sections 14 and 15 of the Crime and Disorder Act 1998. A copy is in the Library. No applications have yet been received from local authorities to establish such a scheme. Following consultation with local authorities and the police, the Government are considering what improvements might be made to the provisions, including extending the age range, to ensure that they are able to contribute effectively to local partnership efforts to tackle anti-social behaviour.

Information on the number of anti-social behaviour orders granted by the courts is being collected centrally with effect from 1 June 2000. Following a trawl of police forces we are aware that at least 80 such orders were made between 1 April 1999 and 31 May 2000, the latest date for which figures are available. We know that anti-social behaviour orders have been granted in the following police force areas, although the list is not exhaustive:

Avon and Somerset;
Thames Valley;
Cambridgeshire;
West Mercia;
Cleveland;
West Midlands;
Cumbria;
West Yorkshire;
Derbyshire;
Devon and Cornwall;
Greater Manchester;
Hampshire;
Hertfordshire;
Lancashire;
Leicestershire;
Metropolitan;
Merseyside;
Norfolk;
North Yorkshire;
Northumbria;
Nottinghamshire;
South Yorkshire;
Suffolk; and
Sussex.

Internet Service Providers (Defamation Law)

Mr. Gareth Thomas: To ask the Secretary of State for the Home Department what plans he has to review the operation of the law of defamation as it relates to the liability of internet service providers. [129407]

Mr. Lock: I have been asked to reply.

A consultation paper on perceived abuses of defamation procedures is currently being prepared by my Department. This will be issued within the next few weeks. It will cover, among other things, defamation on the internet and the subsequent liability of internet service providers.

Mr. Gareth Thomas: To ask the Secretary of State for the Home Department what consultation he has held with internet service providers on the law of defamation. [129406]

Mr. Lock: I have been asked to reply.

No formal consultation has yet been held. However, my Department will shortly be issuing a consultation paper on perceived abuses of defamation procedures which will cover the issue of defamation on the internet. Comments will be invited from the Internet Service Providers Association.

Written Answers to Questions

Wednesday 12 July 2000

WALES

Appointments (Women)

Mr. Allan: To ask the Secretary of State for Wales how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to non-departmental public bodies since 1 May 1997 were women. [129851]

Mr. Paul Murphy: The information requested as follows:

(a) 107 (33 per cent.)

(b) 65 (30 per cent.)

On 1 July 1999, responsibility for most appointments to non-departmental public bodies in Wales transferred to the National Assembly for Wales. I have made no appointments since that date.

FOREIGN AND COMMONWEALTH AFFAIRS

Overseas Territories Bill

Dr. Marek: To ask the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answers of 12 May 2000, *Official Report*, column 496W, and 5 May 2000, *Official Report*, column 240W, if he will publish the Overseas Territories Bill in draft. [129261]

Mr. Battle: Our priority is to introduce the Bill into the House as soon as Parliamentary time becomes available. We will consider options for publication within that context.

Mexico

Mr. Sarwar: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the conduct of the recent elections in Mexico. [129930]

Mr. Battle: The Government welcome the outcome of the Mexican Presidential elections and congratulate Vicente Fox on his historic victory. We will work to establish the same excellent relations with him and his administration which we have enjoyed under his predecessor, Ernesto Zedillo.

We are particularly pleased that the elections passed off so smoothly and that there have been no allegations of serious irregularities.

Yemen

Mr. David Atkinson: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Yemeni Government on the death penalty passed by the Aden Tawaki Court on the Somali national Mohammed Omer Haji for converting to Christianity unless he recants and returns to Islam and on Yemen's apostasy laws. [130075]

Mr. Hain: Our Ambassador in Sana'a raised the case of Mohamed Omer Haji with the Vice Minister of Foreign Affairs, Abdullah al-Sayedi on 9 July and made clear our concerns. We understand that Mohamed Omer Haji has not yet been sentenced. His case resumes on 12 July. We stand ready to raise the matter again with the Yemeni government.

Appointments (Women)

Mr. Allan: To ask the Secretary of State for Foreign and Commonwealth Affairs how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to non-departmental public bodies since 1 May 1997 were women. [129847]

Mr. Hain: Since 1 May 1997, Ministers in the Department have made

(a) two paid appointments, of which none were women

(b) 128 unpaid appointments, of which 42 were women (32.8 per cent.)

The Department is committed to increasing the representation of women in public life. To that end, it has drawn up an action plan for increasing the number of women holding public appointments to 35 per cent. by 2000 and to 50 per cent. by 2003. The Department's latest plans, together with the Government's overall plan, were published on 24 May 2000 in "Quangos: Opening up Public Appointments 2000—2003", copies of which are in the Libraries of the House.

Colombia

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the United States concerning possible repercussions for the environment of the use of GM fungicide on coca crops in Colombia. [130018]

Mr. Battle: We are not aware of the use of GM fungicides on coca crops in Colombia. No representations have been made by my right hon. Friend the Foreign Secretary to the US Government on this issue.

The US Government are providing funding to the United Nations Drug Control Programme as part of its research into the possible use of Fusarium Oxysporum, a naturally-occurring fungus, in coca eradication programmes. Field trials on Fusarium Oxysporum have not yet been conducted in Colombia. Before these take place further research would need to be carried out inter alia to confirm that it is specific to coca and would not harm agricultural crops and other plant species. Field testing and any subsequent eradication campaign would also have to be approved by the Colombian Government.

Ballistic Missile Threat

Mr. Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the threat of attack on the UK by missiles launched from *(a)* Iran, *(b)* Iraq, *(c)* North Korea and *(d)* other states. [130019]

Mr. Vaz: Our current assessment is that there is no significant ballistic missile threat to the UK at present.

We continue to monitor developments in this area closely.

European Convention on Human Rights

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the protocols for the European Convention on Human Rights, indicating the rights in each protocol and the members of the Council of Europe which have not ratified these protocols in each case. [129732]

Mr. Hain: The information requested is publicly available. Full details of the Protocols to the European Convention on Human Rights, and which Council of Europe member states have signed and ratified in each case, can be found on the website of the European Court of Human Rights (http://www.echr.coe.int).

Zimbabwe

Mr. Nigel Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the election process in Zimbabwe. [130431]

Mr. Hain: We welcome the detailed EU and Commonwealth Observer Mission reports. Both made clear that the election campaign was marred by violence and intimidation. Despite this, about half of the electorate turned out to vote in polls which were conducted in a peaceful and orderly manner. For the first time Zimbabwe has a sizeable opposition in Parliament, and the result demonstrates a clear desire for change on the part of the people of Zimbabwe. The Movement for Democratic Change is proposing to mount legal challenges in 26 constituencies.

The EU report has been placed in the Library of the House.

NORTHERN IRELAND

Appointments (Women)

Mr. Allan: To ask the Secretary of State for Northern Ireland how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to non-departmental public bodies since 1 May 1997 were women. [129850]

Mr. Mandelson: Responsibility for this subject has been devolved to the Northern Ireland Assembly and is therefore no longer a matter for the Secretary of State for Northern Ireland.

CULTURE, MEDIA AND SPORT

New Millennium Experience Company

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport if he will publish the revised business plan and budget of the New Millennium Experience Company. [125026]

Janet Anderson *[holding answer 8 June 2000]:* The New Millennium Experience Company's (NMEC) current business plan is based on 6 million revenue-generating visitors. Should visitor numbers fall below this level the business plan will need to be reviewed. Details of the business plan are commercially confidential. NMEC's most recent budget, contained within the business plan, is as follows:

Project Lifetime Expenditure Dome structure and associated infrastructure—£271.2 million

Set-up costs, Staff, Accommodation, IT, Legal and Corporate Services—£55.4 million

Commercial, Communications and Marketing—£42.7 million

Exhibits and Attractions—£240.2 million

Operations and Running costs in year of operation—£104.6 million

National Programme; Projects (£37.3 million) and Programme Support (£9.9 million)—£47.2 million

Project Lifetime Income

Millennium Commission Grant—£525 million

Commercial Income—£86 million

Sponsorship Income—£123 million (excludes sponsorship by Ford and BT who have designed, built and funded their zones)

Legacy; Sale of Dome—£30.0 million (as budgeted prior to the Legacy competition commencing. Original 1997 budget provision of £15 million was on the basis that the Dome would remain on-site for one year only).

Total budget is £758 million plus an additional £3 million granted by the Millennium Commission to enhance marketing of the Millennium Experience.

Parliamentary Questions

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport when he will answer the question from the hon. Member for East Surrey (ref. 125026) tabled on 5 June, concerning the publication of the revised Budget and Business Plan of the New Millennium Experience Company. [128005]

Janet Anderson *[holding answer 27 June 2000]:* I have answered the hon. Member's question today, *Official Report*, column 544W.

Millennium Dome

Mr. Robertson: To ask the Secretary of State for Culture, Media and Sport who will receive the proceeds of the sale of the Millennium Dome; and if he will make a statement. [129033]

Janet Anderson *[holding answer 4 July 2000]:* I refer the hon. Member to the answer I gave the hon. Member for East Surrey (Mr. Ainsworth) on 11 July 2000, *Official Report*, columns 481–82W.

National Insurance

Mr. Webb: To ask the Secretary of State for Culture, Media and Sport what has been the policy since 1989 on writing annually to those of his Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129491]

Mr. Chris Smith: Neither my Department nor the Royal Parks Agency has a policy to remind staff who pay reduced rates of National Insurance contributions of the rules governing the payment of reduced rates.

National Lottery

Mr. Robertson: To ask the Secretary of State for Culture, Media and Sport (1) what has been the value to date of National Lottery grant applications made by organisations in Gloucestershire; broken down by constituency; [129517]

(2) how many Lottery grant applications have been made by organisations in Gloucestershire, broken down by parliamentary constituency. [129513]

Kate Hoey *[holding answer 7 July 2000]:* The information requested is not available as not all Lottery distributors are able to break down applications by constituency or by county.

The number and value of Lottery awards in Gloucestershire by constituency, according to my Department's National Lottery Awards Database, are shown in the table.

Constituency	*Amount awarded (£)*	*Total number of awards*
Cheltenham	13,007,979	80
Cotswold	15,880,770	130
Forest of Dean	5,171,103	137
Gloucester	21,698,878	131
Stroud	9,653,239	142
Tewkesbury	1,615,800	69
Total	67,297,769	689

Tobacco Sponsorship

Mr. Greenway: To ask the Secretary of State for Culture, Media and Sport (1) when he last met the Task Force on Tobacco Sponsorship; and what was discussed; [129534]

(2) what alternative sources of sport sponsorship have been identified by the Tobacco Sponsorship Task Force; [129536]

(3) which sports have benefited from alternative sources of sports sponsorship identified by the Tobacco Sponsorship Task Force. [129538]

Kate Hoey *[holding answer 10 July 2000]:* The Government have looked very carefully at how best to achieve an end to the advertising and promotion of tobacco at sports events in a way that will minimise any damage to the sports concerned. A Task Force of business and sponsorship, which I chair, exists to assist sports. All sports will be given up to July 2003 to secure alternative sponsorship, and the Government supported a derogation in EC legislation that those meeting the criteria for 'global events' will be allowed up to July 2006 if they agree to a reduction in expenditure and advertising.

Seven sports have sought assistance to make the transition from tobacco sponsorship—rugby league, clay pigeon shooting, billiards and snooker, pool, darts, ice-hockey and angling. Over the last 18 months there has been extensive contact with the seven sports and the Task Force has been there to: make information available; offer advice to support the development of new marketing strategies; to make initial contacts with potential sponsors; and offer professional advice on how the sports can start to position themselves in a changing marketplace. The Task Force last met together on 18 October 1999. Since then, there have been further meetings between members of the Task Force and the governing bodies.

The Task Force has now concluded the first phase of its work to identify the needs of the sports and ascertain how it can best assist them. Most sports have confirmed that it is too soon to be looking to replace existing contracts, and have indicated that the help of the Task Force can most effectively be targeted in the 12–18 months before these contracts lapse, which is the normal lead time for negotiating new sponsorships. It has been agreed with the sports therefore that there is no need for the Task Force to continue to meet on a regular basis. The Task Force has made it clear to all the sports that its assistance is still available in its second phase, as and when they require it.

I have had recent discussions with the British Darts Organisation and the Ice Hockey Superleague, who have both indicated that they wish to continue to utilise the expertise of the Task Force. The National Federation of Anglers have taken up an offer made by the Chairman of the Virgin Group to use the Internet to assist with its marketing and promotion.

Snooker, rugby league, clay pigeon shooting and pool have indicated that at this stage they do not require the assistance of the Task Force, preferring to wait until the lead in time before their tobacco contracts need to be renewed to see how the Task Force can best assist them.

All the sports are aware that the Task Force is available to assist them at any time if they feel they need its help.

Works of Art (Theft)

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport how many people have been dismissed from employment in the institutions holding the national collections for *(a)* theft and *(b)* attempted theft of works of art and artifacts since 1990. [130062]

Mr. Alan Howarth: I have asked my officials to contact the National Museums and Galleries which are sponsored by DCMS to request information for a reply to my hon. Friend's question. I will write to him as soon as this is available, placing copies of my letter in the Library of the House.

World Cup

Mr. Wyatt: To ask the Secretary of State for Culture, Media and Sport when he expects to place in the Library the full audited accounts of Sport England's contribution to the FA World Cup bid. [129832]

Kate Hoey *[holding answer 10 July 2000]:* Lottery money totalling £3.14 million has been allocated to the Football Association's bid to host the World Cup in 2006. The uses to which that money is put are closely monitored by Sport England, and details will appear in Sport England's Lottery Annual Report.

Sport England's contribution to the bid is subject to the same general terms and conditions as other major Lottery grants. It is not a general Lottery condition to require published accounts. However, reference to the total costs of the bid will be made in the FA's General Annual Report and Accounts and I have asked the FA, in view of the interest in this matter, to make the detailed information available.

Departmental Payments

Mr. Chope: To ask the Secretary of State for Culture, Media and Sport what percentage of correctly presented bills were paid by his Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130036]

Mr. Chris Smith *[holding answer 11 July 2000]:* The percentage of valid invoices for goods and services paid within 30 days or other agreed payment terms by my Department and the Royal Parks Agency was as follows:

Percentage

	1998–99	*1999–2000*
DCMS	97.8	99.6
Royal Parks Agency	98.0	94.0
Combined	97.9	97.3

Football Arrests

Mr. Kilfoyle: To ask the Secretary of State for Culture, Media and Sport if he will list the arrests made at football matches, by offence, for each Premiership and Football League club, in each of the last 10 years for which figures are available. [129000]

Mr. Charles Clarke: I have been asked to reply.

Information on arrests at, or in connection with, football matches is collated by the National Criminal Intelligence Service. The data currently available, which are shown, cover arrests by offence for the period 1996–97 to 1998–99. They have not been collated on a league or club basis in the past but will be in future.

Data provided by the National Criminal Intelligence Service on arrests by offence for the period 1996–97 to 1998–99

	1996–97	*1997–98*	*1998–99*
Drink related offence	1,338	1,168	1,113
Disorderly behaviour	832	523	413
Threatening behaviour	376	312	322
Affray	19	65	69
Violent Disorder	23	52	100
Running on the pitch	177	243	198
Racial/Indecent chanting	10	33	25
Throwing missiles	11	31	42
Ticket touting	173	173	213
Assault	19	110	133
Breach of Exclusion order	19	19	15
Other	580	578	698
Total	3,577	3,307	3,341

Mr. Kilfoyle: To ask the Secretary of State for Culture, Media and Sport how many people were *(a)* arrested and *(b)* ejected from the ground at football matches at each Premiership and Football League club in each of the last 10 years for which figures are available. [128999]

Mr. Charles Clarke: I have been asked to reply.

Information on arrests at football matches is collated and analysed by the National Criminal Intelligence Service. Data are only currently available by Football League Division between the 1992–93 and 1998–99 seasons and are indicated as shown. Unfortunately, no data are obtainable on ejections from football grounds.

Total arrests	*1998–99*	*1997–98*	*1996–97*	*1995–96*	*1994–95*	*1993–94*	*1992–93*
Premiership	1,534	1,438	1,759	1,697	1,723	1,630	1,647
Division One	851	1,173	891	949	1,227	1,359	1,347
Division Two	746	468	626	506	674	782	1,081
Division Three	363	228	301	289	226	456	513
All League	3,341	3,307	3,577	3,441	3,850	4,227	4,588

SOCIAL SECURITY

Social Fund

Mr. Miller: To ask the Secretary of State for Social Security when he will publish his annual report on the Social Fund for 1999–2000 and the Social Fund Commissioner's annual report. [130673]

Angela Eagle: The Secretary of State's annual report on the Social Fund for 1999–2000 (Cm 4755) was published today and has been laid before Parliament.

The report records that total gross expenditure in 1999–2000 was £612 million. This included, 219,000 non-repayable grants and 1,950,000 interest free loans together worth £556 million and funeral, maternity and cold weather payments totalling £56 million. In addition, around 10 million people in over 7.5 million older households received winter fuel payments worth around £760 million.

The Social Fund Commissioner's annual report has also been published today and copies placed in the Library.

Appointments (Women)

Mr. Allan: To ask the Secretary of State for Social Security how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to non-departmental public bodies since 1 May 1997 were women. [129854]

Mr. Rooker: The Government are committed to increasing the representation of women in public life. In support of this, the Department has drawn up an action plan for increasing the number of women and ethnic minorities holding public appointments. The latest plans, together with the Government's overall plan, were published on 24 May 2000 in "Quangos: Opening up Public Appointments 2000–03", copies of which are in the Library.

Since 1 May 1997, my right hon. Friend the Secretary of State has made a total of 57 paid appointments, including reappointments, of which 40 per cent. were women. Similarly, there were 158 unpaid appointments made and 30 per cent. of these were women. The information is set out in the table.

Name of non-departmental public body	*Number of paid appointments* *Male*	*Female*	*Number of unpaid appointments* *Male*	*Female*
Central Advisory Committee on War Pension	—	—	5	4
Disability Living Allowance Advisory Board	7	10	—	—
Industrial Injuries Advisory Council	11	2	—	—
Occupational Pensions Regulatory Authority	5	4	—	—
Social Security Advisory Committee	8	6	—	—
War Pensions Committees	—	—	106	43
Pensions Compensation Board	2	1	—	—
Pensions Ombudsman	1	—	—	—
Total	34	23	111	47

Benefit Fraud Inspectorate

Mr. Miller: To ask the Secretary of State for Social Security when he will publish the inspection report of the Benefit Fraud Inspectorate in respect of Braintree district council. [130672]

Mr. Rooker: The Benefit Fraud Inspectorate report has been published today in respect of Braintree district council and copies of the report have been placed in the Library.

The report provides recommendations aimed at helping the council address weaknesses and to improve the administration of Housing Benefit and Council Tax Benefit, as well as their respective counter fraud activities.

Inspectors found the Benefits Section at Braintree placed a strong emphasis on achieving high levels of speed and efficiency, which compared favourably against the performance of other councils. However, concern is noted that the high priority given to processing claims speedily had been at the expense of ensuring that all payments were secure and valid.

The BFI considered the security of Braintree's benefits system needs to be strengthened in three areas: full compliance with the Verification Framework; fraud investigation; overpayment recovery and classification.

The report notes that Braintree had introduced the Verification Framework eight weeks before Inspectors arrived for the on-site inspection. Although it was still early days, the report notes signs that its introduction was already paying off, by uncovering claims with undeclared income and capital. This was contributing to a reduction in Housing Benefit and Council Tax Benefit expenditure. The council had also introduced other new security initiatives including the "Do Not Redirect" mail scheme and was using a Remote Access Terminal to access information from the Department and Benefits Agency.

The report illustrates that the council is committed to customer service in their speed of processing claims for benefit. It is encouraging that they have also committed themselves to the Verification Framework which provides a minimum set of standards for ensuring that payment of benefit is made to the right person in circumstances that are checked for correctness.

My right hon. Friend the Secretary of State is now considering the report and will be asking the council for their proposals in response to the findings and recommendations of the BFI.

Mr. Andy King: To ask the Secretary of State for Social Security when he will publish the inspection report of the Benefit Fraud Inspectorate in respect of Eden district council. [130674]

Mr. Rooker: The Benefit Fraud Inspectorate report has been published today in respect of Eden district council and copies of the report have been placed in the Library.

The report provides recommendations aimed at helping the council address weaknesses and to improve the administration of Housing Benefit and Council Tax Benefit, as well as their respective counter fraud activities.

The BFI reports that Eden District Council had a strong commitment to ensuring benefit payments were paid promptly and overpayments recovered wherever possible. The report notes a reasonable standard of verification was being applied to claims and Inspectors anticipated further improvement once the impact is felt of the council's implementation of the Verification Framework.

Inspectors had a number of concerns, which included a lack of information that was necessary to support the council's benefit operations. It is reported that the combination of this and inadequate targets, measurements and procedural guidance meant that management were taking organisational decisions based on insufficient information. In addition minimal management checking provided little assurance that fraud and error was being prevented from entering the council's benefit system.

The report illustrates that the council is committed to customer service in their speed of processing claims for benefit. It is encouraging that they have also committed themselves to the Verification Framework which provides a minimum set of standards for ensuring that payment of benefit payment is made to the right person in circumstances that are checked for correctness.

My right hon. Friend the Secretary of State is now considering the report and will be asking the council for their proposals in response to the findings and recommendations of the BFI.

New Deal

Mr. Brady: To ask the Secretary of State for Social Security how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage of total staff this represents. [129145]

Angela Eagle: I refer the hon. Member to the answer given to him by my right hon. Friend the Minister for the Cabinet Office on 6 July 2000, *Official Report,* column 286W.

This Department has recruited 467 New Deal employees as at 1 April 2000. This represents approximately 0.5 per cent. of total staff.

Standard Interest Rate

Dr. Cable: To ask the Secretary of State for Social Security what plans he has to update the standard interest rate used by his Department to include lenders not currently covered in the calculation. [129474]

Mr. Bayley: There are no plans to alter the method of calculating the Standard Interest Rate.

Dr. Cable: To ask the Secretary of State for Social Security what plans he has to reduce the three month delay in changes in the standard interest rate used by his Department. [129450]

Mr. Bayley: We have no plans to change the current arrangements, which give effect to changes as quickly as is practicable. Once the information is received from the Office for National Statistics of an alteration in the interest rates, the Department immediately sets in motion the procedures, to amend the relevant computer systems, and legislation. On the last two occasions that the standard interest rate was changed, in April and June 2000, it took six working days and five working days respectively from the date the Department received notification of the change in rates, to the date that regulations were laid. Regulations are laid at least 21 days in advance of their coming into force to allow for proper Parliamentary procedures to be followed. The same timetable applies when the standard interest rate increases as when it decreases.

Attendance Allowance

Mr. Webb: To ask the Secretary of State for Social Security if the single organisation responsible for pensioners and pensions policy will have responsibility for attendance allowance. [128860]

Mr. Rooker: We will set out our plans for the new pensions organisation in due course.

Housing Benefit

Dr. Iddon: To ask the Secretary of State for Social Security if a claimant's absence when visited by a housing benefit verification officer is considered a negative identification check if the visit is unannounced; and if he will make a statement. [130066]

Angela Eagle: No, if the claimant is not available when visited unannounced, the local authority would either make a further visit or collect the information in another way. A visit is not required to establish the claimant's identity.

Dr. Iddon: To ask the Secretary of State for Social Security for what reasons it is necessary for pensioners to comply with the requirements of the housing benefit verification framework. [130067]

Angela Eagle: The Verification Framework guidance is aimed at ensuring proper standards in the administration of Council Tax Benefit and Housing Benefit by local authorities. This ensures that the right amount of benefit is paid to any claimant who is properly entitled to it. The checks local authorities are required to make under the Framework apply to all claimants, no matter what their age or status.

That said, as we announced in the Housing Green Paper, we are moving towards organisational changes, which will see services to pensioners being better tailored to their needs. This includes looking at whether there is a need to require pensioners to make claims as often as they have to at the moment. However, any change is still likely to need rigorous checking at the outset to ensure that the full and correct amount of benefit is put in payment.

Anecdotal evidence from local authorities indicates that in some areas the introduction of the Verification Framework has highlighted a significant number of incorrect payments to pensioners. Although in many cases overpayments have been identified, there are also a substantial number of cases where underpayments have been established and rectified as a result of verification.

Benefit Payments

Mr. Gordon Prentice: To ask the Secretary of State for Social Security how many people were in receipt of both Widows Benefit and Housing Benefit in the latest year for which figures are available. [130063]

Angela Eagle: The information has already been published in both Social Security Statistics—May 1998 (table 3.12, page 82) and in Housing Benefit and Council Tax Benefit Annual Summary Statistics—May 1998 (table 3.10, page 15). The figures for May 1998 are the latest available.

Mr. Gordon Prentice: To ask the Secretary of State for Social Security what was the percentage increase in *(a)* Widows Benefit and *(b)* Housing Benefit for the most recent year for which figures are available; and if he will use a common index for uprating both. [130064]

Angela Eagle: Following the normal practice, Widows Benefit was uprated in line with RPI of 1.1 per cent. with effect from April 2000. Housing Benefit for non-pensioners was uprated by the Rossi index of 1.6 per cent. for the same period. Housing Benefit for pensioners was uprated by average earnings of 4.6 per cent. We have no plans to use a common index for uprating Widows Benefit and Housing Benefit.

EDUCATION AND EMPLOYMENT

Pupil Statistics

Mr. Pearson: To ask the Secretary of State for Education and Employment what the average staying-on-in-education rate was of 16-year-olds in the Metropolitan

Borough of Dudley between 1995 and 1998, *(a)* overall and *(b)* broken down by those who attended (i) schools and (ii) further education colleges. [128928]

Mr. Wicks *[holding answer 4 July 2000]:* Participation in education by 16-year-olds in England rose to 77.4 per cent. (provisional) at the end of 1999, from 76.2 per cent. in 1998. The Secretary of State recently launched a major £3 million advertising campaign aimed at encouraging this year's school leavers and others to stay on in some form of learning. The "Don't Quit Now" campaign is particularly aimed at those who left this year with few, if any GCSEs and are in danger of dropping out of education and training.

Figures for participation in education in Dudley LEA are given in the following table; data for 1998–99 are not yet available. Figures for GST in Dudley TEC are also shown, as there is evidence that in TEC areas high rates of training compensate to some extent for lower levels of full-time education.

Participation in education of 16-year-olds in Dudley LEA/ Dudley TEC, 1995–96 to 1997–98

Percentage

	1995–96	*1996–97*	*1997–98*
Dudley LEA:			
Full-time education	60	59	57
Of which:			
Schools	6	6	6
Further education	54	53	51
Part-time further education	13	17	10
Total education	73	76	66
Dudley TEC:			
Government supported training	14	15	14

Source:

Statistical Bulletin 14/99: Participation in education and training by young people aged 16 and 17 in each local area and region, England, 1993–94 to 1997–98. Totals may not add due to rounding.

National Insurance

Mr. Webb: To ask the Secretary of State for Education and Employment what has been the policy since 1989 on writing annually to those of his Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129489]

Mr. Wills: The Department for Education and Employment (DfEE) writes to staff identified as paying reduced rate National Insurance contributions each year, reminding them of the rules governing the payment of reduced rate contributions. This is in line with Inland Revenue guidance that employers may consider it worthwhile to have arrangements in place to issue a periodic reminder to these employees.[1]

This exercise was first completed in October 1997 and now occurs at the beginning of each financial year.

Musical Chairs

Mr. Maclean: To ask the Secretary of State for Education and Employment if he will make a statement on the proposal to limit the practice of the game musical chairs in schools, included in the document "Towards a Non-violent Society: Checkpoints for Early Years", launched by the Minister for Employment, Welfare to Work and Equal Opportunities. [129084]

Ms Hodge: We oppose any suggestions that musical chairs should be banned. Musical chairs is a reasonable traditional game which has been enjoyed by children for generations and should continue to be so.

The publication "Towards a Non-violent Society: Checkpoints for Early Years" was produced by the Forum on Children and Violence. It was not guidance from my Department and was not produced, commissioned or distributed by the Department for Education and Employment. Although there are some useful tips in the document, the reference to musical chairs is not something we endorse. Newspaper reports suggesting otherwise were wrong.

Neo-natal Hearing Screening

Mr. Boswell: To ask the Secretary of State for Education and Employment (1) what communication his Department has had with the Department of Health about developing the provision of language and educational support for children from zero to two years in preparation for the pilot project and the introduction of universal neo-natal hearing screening; [130099]

(2) what communication his Department *(a)* has had and *(b)* plans to have with (i) local education authorities, (ii) teachers of the deaf, (iii) the teacher training authority, (iv) teaching unions and (v) organisations of and for deaf and hard of hearing people about (1) the launch and (2) the national roll-out of the neo-natal hearing screening pilot project; [130101]

(3) when his Department will establish an advisory group on co-ordinating the development of language and educational provision in preparation for the *(a)* launch and *(b)* national roll-out of the pilot project for neo-natal hearing screening; and when it will announce the composition of the group. [130102]

Ms Hodge: Discussions between DfEE and DH have taken place at both ministerial and official level about neo-natal hearing screening, including the consequential need for educational services. Similarly, both Departments are in regular contact with key organisations in this field.

The National Screening Committee advises Ministers on proposed screening programmes and follows set procedures for setting up pilot projects. These include establishing an executive group to represent the various interests to discuss and determine the practicalities of how the pilot projects will develop. When the National Screening Committee establishes an executive group for neo-natal hearing screening, it will include a representative from this Department.

A key function of the executive group and indeed of the pilot projects is to provide an opportunity to explore all the implications of neo-natal hearing screening. During this process both Departments will contact and discuss issues with all the relevant bodies.

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[1] Taken from "The Employer's Further Guide to PAYE and NICs" (CWG2), p.62.

Mr. Boswell: To ask the Secretary of State for Education and Employment what research his Department has conducted into the language and educational benefits of neo-natal hearing screening and effective follow-up support for deaf children from zero to two years. [130103]

Ms Hodge: At this time the Department has not conducted any research in this area.

Osteopathy

Mr. Brake: To ask the Secretary of State for Education and Employment what estimate he has made of the current cost to public funds of training an osteopath at the John Wernham College of Classical Osteopathy. [130014]

Mr. Wicks *[holding answer 11 July 2000]:* The John Wernham College of Classical Osteopathy is not a publicly funded institution. The four year BSc. Honours degree course in Osteopathic Medicine, taught at the College under contract from a publicly funded institution, has been specifically designated by the Secretary of State for fees support and student loans purposes. The public fee rate of £1,025 in the 1999–2000 academic year applies to this course. Eligible students receive fees support subject to a means test and may apply for student loans.

Head Teacher Vacancies

Mr. Willis: To ask the Secretary of State for Education and Employment how many vacancies there were for head teachers in *(a)* primary and *(b)* secondary schools between (i) June 1998 and June 1999 and (ii) June 1999 and June 2000. [130011]

Ms Estelle Morris *[holding answer 11 July 2000]:* Information about the annual number of vacancies for head teachers is not collected centrally.

Temporarily filled vacant head teacher posts[1] in maintained nursery, primary and secondary schools in England at January in the years 1998–2000[2]

	LEA maintained only[3]		*All maintained*
	1998	*1999*	*2000*
Temporarily filled vacant head teacher post			
Nursery and primary	470	400	390
Secondary	60	50	90
Temporarily filled vacant head teacher posts as a percentage of head teachers in post			
Nursery and primary	2.5	2.2	2.1
Secondary	1.8	1.6	2.2

[1] Temporarily-filled full-time permanent appointments. A post is included in this table:

a. if there is no incumbent who is expected to return to the post;

b. whether or not filled on a temporary basis, i.e. either without a contract or on a contract of less than one year;

c. whether or not advertised;

d. if an appointment has been made but not yet taken up.

[2] Data are collected in January of each year.

[3] Excludes vacancies in grant maintained schools.

Head teachers have a key role in boosting standards in schools. We are establishing a National College for School Leadership to give a focus to school leadership development, and are designing a coherent package of training and development programmes for aspiring, new and serving head teachers.

Nursery Schools

Mr. McNamara: To ask the Secretary of State for Education and Employment what proposals he has to enable nursery schools whose numbers have increased above the full-time equivalent of 105 pupils after 20 January to receive an additional £3,000. [128797]

Ms Estelle Morris: There are no plans to pay additional School Standards Grant to schools to take account of increases in their number of pupils after 20 January 2000. This was the date of the annual Schools Census, and the allocation of available funds between schools was most effectively done by using data from that source.

City Academies

Mr. Clappison: To ask the Secretary of State for Education and Employment (1) if he will list the expressions of interest he has received regarding the promotion of city academy Pathfinder projects; [129786]

(2) how many schools have been identified as appropriate candidates for city academy Pathfinder projects. [129787]

Ms Estelle Morris: A number of potential sponsors have had discussions with local education authorities about the possible location of City Academies.

Circulars

Mr. Clappison: To ask the Secretary of State for Education and Employment what circular documents are in preparation to send to *(a)* primary and *(b)* secondary schools in the next six months. [129785]

Jacqui Smith: Following the commitment made by the Secretary of State to cut by one third the number of documents and by a half the number of pages sent automatically to all schools in the next school year, this Department is reviewing all plans to send documents to schools from September 2000. When that review has been completed, I will write to the hon. Member with a list of planned documents and place copies in the House of Commons Library.

Modern Apprenticeships

Mr. Boswell: To ask the Secretary of State for Education and Employment what instructions he has issued *(a)* through Government offices and *(b)* otherwise to training and enterprise councils to confine funding for modern apprenticeships to (i) 16 and 17 year olds and (ii) 18 to 24 year olds. [130087]

Mr. Wicks: The Planning Guidance for TECs/CCTEs, which is part of their contract, says that for 2000–01 the Department expects increasing numbers of 16–17 year olds in Work Based Training (including both Foundation Modern Apprenticeships and Advanced Modern Apprenticeships) and similar levels of starts for 19+ trainees compared with the previous year but focused on Advanced Modern Apprenticeships.

ENVIRONMENT, TRANSPORT AND THE REGIONS

GM Crops

Mr. Paul Marsden: To ask the Secretary of State for the Environment, Transport and the Regions if he will list Part C GM crop trial plantings in Shrewsbury and Atcham; and if he will make a statement. [126883]

Mr. Meacher: There is no requirement to notify the Department of releases of a GM crop which has a Europe-wide Part C marketing consent for cultivation. However, the industry body SCIMAC has agreed to provide location details for the GM maize being grown in the Farm Scale Evaluations under a Part C consent. All Farm Scale Evaluations sites are listed at www.environment.detr.gov.uk/fse/location/index.htm. None are in Shrewsbury and Atcham.

The terms of the Government's agreement with SCIMAC precludes general cultivation of GM crops until after the end of the farm scale evaluations, however small scale plantings for trial purposes are permitted.

Regional Government

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what *(a)* is the current cost, *(b)* was the cost in each of the last five years and *(c)* is the projected cost of each of the Government Offices for the Regions. [127992]

Ms Beverley Hughes *[holding answer 27 June 2000]:* The current running costs, and the running costs for the last five years for each of the Government Offices for the Regions, are set out in the table. The projected costs for the next financial year and beyond are the subject of negotiation between Departments, in the light of the recommendations of the PIU Report "Reaching Out".

The increase in running costs for the Government Offices Central Unit (GOCU) reflects the transfer of functions to the unit by parent Departments. The Central Unit also hold a number of budgets centrally on behalf of GOs.

Government Office running costs

£000

Government Office	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*[1]	*Total*
North East	8,842.76	8,687.15	8,616.75	8,618.84	8,312.05	8,221.62	51,299.17
North West	9,983.71	9,839.09	9,442.59	13,690.13	13,048.58	13,397.92	69,402.02
Midlands	4,753.84	4,349.95	4,199.53	12.24	—	—	13,315.56
Total North West/Midlands	14,737.55	14,189.04	13,642.12	13,702.37	13,048.58	13,397.92	82,717.58
Yorkshire and The Humber	9,060.51	8,765.04	8,475.01	8,683.92	8,888.68	9,183.87	53,057.03
West Midlands	10,435.73	10,040.37	9,757.79	9,474.35	9,330.15	9,794.44	58,832.83
East Midlands	7,116.85	6,616.67	6,436.24	6,754.39	6,951.28	7,176.97	41,052.40
East of England	6,122.84	6,168.97	6,270.62	6,269.43	7,005.47	7,391.26	39,228.59
South West	7,574.14	7,140.74	6,825.73	6,985.03	7,796.87	8,226.98	44,549.49
South East	8,331.06	8,406.18	8,544.99	8,561.40	8,658.61	8,952.79	51,455.03
London	11,106.26	14,106.47	13,458.82	13,238.12	13,715.79	13,747.10	79,372.56
Central Unit	1,136.60	1,696.34	4,355.96	3,095.29	3,702.74	3.129.92	17.116.85
Total	84,464.30	85,816.97	86,384.03	85,383.14	87,410.22	89,222.87	518,681.53

[1] Allocations for 2000–01

Note:

The North West and Midlands Government Offices merged during 1998–99

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions how many people *(a)* are and *(b)* were in each of the last five years employed by each of the Government Offices for the Regions. [127993]

Ms Beverley Hughes *[holding answer 27 June 2000]:* The information is set out in the table:

	2000	*1999*	*1998*	*1997*	*1996*
North East	267	261	286	269	332
North West	402	401	383	428	445
Yorkshire and Humber	282	251	275	274	302
West Midlands	271	275	348	325	341
East Midlands	247	222	215	218	241
East of England	195	178	185	182	185
South West	227	204	196	255	218
South East	248	215	197	224	220
London	398	350	334	329	295

Prior to 1996, this information was not collated centrally and could not be provided without disproportionate cost.

The increase in the number of staff in the Government Office for London reflects the transfer of responsibility for transport policy in London from DETR to GO-L and GO-L's work on the establishment of the GLA as a whole. GO-L is already declining in number and expects staff numbers to decrease further.

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what functions are carried out by each of the Government Offices for the Regions; and what functions have been transferred from them to Regional Development Agencies. [127994]

Ms Beverley Hughes *[holding answer 27 June 2000]:* The Government Offices for the Regions operate within a Policy Framework and a set of objectives endorsed by their parent Departments. The Policy Framework covers five areas of cross-departmental activity comprising

Regeneration, Sustainable Development, Competitiveness, Social Inclusion and Partnership. The main departmental activities include:

> For DETR—Regeneration: land use planning in the regions; Housing in the regions; Countryside, integrated transport strategies, road scheme decisions; local transport priorities; statutory casework.
>
> For DTI—Promotion of national competitiveness policies; Regional; Selective Assistance; the Smart scheme; Business Links; Export Promotion; provision of regional economic intelligence, enterprise grant scheme.
>
> For DfEE—TEC and Careers Service contracting; National Learning Targets, European Social Fund and some education related activities.

The Single Regeneration Budget and administration of Inward Investment activity (with the exception of GO-East and GO-London, which retain some residual responsibilities for inward investment activity) transferred from the Government Offices to the Regional Development Agencies. The GOs have a major role in sponsorship of the RDAs.

The Government are currently reviewing the regional activities of all Whitehall Departments in the light of the PIU Report "Reaching Out", to ensure strengthened co-ordination of policy initiatives with a regional and local impact. All Departments whose responsibilities affect regional or local activities are committed to better co-ordination of key policies by involving Government Offices.

South-east Planning Area

Mr. Norman: To ask the Secretary of State for the Environment, Transport and the Regions what area of land in the South-east planning area is designated for its *(a)* intrinsic environmental value of international importance, *(b)* intrinsic environmental value of national importance, *(c)* landscape value and *(d)* cultural value. [129073]

Mr. Raynsford: Within London and the South East, areas designated for their intrinsic environmental value of international importance amount to 92,235 hectares designated under the Ramsar Convention and 98,800 hectares designated Special Protection Areas and candidate Special Areas of Conservation. Areas designated as being of national importance, namely National Nature Reserves and Sites of Special Scientific Interest, amount to 13,780 hectares and 135,600 hectares respectively. Over 7,000 square kilometres are designated areas of landscape value, namely Areas of Outstanding Natural Beauty and the New Forest Heritage Area. In addition there are five World Heritage Sites and over 3,270 Ancient Scheduled Monuments.

Motorcyclists (Penalty Notices)

Mr. Öpik: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to investigate the issuing of incorrect road tax penalty notices to motorcyclists; and if he will make a statement. [128778]

Mr. Hill: A recently publicised case involving a motorcyclist, where enforcement action was commenced when the motorcycle was in fact licensed, has led DVLA to review its procedures to ensure that this does not happen again.

Before any action is taken by DVLA, the national vehicle register is checked to establish whether vehicles are unlicensed at the time of offence. This safeguard should avoid action being taken against motorists in the situation where a licence has been taken out, but the vehicle register has yet to be updated with the licensing details from the Post Office.

Rail Franchises

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions what consultation the Government and the shadow Strategic Rail Authority will conduct with *(a)* local rail users, *(b)* local rail user groups and *(c)* local and regional authorities in the award of *(a)* new and *(b)* extended rail franchises. [129389]

Mr. Hill: The Franchising Director is operating an inclusive consultation process for franchise replacement. The Instructions and Guidance issued to him require him to consult, as appropriate, the Scottish Executive, the National Assembly for Wales, the Greater London Authority, local authorities, Passenger Transport Executives, regional planning bodies, Regional Development Agencies and Rail Passenger Committees (formerly Rail Users Consultative Committees). He is also encouraging bidders for replacement franchises to consult with these authorities and passenger representatives about the proposals in their bids.

Homelessness

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions what guidance he has issued to local authorities on *(a)* consulting registered social landlords regarding nominations, framing allocations policies and homelessness strategies and *(b)* preparing a corporate action plan to deal with homelessness and the prevention of homelessness; and if he will make a statement. [129258]

Mr. Raynsford: The Code of Guidance on Parts VII and VII of the Housing Act 1996 includes guidance on section 167 of the 1996 Act, which requires local housing authorities to consult registered social landlords with which they have nomination agreements when adopting or changing a housing allocation scheme. The Code also includes guidance on framing allocations policies. The Housing Green Paper, "Quality and Choice; A decent home for all", proposes giving more choice to applicants for social housing, and improving the safety net for homeless households, including a multi-agency approach to developing homelessness strategies. The Government propose to issue a revised Code of Guidance on Parts VII and VII of the Housing Act 1996 later this year, taking account of the developing agenda on social lettings and homelessness as set out in the Housing Green Paper and responses to the consultation on this.

Social Housing

Mr. Love: To ask the Secretary of State for the Environment, Transport and the Regions how much discretion will be given to local authorities under the Housing Green Paper proposals to change the way in which allocations are made to social housing, to take account of housing problems in their own area; and if he will make a statement. [129257]

Mr. Raynsford: The Government consider that choice for those seeking social housing should be as wide as possible. However, the Housing Green Paper proposals recognise the wide variations in demand for housing in different parts of the country. Local authorities are responsible for local housing strategies and developing lettings policies which reflect local housing needs. We will wish to ensure that the framework for lettings schemes is flexible enough to deal with these local circumstances. We intend to consider responses to the Housing Green Paper and to consult with local government, Shelter and others before finalising our proposals.

Open-air Concerts

Mr. Cohen: To ask the Secretary of State for the Environment, Transport and the Regions if he will review the safety measures which apply to large open-air concerts, following the deaths at a recent concert in Denmark; and if he will make a statement. [129691]

Mr. Meacher: The Health and Safety Executive (HSE) has recently carried out a major review of guidance covering music events, including large open-air festivals. "The event safety guide: a guide to health, safety and welfare at music and similar events" was launched in October 1999. In addition, a revised version of HSE's guidance booklet "Managing Crowds Safely" is due to be published later this year. HSE will review the proposed guidance in the light of the deaths at the Roskilde Festival.

Right to Buy

Dr. Iddon: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the recommendation of the Environment, Transport and the Regional Affairs Committee that the right to buy legislation should be amended so as not to apply to settlements with fewer than 5,000 properties. [129692]

Mr. Raynsford: We are considering the Committee's recommendations. Our Rural White Paper later this year will address the issue of affordable housing in rural areas.

Trans-European Network

Mr. Alasdair Morgan: To ask the Secretary of State for the Environment, Transport and the Regions what ports in the UK are included in the Trans-European Network transport network; and what *(a)* EU and *(b)* UK funds have been used for improving facilities at those ports in each year since 1994. [129466]

Mr. Hill: At present, no individual ports are specifically included within the transport Trans-European Network (TEN). Rather, projects at inland ports and seaports may be eligible for European Union (EU) TEN funding if they correspond to the specifications or criteria set out in Section 4 and 5 of Annex II to the TEN guidelines (Decision No. 1692/96/EC of 23 July 1996).

To date, EU TEN funding to ports has only been offered in relation to studies. Since 1995, when the TEN programme was introduced, the UK ports which have been allocated funding, and the total funds offered, are as follows:

£ million

Year	*Ports receiving funds*	*EU funding*
1995	None	—
1996	None	—
1997	Portsmouth; Great Yarmouth; Boston; Port of London; Southampton; Felixstowe; Heysham	0.70
1998	Portsmouth; Sunderland; Tyne; Humber; Heysham; Southampton; Harwich	1.60
1999	Great Yarmouth	0.24

The Government have not provided any funding for improving facilities at UK ports during the period 1994 to 2000.

NATS

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the companies or organisations that have expressed interest in becoming the strategic partner in National Air Traffic Services Ltd.; and if he has received representations from them about forecast capital spending in NATS. [129763]

Mr. Mullin: I refer the hon. Member to my reply to the hon. Member for Eastleigh (Mr. Chidgey) on 14 June 2000, *Official Report,* column 640W.

Playing Fields

Mr. Baldry: To ask the Secretary of State for the Environment, Transport and the Regions what the planning policy guidance is regarding development of playing field sites. [129795]

Ms Beverley Hughes: Planning Policy Guidance note 17: "Sport and Recreation" emphasises the special significance of playing fields and that they should normally be protected. The Town and Country Planning (Playing Fields) (England) Direction 1998 requires referral to the Secretary of State of planning applications for development of local authority-owned playing fields or those currently, or in the previous five years, in educational use, where Sport England has objected but the local planning authority is minded to grant permission. The Secretary of State then has the opportunity to call in the application for his own determination.

"High Hedges"

Mr. Green: To ask the Secretary of State for the Environment, Transport and the Regions when he will publish his findings on the responses to the consultation document, "High Hedges"; and if he will make a statement. [129817]

Mr. Mullin: There is nothing I can add to the reply I gave to the hon. Member on 20 April 2000, *Official Report,* column 613W.

Council Housing

Mr. Hancock: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to increase the resources available to tackle the investment backlog in council housing; and if he will make a statement. [129822]

Mr. Mullin: The level of allocations for housing investment by local authorities for the next three years will be decided in the current spending review, the results of which are due to be announced later this month.

Rail Freight

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions at what weight on the highway piggybank trailer systems that have been proposed by the winner of the recent rail freight competition will run. [129995]

Mr. Hill *[holding answer 10 July 2000]:* The cement road tanker to be conveyed on the intermodal wagons will have a maximum weight of 40 tonnes to which the traction unit would be added when on the highway.

Leasehold and Commonhold

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions when he intends to publish a draft bill on leasehold and commonhold. [130168]

Mr. Mullin: As was announced in the Gracious Speech given on 17 November 1999, *Official Report*, columns 4–7, we intend to publish a draft Commonhold and Leasehold Reform Bill for consultation during this session. The leasehold reform aspects of the draft Bill are the responsibility of my Department, and those on commonhold are the responsibility of my noble and learned Friend the Lord Chancellor. We now expect to publish the draft Bill for consultation during the summer.

Mr. Waterson: To ask the Secretary of State for the Environment, Transport and the Regions how many residential leaseholders there are in England and Wales. [130169]

Mr. Mullin: Estimates[1] from the Department's Survey of English Housing show that in 1998–99, there were 1,920,000 residential leaseholders in England. The Department has no information on the number of residential leaseholders in Wales.

Appointments (Women)

Mr. Allan: To ask the Secretary of State for the Environment, Transport and the Regions how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to non-departmental public bodies since 1 May 1997 were women. [129842]

Ms Beverley Hughes *[holding answer 11 July 2000]:* The Secretary of State has made the following appointments to non-departmental public bodies sponsored by the Department since 1 May 1997.

Appointments to UNDPBS since 1 May 1997

	Women
(a) Paid	163 (25.2 per cent.)
(b) Unpaid	204 (27.3 per cent.)

This Government are committed to increasing representation of women in public life. In support of this, the Department has drawn up an action plan for increasing the number of women and ethnic minorities holding public appointments. The latest plans, together with the Governments overall plan, were published on 24 May 2000 in "Quangos, Opening Up Public Appointments 2000–2003", a copy of which is deposited in the Libraries of both Houses.

London Underground

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the bidders on the short list for the PPP for the London Underground; and if he will make a statement. [130189]

Mr. Hill *[holding answer 11 July 2000]:* On 5 July, London Underground announced that the shortlisted bidders for the two deep tube PPP contracts would be as follows:

JNP (Jubilee, Northern and Piccaddilly lines): Tube Lines Group and Tuberail.

BCV (Bakerloo, Central, Victoria and Waterloo and City lines): LINC and Metronet.

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the line closures on the London Underground that are planned between July and December, indicating the *(a)* purpose and *(b)* duration of each line closure. [130192]

Mr. Hill *[holding answer 11 July 2000]:* This is an operational matter for London Underground. I understand they are only planning one major closure during this period. This will be the Victoria Line between Victoria and Brixton between 5 and 26 August. This is for trackworks.

In addition, London Underground plan to carry out normal maintenance and improvement works involving some weekend closures, as shown in the table.

Line Closures July-December 2000

Date	*Line*	*Location*	*Purpose*
8–9 July	Central	North Acton to Northolt/Ealing Broadway	Trackwork
8–9 July	Bakerloo	Queen's Park to Stonebridge Park	Engineering work
15–16 July	Bakerloo	Queen's Park to Stonebridge Park	Engineering work
15–16 July	Central	Bethnal Green to Leytonstone	Leyton Trackwork
22–23 July	Northern	Tooting Broadway to Morden	Platform work
22–23 July	Bakerloo	Queen's Park to Wembley Central	Engineering work
29–30 July	Metropolitan	Wembley Park to Preston Road	Track replacement
30 July until 7.45am	Bakerloo	Queen's Park to Wembley Central	Engineering work
5–25 August	Victoria	Victoria to Brixton	Track work
6 August until 7.45am	Bakerloo	Queen's Park to Wembley Central	Engineering work
13 August until 7.45am	Bakerloo	Queen's Park to Wembley Central	Engineering work

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[1] Like all estimates from sample surveys, these figures are subject to sampling variability.

Line Closures July-December 2000

Date	*Line*	*Location*	*Purpose*
20 August until 7.45am	Bakerloo	Queen's Park to Wembley Central	Engineering work
27 August until 7.45am	Bakerloo	Queen's Park to Wembley Central	Engineering work
27 August	Northern	Camden Town	Trackwork
2–3 September	Metropolitan	Rickmansworth to Amersham/Chesham	Track replacement
3 September until 7.45am	Bakerloo	Queen's Park to Wembley Central	Engineering work
9–10 September	Metropolitan	Moor Park to Amersham/Chesham	Track replacement
10 September	District	Hornchurch to Dagenham East	Engineering work
10 September until 7.45am	Bakerloo	Queen's Park to Wembley Central	Engineering work
16–17 September	Metropolitan	Moor Park to Amersham/Chesham	Track replacement
17 September until 7.45am	Bakerloo	Queen's Park to Wembley Central	Engineering work
23–24 September	District	Turnham Green to Richmond	Engineering work
23–24 September	Metropolitan	Moor Park to Amersham/Chesham	Track replacement
30 September—1 October	Metropolitan	Rickmansworth to Moor Park	Track replacement
30 September—1 October	Northern	South Wimbledon	Refurbishment of station
30 September—1 October	Bakerloo	Piccadilly Circus to Elephant & Castle	Engineering work
1 October	District	Turnham Green to Richmond	Engineering work
7–8 October	District	Turnham Green to Richmond	Engineering work
7–8 October	Metropolitan	Harrow on the Hill to Northwood	Engineering work
14–15 October	Bakerloo	Piccadilly Circus to Elephant & Castle	Engineering work
14–15 October	District	Turnham Green to Richmond	Engineering work
14–15 October	Metropolitan	Chorleywood to Rickmansworth	Engineering work
21–22 October	Metropolitan	Harrow on the Hill to North Harrow	Track replacement
21–22 October	Northern	Colliers Wood	Refurbishment of station
21–22 October	Bakerloo	Piccadilly Circus to Elephant & Castle	Engineering work
22 October	Bakerloo	Paddington to Elephant & Castle	Track work
28–29 October	Bakerloo	Piccadilly Circus to Elephant & Castle	Engineering work
28–29 October	Metropolitan	Harrow on the Hill to North Harrow	Track replacement
4–5 November	Central	Hainault to Woodford	Track replacement
4–5 November	Bakerloo	Piccadilly Circus to Elephant & Castle	Engineering work
5 November	Bakerloo	Paddington to Elephant & Castle	Track work
11–12 November	Metropolitan	Harrow on the Hill to Northwood	Track replacement
11–12 November	Northern	South Wimbledon	Escalator work
18 -19 November	Bakerloo	Piccadilly Circus to Elephant & Castle	Engineering work
18–19 November	District	Plaistow to Whitechapel	Engineering work
25–26 November	Bakerloo	Piccadilly Circus to Elephant & Castle	Engineering work
25–26 November	Metropolitan	Harrow on the Hill to Northwood	Track Replacement
25–26 November	Northern	Colliers Wood	Refurbishment of station
2–3 December	Metropolitan	Harrow on the Hill to North Harrow	Track replacement

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions on what dates the final contracts will be signed for each part of the London Underground network; and what are the significant dates in the PPP process in the run-up to those dates. [130190]

Mr. Hill *[holding answer 11 July 2000]:* The Government have consistently made it clear that it will not give specific dates for completion as these would undermine the public sector's position in negotiations. The next steps towards the public private partnership are as follows:

bids are due for the sub-surface lines contract by 15 September; and

shortlisted bidders for the two deep tube contracts are required to submit final offers in the autumn.

Neighbourhood Renewal

Ms Buck: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received concerning good-quality housing in the National Strategy for Neighbourhood Renewal; and if he will make a statement. [130244]

Ms Armstrong: The Social Exclusion Unit has just completed an extensive 12 week consultation on the framework document on the National Strategy for Neighbourhood Renewal. The consultation included over 70 events around the country and to date over 600 written responses have been received. Housing quality was raised at a number of the events. The written response is currently being analysed and it is too early to assess how many concern good quality housing. The results from the consultation will be reflected in the final strategy document to be issued later this year.

Social Exclusion (Islington)

Mr. Corbyn: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the coordination of Government policies on social exclusion in respect of Islington's voluntary sector. [128648]

Ms Beverley Hughes: The local voluntary sector has an important role to play in combating social exclusion. Local authorities, including Islington borough council, provide substantial funding to that sector. The extent of that funding is a matter for individual councils bearing in mind their statutory responsibilities, their priorities and the wishes of their electorate.

Rural White Paper

Mr. Stephen O'Brien: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the account that will be taken in the Government's proposed Rural White Paper of the effect on the rural economy of hunting, shooting and fishing. [128657]

Mr. Mullin: The Government recognise that country sports, such as fishing, shooting and hunting, contribute significantly to the economy in some rural areas. We are taking account of this during the preparation of the forthcoming Rural White Paper.

Mr. Paterson: To ask the Secretary of State for the Environment, Transport and the Regions when the Rural White Paper will be published. [128655]

Mr. Mullin: The Rural White Paper is being prepared in tandem with a White Paper on urban policy and we intend that both White Papers will be published when the House returns in the autumn.

Mortgages

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what estimate he has made of the proportion of mortgages held on *(a)* fixed rate, *(b)* variable rate and *(c)* other terms in each of the last 20 years; and if he will make a statement. [130257]

Mr. Mullin: The Department does not collect information on the totality of outstanding mortgages. It does, however, collect information on the numbers of "new advances" that are fixed rate, discounted variable rate and other variable rate. Figures were first collected in 1993 and the figures for 1993 and 1999 are as follows.

	Percentage of new mortgages by number			*Percentage of new mortgages by value*		
	Fixed	*Discounted variable*	*Other variable*	*Fixed*	*Discounted variable*	*Other variable*
1993	57.3	20.6	22.1	60.4	19.6	20.0
1999	40.2	39.4	20.4	43.1	37.4	19.5

Source:

DETR 5% Survey of Mortgage Lenders

Equivalent information on outstanding mortgages has been collected using ad hoc surveys of mortgage lenders carried out by the Council of Mortgage Lenders (CML) in 1994, 1997 and 1999. Their findings were published in Housing Finance No. 24 (1994); News & Views No. 22 (1997) and Housing Finance No. 44 (1999).

Drinking Water Inspectorate

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions when the tenth annual report of the Drinking Water Inspectorate will be published. [130471]

Mr. Meacher: The Drinking Water Inspectorate has published its tenth Annual Report today.

The main features for 1999 were:

a further improvement in drinking water quality

a further increase in the number of discoloured water incidents but signs of the beginning of an improvement

programmes in place as part of Periodic Review to meet required quality improvements

implementation of Cryptosporidium Regulations.

The Inspectorate has also published two leaflets for consumers. "How Good is the Drinking Water", will summarise the main points of the Report. "DWI Report on (Each) Water Company" gives brief details of the quality of drinking water supplied by individual water companies.

Copies of the Report and leaflets have been placed in the Library of the House.

DEFENCE

Sierra Leone

Mr. Sawford: To ask the Secretary of State for Defence if he will make a statement on the work of the Short Term Training Team in Sierra Leone. [130626]

Mr. Hoon: The work of the Short Term Training Team is progressing well, with the recruits due to complete their infantry training before the end of July. In the light of the success of this training, and in order to provide further support for the Government of Sierra Leone, I have approved a second six-week course, which will run to early September. The training team for this course will be largely drawn from one Royal Irish, whose equipment will be transported by the RFA Sir Galahad, which will then return to the UK. The existing RFA, Sir Percivale, will remain in support. In addition, the Government will be providing some items of personal equipment needed by the trainees, including boots and ponchos, from surplus MOD stocks, as well as an additional 5 million rounds of 7.62 mm link ammunition to help to meet urgent operational needs. As with the previous batch of ammunition announced on 29 June, this will be delivered to Sierra Leone subject to the Government of Sierra Leone securing formal agreement from the ECOWAS Secretariat that this ammunition can be imported as an exception to their Small Arms Moratorium. In accordance with UNSCR 1171 (1998), this shipment will be notified to the UN Sanctions Committee. Its provision will also be subject to confirmation that it will be used only by regular SLA soldiers, in accordance with international humanitarian law and human rights standards, and not by child soldiers.

Appointments (Women)

Mr. Allan: To ask the Secretary of State for Defence how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to non-departmental public bodies since 1 May 1997 were women. [129848]

Dr. Moonie: The following figures apply to appointments and reappointments made to Ministry of Defence non-departmental public bodies (NDPBs) since 1 May 1997:

(a) paid: five women; 19 per cent. of all appointments

(b) unpaid: nine women; 17 per cent. of all appointments.

These figures include appointments not made by the Secretary of State for Defence, such as appointments to the Armed Forces Pay Review Body, which are made by the Prime Minister. They exclude appointments made to bodies which have been declassified as NDPBs since 1 May 1997, such as the subcommittees of the Defence Scientific Advisory Council.

Within the overriding principle of selection based on merit, MOD is committed to increasing diversity in appointments to its NDPBs and raising the representation of women, people from ethnic minority groups and disabled people in line with government-wide objectives.

Green Transport

Mr. Moore: To ask the Secretary of State for Defence if he will list the key buildings for which his Department *(a)* submitted and *(b)* did not submit green transport plans by March. [122608]

Dr. Moonie *[holding answer 18 May 2000]:* The Ministry of Defence has approximately 340 key buildings and sites. Of these, stand-alone travel plans for 19 key sites have been submitted. The sites are:

Royal Marines, Poole
Victory Building, HM Naval Base, Portsmouth
MOD (Navy) Headquarters, Ensleigh, Bath
MOD (Navy) Headquarters, Foxhill, Bath
Defence Helicopter Support Authority, Yeovilton
Hydrographic Office, Taunton
Defence Logistics Organisation, Andover
Headquarters 2 Division (Army), Craigiehall, Edinburgh
Headquarters Salisbury Garrison, Wilton, Wiltshire
Headquarters 4 Division (Army), Aldershot
Headquarters 5 Division (Army), Shrewsbury
Headquarters Adjutant General, Upavon, Wiltshire
Royal Air Force Stafford
Royal Air Force Halton
Royal Air Force Brampton/Wyton
Royal Air Force Cranwell
Royal Air Force Lossiemouth
Defence Evaluation and Research Agency, Farnborough/Pyestock
Defence Evaluation and Research Agency, Malvern.

Travel Plans for the remainder of my Department's key buildings and sites were not submitted by March 2000. Plans for these sites will be produced as part of measures for promoting green transport initiatives within our corporate Environmental Management System (EMS), and where significant environmental impacts arising from transport activities are identified by site-based EMSs.

However, it must be borne in mind that many of our sites are in locations that are relatively isolated and MOD Main Building is not just an administration Centre but also a 24 hour operational Headquarters.

The framework for the corporate EMS was approved in April 2000 and an implementation programme is being developed during the current Financial Year. Formal implementation of the EMS will commence in April 2001.

Friend/Foe System

Mr. Hawkins: To ask the Secretary of State for Defence when he expects to announce a decision on strategic identification of friend/foe system procurement; what response he will make to submissions made on behalf of Raytheon and their subcontractors; and if he will make a statement. [128931]

Dr. Moonie *[holding answer 4 July 2000]:* I refer the hon. Member to the answer my hon. Friend the Minister for the Armed Forces gave the hon. Member for Basingstoke (Mr. Hunter) on 4 July 2000, *Official Report*, column 128W.

In accordance with departmental policy, the competing suppliers will be debriefed on the outcome of the competition.

Live Firing Exercises

Mr. Key: To ask the Secretary of State for Defence what live firing exercises involving MLRS and *(a)* the Territorial Army and *(b)* the regular army have taken place this year; and if he will make a statement. [129133]

Mr. Spellar *[holding answer 6 July 2000]:* The following live firing exercises using Multiple Launch Rocket System (MLRS) have already taken place or are planned for this year:

Date	*Detail*	*Location*
32 Regiment RA		
1–16 May	Battery Training—12 Launchers	Salisbury Plan Training Area (SPTA)
19–26 May	Regimental Exercise—12 Launchers	SPTA
12–24 June	Divisional Exercise—6 Launchers	SPTA
1 September-4 October	Ex IRON HAWK—6 Launchers	British Army Training Unit Suffield (BATUS), Canada
39 Regiment RA		
30 September-6 October	Battery Firing—12 Launchers	Castlemartin
6–16 October	Regimental Firing-12 Launchers	SPTA
13 November-1 December	6 Launchers	Germany
101 Regiment RA (V)		
8–9 April	Regimental Firing—12 Launchers	OTA
16 June-1 July	Regimental Exercise/US Exchange—12 Launchers	OTA/SPTA
30 June-1 July	Artillery 2000—2 Launchers	SPTA
25–26 November	Regimental Live Firing—12 Launchers	OTA

RMPA Programme

Mr. Keetch: To ask the Secretary of State for Defence, pursuant to his answer of 7 March 2000, *Official Report*, column 642W, on the RMPA Programme, what the procurement strategy for the Active Search Sonobuoy System (Service Requirement 903) is; and if he will make a statement. [129463]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mr. Paul Keetch, dated 12 July 2000:

I am replying to your question (No 129463) to the Secretary of State for Defence about the procurement strategy for the Active Search Sonobuoy System (ASSS) to meet SR(SA)903. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

Under BAE SYSTEMS, as prime contractor for the Nimrod MRA4 programme, two consortia are currently conducting a risk reduction programme for ASSS and are in competition for the next phase of the programme, to develop and integrate the system into the Nimrod MRA4. Thomson Marconi Sonar Ltd (TMSL) lead one of the consortia and Ultra Electronics Limited (UEL) lead the other. Once the competition has been decided the main Nimrod MRA4 contract will be amended to incorporate this development and integration activity to enable ASSS to be introduced by March 2005 concurrent with the introduction into service of Nimrod MRA4. We have already secured a commitment to, and maximum price for this work from BAE SYSTEMS.

Nimrod

Mr. Quentin Davies: To ask the Secretary of State for Defence if there has been any delay in the Nimrod upgrade programme. [128704]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mr. Quentin Davies, dated 12 July 2000:

I am replying to your question (No 128704) to the Secretary of State for Defence about the Nimrod MRA4. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

You asked whether there had been any delay in the Nimrod upgrade programme. Following EAC approval for Development and Manufacture in July 1996, the Nimrod MRA4 contract was let with BAE SYSTEMS in December 1996 with an In-Service Date (ISD) of April 2003. Following technical and resource problems, BAE SYSTEMS advised the DPA in late 1998 that they could not meet this date. In May 1999, following extensive negotiations, the contract was re-baselined with an ISD of March 2005, a delay of 23 months, with the MOD securing various benefits in compensation.

In the MPR 99 report, published on 6th July, the delay in the Nimrod MRA4 ISD is shown as 51 months. This derives from the method the NAO have used in the past to account for ISD slippage. As well as the 23 months described above, it includes an earlier cumulative delay of 28 months judged against the earliest estimate of when a Nimrod MR2 replacement aircraft was needed, but ahead of any meaningful Industry input. In future MPRs, ISD slippage will be measured against the most recent approval, which in the case of Nimrod MRA4 would be the Main Gate equivalent in July 1996. This will show the slippage to be the 23 months described above.

Shona McIsaac: To ask the Secretary of State for Defence if he will make a statement on the contract at BAE in Brough to build Nimrods. [129945]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to my hon. Friend.

Letter from Robert Walmsley to Ms Shona McIsaac, dated 12 July 2000:

I am replying to your question (No 129945) to the Secretary of State for Defence about the contract at BAE in Brough to build Nimrods. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

The contract for the conversion of current standard Nimrods to the new Nimrod MRA4 standard was placed with BAE SYSTEMS, Warton, who act as the prime contractor. A significant proportion of the activity on this programme has been placed by BAE SYSTEMS' sites, including Brough. The facility in Brough is principally involved in the design and manufacture of various aircraft components and installation tooling to support the aircraft build programme which will be undertaken at the BAE SYSTEMS' facility at Woodford.

National Insurance

Mr. Webb: To ask the Secretary of State for Defence what has been the policy since 1989 on writing annually to those of his Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129490]

Dr. Moonie: The Pay and Personnel Agency (PPA) is the payroll provider for the Ministry of Defence.

It is not the current practice of the PPA to write annually to staff paying reduced rates of National Insurance contributions.

We apply a number of checks to identify and act upon any changes of circumstances which affect the continuing payment of reduced rate National Insurance contributions. These systems were audited in March 1998 by Inland Revenue and DSS and they included a 100 per cent. check of all staff then paying reduced rates of contributions. No problems were identified with the systems in operation.

BRNC Dartmouth

Mr. Quentin Davies: To ask the Secretary of State for Defence what sea-based training takes place at BRNC Dartmouth. [129803]

Mr. Spellar: All Naval Cadets joining BRNC undertake an extensive package of training in the 67 boats owned by the College. This training is carried out on the River Dart and surrounding sea area with some sailing and motor vessels ranging as far as France and the Channel Islands. The aim of this training is to familiarise the cadets with the maritime environment, and all cadets are required to prove their competence in a variety of craft.

In the second term of the cadets' training a six week period is spent undertaking Initial Sea Training (IST) in an operational warship. The ship continues with her normal programme so, for example, cadets were onboard HMS Chatam while she was engaged on Operation Palliser (Sierra Leone). The aim of this period is to provide naval cadets with an experience of life as a junior rating, thus gaining an insight into the working conditions and lifestyle of the men and women they aspire to lead.

Alliance Ground Surveillance

Mr. Quentin Davies: To ask the Secretary of State for Defence what progress has been made in the past year on the NATO Alliance Ground Surveillance programme. [129804]

Mr. Hoon: NATO Allies remain committed to the definition of a NATO-owned and operated core capability of an Alliance Ground Surveillance (AGS) programme. This task is currently being addressed within the Alliance, with the intention of placing into service a NATO-owned and operated core capability in about 10 years' time.

Type 45 Destroyers

Mr. Davidson: To ask the Secretary of State for Defence what progress has been made with the Royal Navy's Type 45 destroyer programme. [130419]

Mr. Hoon: The Government have now approved the procurement of Type 45 destroyers, in line with our firm commitment to a modern and effective destroyer and frigate force. Subject to the satisfactory completion of negotiations, a contract will be placed later this year with the prime contractor, BAe Systems, for the first three of these ships, and including some major long-lead equipment for a further three, at an estimated cost in excess of £1 billion. It is planned that the first and third ships will be assembled by BAe Systems Marine, and the second ship by Vosper Thornycroft. The first of class is expected to be launched from the BAe Systems Marine Scotstoun yard on the Clyde.

The class is to be named the 'D' Class and Her Majesty the Queen has graciously agreed to the first of class being named HMS Daring and the second HMS Dauntless. This revives two names that have served the Royal Navy well since the early 1800s.

The ships will be equipped with the PAAMS Anti Air Missile System, a collaborative programme with France and Italy, and will provide highly effective area defence against aircraft and missiles. In addition, the Type 45 Destroyer will be a multi-role, general purpose platform capable of operations across the spectrum of tasks from peace support to high intensity warfare.

The first of class will enter service in 2007. I expect an order for the second batch of ships will be placed around 2004.

Construction of these new ships will sustain up to 3,000 jobs directly in the shipyards over the next 10 years and will sustain or create almost as many elsewhere in the defence industry.

Sonar 2087

Mr. Quentin Davies: To ask the Secretary of State for Defence when he plans to acquire sonar 2087 for the Royal Navy; and when the system will be in service. [129232]

Dr. Moonie *[holding answer 11 July 2000]:* This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mr. Quentin Davies, dated 12 July 2000:

I am replying to your question to the Secretary of State for Defence about the plans to acquire Sonar 2087 for the Royal Navy and when it will be in service. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

Two companies, Thomson Marconi Sonar Ltd and Babcock Defence Systems Ltd, are currently competing for the Demonstration, Manufacture and Support contract for Sonar 2087. We expect to place a contract in Spring 2001. Subject to negotiations with the successful contractor, we plan to bring the equipment into service at the end of 2005.

Defence Procurement Agency

Mr. Anthony D. Wright: To ask the Secretary of State for Defence what key targets have been set for the Defence Procurement Agency for the financial year 2000–01. [125248]

Dr. Moonie *[pursuant to his reply, 7 June 2000, c. 237W]:* I must apologise that my answer contained an erroneous figure for Key Target 2. The figure for average cumulative slippage of in-service dates at 31 March 2001 should have read 23.8 months, rather than the 20.9 months shown in the *Official Report*.

HEALTH

Parkside Community Health Trust

Mr. Gardiner: To ask the Secretary of State for Health how many district nurses working for Parkside Community Health Trust who carry a clinical case load have been given discretionary award points under the recommendations of the pay review body in 1998. [125948]

Mr. Denham: In line with national guidance from National Health Service Executive, Parkside Health NHS Trust has developed guidelines for awarding discretionary points to its nursing and therapy staff. This was done in consultation with staff groups and their representatives. The trust has considered a total of 59 applications, of which 30 were successful. Of these, six applications came from district nurses, and two were given discretionary award points.

Hospitals (South-west Surrey)

Mrs. Virginia Bottomley: To ask the Secretary of State for Health how many people live within two miles of *(a)* Farnham, *(b)* Milford and *(c)* Haslemere hospitals. [128502]

Mr. Denham: The Office for National Statistics (ONS) centrally produce resident population data for health authorities and local authority districts.

However, they do not produce population data below these levels, which includes population by trusts. Currently, the only population data available below health authority and local authority districts are ward level data, which are based on the 1991 Census.

Mrs. Virginia Bottomley: To ask the Secretary of State for Health what assessment he has made of the commitments given by the West Surrey Health Authority Chief Executive and the Chief Executive of the Surrey Hampshire Borders Trust concerning the future of community beds at Farnham Hospital in the "Right Balance" plans published in May 1998. [128495]

Mr. Denham: It is for local health authorities to decide on the configuration of services that best suit their local health economy's needs, based on the specialised knowledge they have of the local community.

Mrs. Virginia Bottomley: To ask the Secretary of State for Health how many NHS *(a)* state and *(b)* community in-patient hospital beds were available in (i) the South West Surrey constituency and (ii) the West Surrey health authority in May (1) 1997, (2) 1998, (3) 1999 and (4) 2000. [128504]

Mr. Denham: South West Surrey constituency approximates to West Surrey health authority in terms of geographical coverage so figures are given only for West Surrey health authority.

Figures are calculated by annual number of bed days per year divided by days in year. State beds are all beds, whereas community beds are those in community trusts.

Bed availability data are collected on a year-end basis; thus there is currently no published data for 1999–2000.

Average daily number of available beds for NHS trusts located in West Surrey health authority

	All trusts	*Community trusts*
1996–97	2,635	356
1997–98	2,359	314
1998–99	2,477	819

Mrs. Virginia Bottomley: To ask the Secretary of State for Health how many patients had been waiting for in-patient treatment, excluding day cases, for more than one year on 31 March *(a)* 1997, *(b)* 1998, *(c)* 1999 and *(d)* 2000 in West Surrey health authority. [128507]

Mr. Denham: The table provides the total number of patients waiting for ordinary admissions for more than one year, excluding day cases, in West Surrey health authority.

	Total number of patients
31 March 1997	426
31 March 1998	751
31 March 1999	675
31 March 2000	763

Thorotrast

Helen Jones: To ask the Secretary of State for Health (1) what estimate he has made of the number of cancers attributable since 1970 to the use of Thorotrast; [128327]

(2) what advice his Department has given to health authorities and trusts since 1970 on tracing patients exposed to Thorotrast; and if he will make a statement; [128326]

(3) what research his Department has commissioned since 1970 on the long-term effects of Thorotrast upon patients. [128328]

Ms Stuart *[holding answer 5 July 2000]:* We are not aware of any advice that this Department has given to health authorities and National Health Service trusts on tracing patients exposed to Thorotrast since 1970.

No estimate is available of the numbers of cancers attributable to Thorotrast since 1970.

The Department has not commissioned any research specifically on the long-term effects of Thorotrast since 1970

Thorotrast was first used in 1928 and discontinued in 1955. It has not been used in the United Kingdom and the NHS since 1955.

It is not known how many patients were exposed to Thorotrast between 1928 and its discontinuation in 1955 and no estimate of the number of cancers attributable to the use of Thorotrast is available. We are not aware of any formal programme for tracing patients exposed to Thorotrast. It is not known how many people alive today may have been exposed to Thorotrast four to seven decades ago.

Bone Marrow Donors

Fiona Mactaggart: To ask the Secretary of State for Health how many bone marrow donors have been recruited by the National Blood Service in the last year. [129266]

Mr. Denham: In 1999–2000 6,000 new bone marrow donors were recruited by the National Blood Service and entered onto the British Bone Marrow Registry. The target for 2000–01 is 10,000.

Fiona Mactaggart: To ask the Secretary of State for Health how many samples are analysed each week for the purposes of registration as a bone marrow donor by *(a)* the National Blood Service and *(b)* voluntary organisations. [129267]

Mr. Denham: The National Blood Service currently types around 120 samples each week. This will rise to 250 each week by the end of 2000–01. We understand that the Anthony Nolan Bone Marrow Trust aims to recruit around 300 new donors a week.

Beta Interferon

Mr. Webb: To ask the Secretary of State for Health what estimate he has made of the cost of beta interferon in *(a)* the United Kingdom, *(b)* other EU member states and *(c)* the United States; and if he will make a statement on the factors underlying the cost in each country. [129244]

Ms Stuart: The annual cost per patient of the beta-interferons in the United Kingdom is £9,320 (Betaferon), £9,490 (Avonex), £9,090 (lower dose of Rebif) and £12,070 (higher dose of Rebif).

The Department has made no studies of the cost of treatment in different countries. As far as the prices of the beta interferon medicines are concerned, the Department has information both from the manufacturers and from contacts in the health authorities of other countries. Direct comparisons of prices of products of this type are misleading because they are often supplied direct to hospitals, making list prices less significant. Furthermore, some countries include distribution costs and some aspects of care within the list price while others account for them separately.

Subject to these qualifications, it can be said that in general the annual cost of beta interferons in the UK is slightly greater than in other EU countries, reflecting currency movements since the products were introduced.

Mr. Amess: To ask the Secretary of State for Health if he will make a statement on the guidance issued to health authorities on the use of beta interferons in multiple sclerosis pending further guidance from the National Institute for Clinical Excellence. [130246]

Mr. Denham: Until guidance is available from the National Institute of Clinical Excellence, the guidance issued by the Department in 1995, Executive Letter (95) 97, continues to apply.

Fritchie Report

Mr. Brady: To ask the Secretary of State for Health (1) when he will publish a response to the recommendations of the Fritchie report. [129395]

(2) when he will meet Dame Rennie Fritchie to discuss her report on NHS appointments. [129396]

Ms Stuart *[holding answer 6 July 2000]:* I set out the Department's response to the recommendations made by the Commissioner for Public Appointments, Dame Rennie Fritchie, in a letter to her dated 7th July 2000. It confirms our concern to ensure that appointments to National Health Service boards are made in a way which is seen to be both open and fair. Copies of the letter are available in the Library.

GPs (Lancashire)

Mr. Gordon Prentice: To ask the Secretary of State for Health what steps he is taking to ensure that GPs who retire in the period up to 2005 in *(a)* East Lancashire and *(b)* Pendle are replaced. [129612]

Mr. Denham: East Lancashire health authority is taking a number of initiatives in response to a study by Lancaster University relating to workforce planning for general medical and other primary care staff. The 1998 study projected data to 2003–04; these data will be reviewed in the near future and extended for a further period. Measures include:

> Promoting Personal Medical Services (PMS) pilots where appropriate. There has been a very encouraging response in applications for the third wave of PMS;
>
> Working locally through Primary Care Groups (PCGs) and with the Post Graduate Medical Centre at Manchester University to expand the number of training practices and the number of trainees in East Lancashire. Three locally trained general practitioners joined the East Lancashire list last year;
>
> The development of a recruitment package aimed at the National Health Service in East Lancashire, but with a focus on General Practice;
>
> Ensuring that retiring GPs give as much notice as possible (three months is the minimum) and to plan a phased approach to retirement where possible;
>
> PCGs are encouraging practices to review their skill mix and examine alternative options for patient care e.g. greater use of nurse practitioners.

The health authority, together with Pendle PCG, is actively addressing the issue of GP retirement and subsequent recruitment. It is using all the above approaches, however, the deployment of one or more PMS pilots is regarded as a particularly appropriate solution for the area.

Primary Care Groups and Trusts

Sir Teddy Taylor: To ask the Secretary of State for Health (1) how many primary care groups have been established in England and Wales; how many of these groups have been changed to primary care trusts; and what the estimated administrative cost is of establishing these organisations; [129475]

(2) if he will make a statement on the procedures for transferring responsibility from community care trusts to primary care trusts in respect of the services to be provided by the trusts and in particular about the arrangements for transferring responsibilities to the Southend Primary Care Trust. [129476]

Mr. Denham: 481 primary care groups became operational on 1 April 1999. Nineteen of these were approved for primary care trust status and began operating as 17 primary care trusts on 1 April 2000. Two primary care trusts merged. There are now 459 primary care groups and 17 primary care trusts in England covering a population of over 49 million.

Information regarding local health groups in Wales can be obtained by contacting the Welsh Assembly.

Primary care groups perform functions formerly discharged by their parent health authorities. They are funded to do so by the health authority from within existing resources in their unified budget allocations. Central support was provided to health authorities in 1998–99 to help them to establish primary care groups. This funding was released by the ending of the general practitioner fundholding scheme.

In 1999–2000, health authorities receive £25,000 towards the cost of developing each primary care trust proposal which goes to consultation. Each primary care trust that is approved receives central funding towards its preparatory and development costs—£100,00 for a Level 3 primary care trust and £175,000 for Level 4 primary care trust.

Every health authority is required to conduct a local consultation on each prospective primary care trust. The consultation typically lasts between six weeks and three months. A report is presented to my right hon. Friend the Secretary of State which includes details on the proposal itself, the health authority's view on the proposed primary care trust and its state of readiness, the proposed establishment and operational dates and a summary of the consultation results which identifies the community services, currently provided by the local community National Health Service trust, to be provided by the prospective primary care trust. These services reflect the views of the local community and other stakeholders.

Information on the consultation process is contained in Health Service Circular 1999/207 "Primary Care Trusts: Consultation on Proposals to Establish a Primary Care Trust". Copies have been placed in the Library.

Southend Primary Care Group became a Level 3 primary care trust from 1 April 2000 and will be consulting on moving to Level 4 from April 2001. The remaining six primary care groups within South Essex Health Authority are aiming to move to trust status in April 2001. This may then result in five Level 4 primary care trusts in South Essex. External consultants are currently facilitating a local review of how clinical and support services provision may change. Local priorities, including services to be managed by each primary care trust, will be included in the consultation documentation. The consultation is likely to run from 1 August to 31 October. No transfer of community services will be made until primary care trust Level 4 status is achieved following successful consultation with wide stakeholder support.

Edgware Community Hospital

Mr. Dismore: To ask the Secretary of State for Health what services are now available at Edgware Community Hospital; how many people used each of those services in the last year; and if he will make a statement. [129948]

Mr. Denham: Services currently available at Edgware Community Hospital are:

Adolescent psychiatry
Cardiology testing
Children's services
Consultant-led outpatients services
Day surgery
Dietetics
Birth Centre
Intermediate care beds
Mental health services for adults, including in-patient facilities
Occupational therapy
Pathology and blood tests
Pharmacy
Physiotherapy
Specialist services (e.g. rehabilitation following brain injury)
Speech and language therapy
Urgent Treatment Centre for Minor Injuries
X-ray and ultrasound.

A primary care walk-in centre will open at the end of August 2000.

During 1999–2000 there were 30,000 attendances at the urgent treatment centre, 80,000 outpatient attendances across a range of specialties, 3,200 attendances for day surgery and 28,940 diagnostic tests. 228 births took place at the Edgware Birth Centre and there were 219 admissions to the general practitioner admission unit.

Jean Brett

Mr. Hinchliffe: To ask the Secretary of State for Health if he will review the case of Jean Brett, following the report by Conciliation Connections, a copy of which has been sent to him; and if he will make a statement. [130029]

Ms Stuart: The Conciliation Connections report recommendations were considered and accepted by Mount Vernon and Watford National Health Service Trust (now part of West Hertfordshire Hospitals NHS Trust) at a public trust board meeting. As recommended in the report the trust has apologised, carried out an audit into the work of the consultant's department to ensure that no unnecessary operations were being performed and made an offer of compensation.

Recently the Chief Medical Officer requested the Eastern Regional Office to review the file notes; the conclusion was that no further action be taken.

Ritalin

Angela Smith: To ask the Secretary of State for Health how many prescriptions for Ritalin were issued in each year since 1991; and at what cost. [129959]

Ms Stuart: The information requested is shown in the table.

Number of prescription items and net ingredient cost of Methylphenidate Hydrochloride (Ritalin) dispensed in the community, 1991 to 1999

England	*Prescription items (thousand)*	*Net ingredient cost (£000)*
1991	2.0	11.7
1992	2.6	16.5
1993	3.5	25.7
1994	6.0	52.3
1995	14.7	253.0
1996	47.9	811.7
1997	92.1	1,636.5
1998	126.6	2,402.8
1999	158.0	3,100.3

Notes:

1. The data cover all prescriptions dispensed in the community, ie by community pharmacists and appliance contractors, dispensing doctors, and prescriptions submitted by prescribing doctors for items personally administered in England.
2. The data do not cover drugs dispensed in hospital or private prescriptions.
3. The net ingredient costs is the basic cost of a drug and does not take account of discounts, dispensing costs, fees or prescription charges income.

Capital Charges

Mr. Alan Keen: To ask the Secretary of State for Health what plans he has to review the capital charges regime for new NHS buildings. [130097]

Mr. Denham: There are currently no plans to review the capital charges regime in the National Health Service.

The NHS, in common with the Department and other Government Departments, is required to meet a cost of capital charge. This is currently set by Her Majesty's Treasury at 6 per cent. of the net value of relevant assets employed. New buildings are included in the calculation of net assets, and depreciation (the other component of capital charges) continues to be charged on all operational NHS buildings.

The Valuation Office Agency is carrying out a review of the technique for calculating the value of specialist NHS buildings. Any consequent change in valuation techniques could be expected to impact on the absolute level of capital charges (through adjustments to new and existing building valuations), but not in the operation of the capital charges regime.

Osteopathy

Mr. Brake: To ask the Secretary of State for Health what estimate he has made of the number of osteopaths required in the NHS over the next 10 years. [130012]

Mr. Denham *[holding answer 11 July 2000]:* The Department does not make central estimates of the number of osteopaths required in the National Health Service. However, health authorities, NHS trusts and primary care groups may employ or contract with osteopaths if they consider it appropriate to do so.

Nurse Consultants (Newcastle)

Mr. Cousins: To ask the Secretary of State for Health when he received the business case for an additional nurse consultant in intermediate care from a Newcastle consortium of primary care, acute care, health authority and the city council; and when he will make a decision. [129137]

Mr. Denham *[holding answer 11 July 2000]:* On 16 June 2000 we announced the second wave of nurse consultant posts. A nurse consultant in intermediate care at the Northumbria Healthcare National Health Service Trust was 1 of the 91 posts that we approved. Details of the new posts are set out in "Making a Difference: Strengthening the nursing, midwifery and health visiting contribution to health and health care", copies of which are available in the Library.

Cataract Operations

Mr. Boswell: To ask the Secretary of State for Health what progress is being made in the improvement of biometry equipment and techniques to enhance the accuracy of cataract operations. [130121]

Mr. Denham: There has been an encouraging improvement in the efficiency of cataract operations as a result of the introduction of the phacoemulsification technique whereby ultrasound is used to break up the opacified lens so that it can be removed through a thin cannula. We have allocated £20 million over two years to the modernisation of the equipment and facilities used in cataract operations.

Glenthorne Youth Treatment Centre

Mr. Corbett: To ask the Secretary of State for Health if a decision has been taken on when Glenthorne Youth Treatment Centre, Erdington, will close; and if he will make a statement. [130429]

Mr. Hutton: In my reply to my hon. Friend on 17 April 2000, *Official Report*, columns 329–30W, I announced that, while I had concluded that it was no longer appropriate for the Department to run such a child care facility as Glenthorne Youth Treatment Centre, no decision would be taken on when the centre would finally close until suitable alternative placements had been found for the 12 children accommodated in the centre at that time.

The Department and the management of the centre have worked closely with the local authorities and the Prison Service to identify the most appropriate alternative places. Suitable arrangements have now been made for all 12 children. The last child has now left the centre.

I therefore propose to close the centre on 13 July 2000.

PRESIDENT OF THE COUNCIL

Orders in Council

Mr. Ivan Henderson: To ask the President of the Council what arrangements are in hand to improve the accessibility of Orders in Council to hon. Members; and if she will make a statement. [130394]

Mrs. Beckett: Arrangements have been made for copies of Orders in Council approved since the beginning of the year 2000 to be made available to hon. Members in the House Library.

Copies of the Orders approved at the Privy Council meetings in February, March, April and May 2000 have already been sent to the Library. Copies of the Orders approved in June 2000 will be available later this month. Thereafter, copies of the Orders approved at monthly Privy Councils will be available during the succeeding month.

Copies of individual Orders will also continue to be available on request from the Privy Council Office.

Government Bills

Mr. Brady: To ask the President of the Council how many amendments to Government bills tabled during the present Parliament by *(a)* Opposition spokesmen, *(b)* Opposition backbench hon. Members and *(c)* Government backbench hon. Members which had been selected were not debated on the floor of the House as a result of timetabling of the report Stage of Bills. [127857]

Mrs. Beckett *[pursuant to her reply, 6 July 2000, c. 292W]:* The information contained in the table for the Financial Services and Markets Bill: Further consideration, 9 February 2000 should have read:

Session 1999–2000[1]

	Financial Services and Markets Bill: Further consideration, 9 February 2000
Amendments tabled by Opposition spokesmen but not debated	0
Amendments tabled by Opposition backbenchers but not debated	1
Amendments tabled by Government backbenchers but not debated	0

[1] Up to 30 June 2000

PRIME MINISTER

Engagements

Sir Peter Tapsell: To ask the Prime Minister if he will list his official engagements for Wednesday 12 July. [129788]

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I will have further such meetings later today.

SOLICITOR-GENERAL

Beef on the Bone

Mr. Yeo: To ask the Solicitor-General what the cost was of the prosecution of Christopher Bowman for selling beef on the bone. [126790]

Ms Stuart *[holding answer 19 June 2000]:* I have been asked to reply.

This prosecution was taken by North Yorkshire county council as the enforcement body under the Beef Bones Regulations 1997. The information requested is not available centrally.

INTERNATIONAL DEVELOPMENT

Qinghai Project

Mr. Stevenson: To ask the Secretary of State for International Development what assessment she has made of the independent Inspection Panel's findings that the World bank was not in compliance with its policies on environmental assessment in respect of the Qinghai Project. [128732]

Mr. Foulkes: We agreed with the World bank management's proposal to carry out further environmental studies following the findings of the Inspection Panel.

Following board discussions on 6 and 7 July, the Chinese Government withdrew its application for funding for the Qinghai component of the project. It now plans to fund those activities itself. There will now be no international involvement in ensuring environmental—and social—standards are adequately met.

Street Children

Mr. Cox: To ask the Secretary of State for International Development in which countries her Department is working on the issue of street children. [130106]

Mr. Foulkes: My Department supports work which benefits the lives of street children in many countries, including programmes in Brazil, Ecuador, Kenya, South Africa, Russia, Bangladesh, India, Tanzania, Zambia and Uzbekistan. In addition to these initiatives, street children in many countries also benefit from our support provided both bilaterally and multilaterally through the United Nations Children's Fund, the ILO's International Programme for the Elimination of Child Labour, and Save the Children Fund Programmes.

Primary Education

Mr. Cox: To ask the Secretary of State for International Development which countries her Department is assisting in the development of primary education for children. [130107]

Mr. Foulkes: Our bilateral support is focused primarily on the poorest countries of sub-Saharan Africa and South Asia. Over the past two years, DFID has committed over £200 million to support the development of universal primary education programmes in sub-Saharan Africa. I have just approved DFID support totalling £61 million over seven years for the Malawi Education Sector programme, which will provide increased access for all Malawian children to primary education of improved quality.

Appointments (Women)

Mr. Allan: To ask the Secretary of State for International Development how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which she has made to non-departmental public bodies since 1 May 1997 were women. [129845]

Clare Short: The information requested is as follows:

(a) five—of which two (40 per cent.) were women.

(b) 64—of which 25 (39 per cent.) were women.

SCOTLAND

Appointments (Women)

Mr. Allan: To ask the Secretary of State for Scotland how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to non-departmental public bodies since 1 May 1997 were women. [129852]

Dr. Reid: The Government are committed to increasing the representation of women in public life. In support of this, the Government have drawn up an action plan for increasing the number of women and ethnic minorities holding public appointments, to which my Department subscribes. The action plan was published on 24 May.

During the period 1 April 1997 to 30 June 1999, 205 women were appointed to non-departmental public bodies in Scotland out of a total of 587 appointments. Women appointees represented 35 per cent. of the total appointments made in this period. 162 women were appointed to paid posts, representing 37 per cent. of all the paid appointments made in that period. Forty-three women were appointed to unpaid posts, representing 28 per cent. of all the unpaid appointments made in the same period.

With effect from 1 July 1999, responsibility for most appointments to non-departmental public bodies operating in Scotland passed to the Scottish Executive.

I have made one appointment to a non-departmental public body during the period to end 1999: the appointee was a woman.

Departmental Payments

Mr. Chope: To ask the Secretary of State for Scotland what percentage of correctly presented bills were paid by his Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130043]

Dr. Reid *[holding answer 11 July 2000]:* In 1998–99, the Scottish Office, including its executive agencies and associated Departments, paid 97.8 per cent. of valid invoices for goods, services and works within either 30 days or the agreed payment terms. The corresponding figure for the first quarter of 1999–2000 was 97.6 per cent. The Scotland Office was established on 1 July 1999.

From that date until 31 March 2000, the Department paid 98.4 per cent. of valid invoices within either 30 days or the agreed payment terms.

Information on the timing of payment in relation to the receipt of goods and services rather than receipt of invoices is not held centrally. Information on other agreed payment terms, which are relatively uncommon, is not held centrally. Payment of invoices from 1 July 1999 by the Scottish Executive is a matter for the Scottish Parliament.

National Insurance

Mr. Webb: To ask the Secretary of State for Scotland what has been the policy since 1989 on writing annually to those of his Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129480]

Dr. Reid: The former Scottish Office observed guidance issued by the Inland Revenue that periodic reminders should be issued. A reminder was issued to relevant staff in 1997 and a further reminder will be issued shortly to staff in my Department. The frequency with which reminders are issued is being reviewed.

AGRICULTURE, FISHERIES AND FOOD

GM Seed

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what meetings prior to 17 April *(a)* he and *(b)* other Ministers have held on the subject of GM free seed purity. [124166]

Mr. Nick Brown *[holding answer 5 June 2000]:* Prior to 17 April, MAFF Ministers held various meetings about GMOs at some of which the issue of GM free seed purity in relation to agricultural production was discussed.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food what advice the Government have received from the Advisory Committee on Releases into the Environment on the possibility of contamination of seed imports with GM varieties. [126860]

Mr. Nick Brown *[holding answer 19 June 2000]:* None. This particular issue is not within ACRE's remit.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food which organisations the Government informed about the contamination of Advanta rapeseed with GM varieties before 17 May; and on what dates. [126856]

Mr. Nick Brown *[holding answer 19 June 2000]:* The Secretary of the Seed Crushers and Oils Processors Association was informed by my officials on 16 May that the Government would be making an announcement on this matter.

Aquatic Environment (Sussex)

Mr. Baker: To ask the Minister of Agriculture, Fisheries and Food what recent measurements he has made of the aquatic environment off the Sussex coast to identify the possible presence of radioactive material emanating from Cap la Hague. [124231]

Mr. Morley *[holding answer 5 June 2000]:* My Department, until recently, carried out regular monitoring and assessment of the radioactive contamination of marine foodstuffs and environmental indicator materials within the English Channel. This work transferred to the Food Standards Agency on 1 April this year.

The results of this work were published in my Department's report "Radioactivity in Food and the Environment", the last of which was for 1998. The low levels of man-made radioactivity found in the English Channel cannot be attributed with any certainty to particular sources.

No-smoking Policy

Mr. Paul Marsden: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on *(a)* the effectiveness of his Department's no-smoking policy and *(b)* the proportion of his Department's offices that do not allow smoking. [125159]

Mr. Morley: *(a)* The MAFF Smoking at Work policy has been in force since January 1994. Indications are that the policy has been successful. Support in the form of courses, videos and other material are available to staff who wish to stop smoking but, to date, no-one has taken advantage of this.

(b) The Department's policy covers all offices throughout the estate. Suitably equipped, ventilated, smoking rooms are provided at all major sites.

Organic Farming

Mr. Peter Bottomley: To ask the Minister of Agriculture, Fisheries and Food how much money the Government have allocated for research into *(a)* organic farming, *(b)* biotechnology and genetic modification and *(c)* agriculture in total in the next three years. [127791]

Mr. Morley: My Department funds a wide and varied programme of research worth over £100 million per annum to support and inform our policies. Current and projected funding levels for my Department's research in the areas specified are:

£ million

	2000–01	*2001–02*
Organic farming	2.1	2.1
Biotechnology[1]	ca.24	ca.24
Genetic modification[2]	ca.5	ca.5
Total agriculture	90.9	93.7

[1] Research which uses modern biotechnology as a tool. Costs exclude expenditure on genetic modification.

[2] Includes research on genetically modified food and non-food products and to underpin safety assessments of genetically modified organisms in the environment.

Note:

All figures are provisional

A large amount of MAFF's biotechnology research has no relevance to genetic engineering, but focuses instead on areas such as the development of new tools for pest and disease diagnosis, biological control techniques, and other means of pest and disease control in plants and animals.

Figures for research spending in 2002–03 and beyond are not yet available. These will be subject to Spending Review decisions, to be announced shortly, and on the outcome of the consultation on a new MAFF Research Strategy to cover the period 2001 to 2005, to be launched later this year.

Joan Ruddock: To ask the Minister of Agriculture, Fisheries and Food if he will estimate the decrease in pesticide usage that would result from 30 per cent. of agricultural land becoming organic in the UK. [126310]

Mr. Morley *[holding answer 27 June 2000]:* It is not possible to calculate a meaningful figure. The use of pesticides varies markedly from crop to crop, and year to year, and the calculation would have to be based on assumptions about the use of the land that was to be converted. In addition, there are a number of pesticides available for use in organic agriculture but little information on the levels of their use. Some organic pesticides are permitted for use at higher rates than are the alternative conventional pesticides. On the other hand, some organic farmers seek to avoid the use even of these pesticides.

Rabbit Haemorrhagic Disease

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on the measures being taken by the Government to combat the spread of rabbit haemorrhagic disease in the United Kingdom. [128310]

Mr. Nick Brown: Viral haemorrhagic disease of rabbits (RVHD) is endemic in wild and domestic rabbits in the UK. While the Government have no control measures against the spread of RVHD in the wild rabbit population, it remains an offence under the Specified Animal Pathogens Order 1998 to introduce live RVHD virus into rabbits deliberately, except under licence. The equivalent legislation in Northern Ireland is the Specified Animal Pathogens Order (Northern Ireland) 1999.

The most effective way of controlling the disease in domestic or farmed rabbits is by vaccination.

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list the research projects being *(a)* carried out and *(b)* sponsored by his Department into rabbit haemorrhagic disease, and state the nature of each project. [128309]

Mr. Nick Brown: There are currently no research projects on viral haemorrhagic disease of rabbits in the MAFF funded research programme. Work was done at the Veterinary Laboratories Agency between 1992 and 1996 and several scientific papers were published from this research.

I understand that research is being done in some EU member states where commercial rabbit breeding is on a larger scale than in the UK. The Institute of Virology at Oxford University is also engaged in current research, but this is not funded by MAFF.

Marine Research Vessels

Mr. Yeo: To ask the Minister of Agriculture, Fisheries and Food if he will list each of his Department's marine research vessels stating for each vessel *(a)* which port they operate out of, *(b)* the complement of crew, *(c)* the age, *(d)* the estimated years until decommissioning and *(e)* the research programme in the current year. [128306]

Mr. Nick Brown: MAFF has two Fisheries Research Vessels, operated by MAFF's Centre for Environment, Fisheries and Aquaculture Science (CEFAS). The two vessels are the 72 metre long RV Cirolana and the 53 metre RV Corystes. Both vessels operate out of the port of Lowestoft.

The Cirolana has a current complement of 17 crew. It was commissioned in 1970, and has been in operation for 30 years. It is expected to be decommissioned in 2003. Its programme for calendar year 2000 is for eight voyages. Five will support the science and management of marine fisheries, and three will support the science and management of the marine environment.

The Corystes has a current complement of 16 crew. It was commissioned in 1988, and has been in operation for 12 years. It has a design life of 25 years. Its programme for calendar year 2000 is for 16 voyages. Eight will support the science and management of marine fisheries, and eight will support the science and management of the marine environment.

National Insurance

Mr. Webb: To ask the Minister of Agriculture, Fisheries and Food what has been the policy since 1989 on writing annually to those of his Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129493]

Mr. Morley: Staff in my Department are paid via Chessington Computer Services Ltd. (CCSL) who are notified about National Insurance (NI) contributions by the Contributions Agency. All staff are notified by Office Notice as and when changes occur to NI contributions. The most recent Office Notice outlining the position of married and divorced women with reserved rights to reduced rates of NI contribution was issued in November 1997. This Office Notice will be re-issued shortly and every year thereafter.

Telephone Steering Systems

Mr. Ben Chapman: To ask the Minister of Agriculture, Fisheries and Food (1) how many agencies of his Department use touch tone telephone steering systems when dealing with telephone inquiries from the general public; [129634]

(2) how many of his Department's telephone lines used by the general public are responded to by touch tone telephone steering systems. [129616]

Mr. Morley: There is one MAFF Agency (Central Science Laboratory) with a touch tone telephone system installed.

MAFF has touch tone telephone systems installed at three sites.

South-west Regional Flood Defence Committee

Mr. Steen: To ask the Minister of Agriculture, Fisheries and Food how much money was allocated to the South-west Regional Flood Defence Committee for capital projects from grants through his Department in each of the last three years. [130002]

Mr. Morley *[holding answer 10 July 2000]:* I refer the hon. Member to my reply of 23 March 2000, *Official Report*, columns 640–41W, which explained how grant is allocated to the Environment Agency and provided figures for the South-west RFDC for 1996–97 to 1998–99. For 1999–2000, the original Grant Earning Ceiling for the South West RFDC was £2.2 million and the estimated outturn is £0.9 million.

In terms of actual grant payments, the sums paid in the last three years are as follows:

	£ million
1997–98	1.4
1998–99	1.3
1999–2000	0.1

The net amount of grant paid in 1999–2000 reflects (a) the relatively low level of the achieved capital programme and (b) the reclaim of grant paid in previous years on legal costs in the light of the settlement of a contractual dispute in the Agency's favour.

Departmental Payments

Mr. Chope: To ask the Minister of Agriculture, Fisheries and Food what percentage of correctly presented bills were paid by his Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130039]

Mr. Morley *[holding answer 11 July 2000]:* MAFF's standard terms of business are payment within 30 days of receipt of a valid invoice or the provision of goods and services, whichever is the later. Where other payment terms are exceptionally agreed, they are used to measure performance. Performance is measured against all supplier invoices paid. For 1998–99, 93.3 per cent. of invoices were paid on time; in 1999–2000 89.5 per cent. of invoices were paid on time.

TRADE AND INDUSTRY

Post Office Network

Mr. Lilley: To ask the Secretary of State for Trade and Industry what is the estimated cost of setting up a universal bank in sub-post offices. [129989]

Mr. Byers *[holding answer 10 July 2000]:* I refer the right hon. Member to the answer given to the hon. Member for Tiverton and Honiton (Mrs. Browning) on 6 July 2000, *Official Report*, column 252W.

Mr. Lilley: To ask the Secretary of State for Trade and Industry when the Post Office was informed of the contents of *(a)* the Performance and Innovation Unit report on Modernising the Post Office network and *(b)* the proposals contained in his oral statement of 28 June 2000, *Official Report*, columns 907–20, on the Post Office network. [129985]

Mr. Byers *[holding answer 10 July 2000]:* By the nature of the Performance and Innovation Unit's study on modernising the post office network, the Post Office were closely involved in it throughout. However, they did not receive a copy of the report in final form or of my statement until after I stood up to make my statement to the House on 28 June.

Mr. Tyler: To ask the Secretary of State for Trade and Industry what mechanisms are employed to ensure that the full value of rural sub post offices to the local community and economy are taken into account in developing co-ordinated Government policy. [128654]

Mr. Alan Johnson: In preparing its report on the post office network, the Performance and Innovation Unit has assessed in detail the economic and social role and value of rural sub post offices in the local community. Its findings are reflected in the recommendations made in its report for a range of measures to protect and sustain the rural network.

Charlotte Atkins: To ask the Secretary of State for Trade and Industry if he will make a statement on the Performance and Innovation Unit's work as it affects rural post offices. [128643]

Mr. Michael J. Foster: To ask the Secretary of State for Trade and Industry if he will make a statement on the Performance and Innovation Unit's work as it affects rural post offices. [128653]

Mr. Alan Johnson: The Performance and Innovation Unit's report on the post office network emphasises the important contribution made by post offices to their local communities and, in particular, the need to protect the rural network against avoidable closures by providing financial support for a period. The Performance and Innovation Unit's report contains 24 recommendations, of which six relate specifically to the network of rural post offices, 12 relate to the network as a whole and six relate specifically to urban post offices. The Government accept all of them.

E-commerce

Mr. Chope: To ask the Secretary of State for Trade and Industry when the first annual report on the state of e-commerce is to be published; and if he will make a statement. [130048]

Ms Hewitt *[holding answer 11 July 2000]:* We will be publishing the first annual report in September, one year after the e-commerce@its.best.uk report was published. This will allow us to set out in more detail the Government's plans for taking forward the e-commerce and e-government agenda, in the light of the Spending Review White Paper which the Chancellor is publishing in the summer.

Arms Sales

Mr. Cohen: To ask the Secretary of State for Trade and Industry if he will list the armaments sales and transfer agreements involving Her Majesty's Government under the category of Government to Government in the last year for which figures are available, identifying separately those to which commission payments apply; what the accountability arrangements are for each agreement; and if he will make a statement. [129359]

Mr. Hoon: I have been asked to reply.

The UK's main Government to Government supply agreements were described in Part III of the 1998 Annual Report on Strategic Export Controls a copy of which was placed in the Library of the House. Table 8 of the report provided details of major equipment transferred between 1 January and 31 December 1998 by the Ministry's Disposal Sales Agency under this type of agreement. However, after publication, the Table was found to contain inaccuracies. It included details of two Jetstream aircraft for Uruguay which were not transferred until January 1999 and will therefore appear in the next Annual Report. The two entries for Brazil were also incorrect and should be consolidated into a one line entry for four River Class Patrol Minesweepers. The table also included details of the transfer of Harrier aircraft for India which were not handled under Government to Government arrangements.

Table 8 of the 1998 Annual Report on Strategic Export Controls should therefore read as follows:

Destination	*Equipment*	*Quantity*
Brazil	River Class Patrol Minesweepers	4
Uruguay	Wessex HC Mk2 Helicopters	5

Similar information in respect of 1999 transfers will appear in the 1999 Annual Report on Strategic Export Controls which should be published shortly.

The Ministry of Defence does not employ agents nor does it pay commission to third parties in support of Government to Government overseas sales.

TREASURY

Minimum Wage

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his letter of 25 May concerning the effect of the minimum wage on household incomes of different income deciles, what estimate he has made of the gross gain for each decile of households; and if he will make a statement. [128037]

Dawn Primarolo: The National Minimum Wage has, for the first time, provided a statutory level beneath which pay cannot fall—removing the worst excesses of low pay in the workplace.

It should be viewed as part of a comprehensive and coherent strategy to tackle poverty and encourage work—a strategy that combines targeted in-work tax credits with a minimum wage that is set at a prudent level.

The estimates of the gross increase in earnings for households in each income decile are provided in the table.

			Average gross increase in earnings for households affected by NMW	
Decile	*Percentage of households gaining from NMW*	*Distribution of affected households*	*Absolute (£ per week)*	*Percentage*
Bottom	5.5	11.4	31.16	39.9
2nd	6.7	14.0	22.19	20.6
3rd	6.2	12.8	30.33	21.5
4th	6.8	14.1	23.40	10.0
5th	6.1	12.7	23.70	7.6
6th	5.4	11.2	23.94	6.0
7th	4.0	8.4	28.72	5.1
8th	3.5	7.3	32.32	5.0
9th	2.5	5.2	30.52	4.3
Top	1.4	3.0	32.75	4.0
Total	4.8	100.0	26.86	8.5

Landfill Tax

Dr. Whitehead: To ask the Chancellor of the Exchequer what percentage of the national tax forgone on landfill is represented by money actually set aside by environmental tests for allocation to environmental bodies since the start of the scheme. [128886]

Mr. Timms: From the introduction of the tax on 1 October 1996 to 30 April 2000 the maximum potential tax credit that could be claimed under the environmental bodies credit scheme equates to £305 million. Tax credits for the same period amount to approximately £224 million which represents 73 per cent. of the potential tax claimable. This percentage has been rising each year.

Dr. Whitehead: To ask the Chancellor of the Exchequer what percentage of the 10 per cent. contribution to tax forgone required from landfill operators has been contributed by the operators themselves. [128888]

Mr. Timms: Around one quarter of the 10 per cent. has been contributed by the operators themselves.

Dr. Whitehead: To ask the Chancellor of the Exchequer what percentage of landfill operators eligible to establish environmental trusts to administer tax forgone under the terms of the landfill levy have actually done so. [128883]

Mr. Timms: The Landfill Tax regulations 1996 require that all environmental bodies are independent of landfill operators. There are 850 landfill operators registered for landfill tax. Of these, 494 or 58 per cent. have made contributions to environmental bodies under the scheme.

Dr. Whitehead: To ask the Chancellor of the Exchequer what percentage of the total amount of tax forgone set aside by environmental trusts for allocation to environmental bodies under the terms of the landfill levy has so far been allocated. [128884]

Mr. Timms: Ninety per cent. of the contributions received have already been spent or allocated to specific projects. The balance awaits allocation.

Dr. Whitehead: To ask the Chancellor of the Exchequer what percentage of the total sums of tax forgone so far allocated by environmental bodies under the terms of the landfill levy have been allocated to recycling. [128887]

Mr. Timms: From the introduction of the tax on 1 October 1996 to 31 December 1999, 11 per cent. of expenditure has been on recycling. In addition, some spending on education and on research and development has been related to recycling.

Dr. Whitehead: To ask the Chancellor of the Exchequer what percentage of the total tax requirement including notional tax forgone arising from the landfill levy is represented by the money set aside by environmental trusts for allocation to environmental bodies since the scheme began. [128885]

Mr. Timms: From the introduction of the tax on 1 October 1996 to 30 April 2000 credits have been subject to an overall cap of 20 per cent. of annual tax liability. Tax credits claimed have amounted to around 15 per cent. of the total tax revenue. This figure has been rising year on year—of a theoretical maximum of 20 per cent., in 1999–2000 the actual credits claimed were around 18 per cent.

Mr. McAllion: To ask the Chancellor of the Exchequer what the total receipts were from landfill tax in Scotland in each of the years for which figures are available. [130078]

Mr. Timms: It is not possible to provide the requested information as revenue figures are not collated or recorded on an individual site by site basis.

Mr. McAllion: To ask the Chancellor of the Exchequer how many Dundee-based projects and organisations have benefited from landfill tax credits in each year since the introduction of the tax; and if he will list them. [130080]

Mr. Timms: Data from Entrust, the regulator of the environmental bodies credit scheme, show that there are two environmental bodies with registered addresses in Dundee which have received funding from the landfill tax credit scheme since it started in October 1996. These are Dundee Waste and Environment Trust and University of Dundee Concrete Technology Unit.

There are five active or completed projects recorded as being carried out by Dundee Waste and Environment Trust. These are Mezieshill garden project; Baldragon Wood Wildlife Project; Restoration of Murroes and Tealing Parish Church; creation of public parks and amenities from derelict land in Dundee; and Lime System Development Project. The University of Dundee Concrete Technology Unit has received funding and has registered seven projects.

Mr. McAllion: To ask the Chancellor of the Exchequer what was the value of landfill tax credits generated in *(a)* Scotland and *(b)* Dundee in each year since the landfill tax was introduced. [130079]

Mr. Timms: According to information held by Entrust the regulator of the environmental bodies credit scheme, contributions received by environmental bodies sited in Scotland have been as follows:

Year	*Amount (£)*
Scotland	
1997	5,573,789
1998	6,628,874
1999	7,803,971
2000[1]	2,602,269
Dundee	
1997	181,173
1998	66,000
1999	30,000
2000[1]	37,000

[1] Part

Climate Change Levy

Mr. Whittingdale: To ask the Chancellor of the Exchequer for what reason heat pumps have not been included on the initial list of recommended technologies eligible for climate change levy tax incentives; and if he will make a statement. [129648]

Mr. Timms: The list was drawn up to include technologies with the greatest potential to reduce carbon dioxide emissions. Six were identified initially on this basis. Two more have been added subsequently. The Government will keep the list under review.

Office of Government Commerce

Mrs. Lawrence: To ask the Chancellor of the Exchequer what his plans are for the Quinquennial Reviews of CCTA and PACE which are due in the next year.

Mr. Andrew Smith: The Central Computer and Telecommunications Agency (CCTA) and Property Advisers to the Civil Estate (PACE) are part of the Office of Government Commerce (OGC) which became operational on 1 April this year. Since 1 April, key strategies for the new organisation have been developed, and a review has been put in hand to ensure that resources and the organisational structure support those strategies. The terms of reference for the review are:

> To review the present structure of OGC, covering its executive agencies and all other units; and to make recommendations on how best to align OGC's resources to deliver successfully its vision and strategies. The review will take into account the views of stakeholders including staff, central departments, other departments, customers and suppliers. It will also take account of requirements for Agency quinquennial reviews, in order to provide the specific reviews required for CCTA and PACE in the next year.

In ensuring that the review will take account of the need for quinquennial reviews of CCTA and PACE, it will consider past performance, organisational options for service delivery and ways in which service can be improved. These issues are also relevant to the whole organisation, not just CCTA and PACE. Similarly, the organisational review will incorporate an independent input and will seek the views of both customers and suppliers about how the OGC as a whole can best catalyse the most efficient and effective use of the civil procurement budget.

HOME DEPARTMENT

Animal Experiments

Mr. Hancock: To ask the Secretary of State for the Home Department how many dogs were killed as part of experiments in British research laboratories in each of the past three years; and if he will make a statement. [129947]

Mr. Mike O'Brien: In my reply to the hon. Member on 17 April 2000, *Official Report*, column 380W, in which I stated that members of the public often find it particularly difficult to accept that species that are kept as domestic pets or companion animals, such as dogs, are also used in research to find cures for illness. Such animals must be purpose bred and supplied by designated establishments and can only be used if there is no viable alternative for that particular procedure. I should emphasise that dogs are only used in about a quarter of 1 per cent. of all procedures.

Table 1 of the Statistics of Scientific Procedures on Living Animals Great Britain records the number of scientific procedures performed on dogs and Table 1a records the number of dogs used by primary purpose of the procedure. Numbers for the last three years for which figures are currently available are:

1998: 5,575 dogs used in 6,828 procedures

1997: 5,891 dogs used in 7,490 procedures

1996: 6,735 dogs used in 7,944 procedures.

They are primarily used in pharmaceutical research and development, or in pharmaceutical safety and efficacy evaluations. The results of this work have produced medicines which have cured illness, saved human lives and added to veterinary science which has assisted animal care. The figures reflect a downward trend in this use.

Swadlincote Magistrates Court

Mr. Todd: To ask the Secretary of State for the Home Department what arrangements have been made to accommodate the local probation service and to provide its services in South Derbyshire, and at what cost, when the Swadlincote magistrates court closes. [130171]

Mr. Boateng: It is the responsibility of Derbyshire Probation Service to acquire new premises to accommodate its staff currently operating from Swadlincote magistrates court when it closes. The location and costs are not yet known, but we have given Derbyshire Probation Service an assurance that we will provide financial support to assist in acquisition of new accommodation in Swadlincote should that be part of the local strategy at the time.

Departmental Grants and Payments

Mr. Lidington: To ask the Secretary of State for the Home Department which organisations and individuals received grants and payments in *(a)* 1999–2000 and *(b)* 2000–01 for services in support of the work of (i) the Probation Service, (ii) local authority social services departments and (iii) for education as defined in the relevant budget line set out in his Department's Annual Report 1999–2000; and how much money was paid in each such grant. [130115]

Mr. Boateng *[holding answer 11 July 2000]:* Information relating to those organisations directly funded by the Home Office in 1999–2000 for work in support of the Probation Service is as follows. Expenditure shown is the final outturn figure: figures for 2000–01 are available.

Society of Voluntary Associates (SOVA): £230,000

National Association for the Care and Resettlement of Offenders (NACRO): £441,660[1]

National Offender Employment Forum: £50,000

Inner London and Surrey Probation Services—Evaluation of Asset and Springboard Projects: £35,387

Langley House Trust: £963,132

Middlesbrough Prostitution Task Force: £1,000

National Mentoring Consortium: £29,000

Prisoners' Abroad: £90,000

Venture Trust: £432,500

Lucy Faithful Foundation: £392,826

The remainder of the expenditure on that budget line (£177,495) was in respect of individual placements with various agencies for dangerous offenders.

Total: £2,843,000

[1] Amount shown represents project funding paid in addition to the core grant to NACRO which is shown under a separate budget line in the Home Office Annual Report.

No direct payments were made by the Home Office under local authority social service departments or for education as defined in the relevant budget line set out in his Department's Annual report 1999–2000.

Transsexuals

Mr. Boswell: To ask the Secretary of State for the Home Department if he will make a statement on the Home Office Working Group on Gender Allocation, with particular reference to the membership, frequency of meetings, submissions received and expected report date. [130089]

Mr. Mike O'Brien: The terms of reference and the membership of the Interdepartmental Working Group on Transsexual People were announced, by means of a written answer on 15 April 1999, *Official Report*, columns 132–33W, by my noble Friend, the then Minister of State, Home Office, the Lord Williams of Mostyn. The Group met once every two months, under the chairmanship of a Home Office official, until January 2000.

Submissions were received from 99 individuals and from the Beaumont Society, the British Medical Association, Change, the FTM Network, Northern Concord, the Gender and Sexuality Alliance, the Gender Identity Research and Education Society. The Gender Trust, Liberty, and Press for Change. Representatives of the last five organisations met the Working Party in January. Further written material was received from a number of these organisations and from the Evangelical Alliance Policy Commission.

The Working Group's report is being carefully considered. It was presented to Home Office Ministers in April and is being circulated to ministerial colleagues in other Government Departments and in the Scottish Executive, the National Assembly for Wales and the Northern Ireland Assembly.

Football Hooliganism

Mr. Jim Murphy: To ask the Secretary of State for the Home Department (1) how many football hooligans *(a)* detained and *(b)* arrested at (i) Euro 2000, (ii) Copenhagen in May and (iii) the Scotland versus England match last year (A) were added to the Category C list and (B) had restriction orders placed upon them; [128155]

(2) how many of those football fans *(a)* detained and *(b)* deported at (i) Euro 2000, (ii) Copenhagen in May and (iii) the Scotland versus England match in Glasgow last year were (1) Category C hooligans and (2) subject to international restriction orders. [128154]

Mr. Straw: The police service in England and Wales ceased to designate individuals involved in football hooliganism by categories A, B, and C, some three years ago, and have replaced this by a more targeted, intelligence-led approach. International Football Banning Orders may be sought as a result of behaviour in jurisdictions outside England and Wales only where an agreement exists for that purpose ad the individual in question has been convicted in that jurisdiction of a football-related offence.

No one has yet been made subject to an International Football Banning Order as a result of events at Euro 2000; it was not possible to impose International Football Banning Orders on persons detained or arrested in Copenhagen as a result of the decision of the Danish authorities not to prosecute such persons; and two people have so far received International Football Banning Orders as a result of convictions associated with the Scotland versus England match last year: additional bans will be sought on receipt of the necessary documentation from the Scottish Crown Office. None of those detained or deported as a result of their behaviour at these events last year were subject at the time to Restriction Orders or International Football Banning Orders.

Mr. Garnier: To ask the Secretary of State for the Home Department, pursuant to his oral statement of 4 July 2000, *Official Report*, columns 170–73, on football hooliganism, if he will list the offences for which the 409 people arrested in Belgium and Holland were convicted. [129597]

Mr. Straw: Of the 965 England supporters arrested or detained during Euro 2000, 391 had previously been convicted of a criminal offence. The National Criminal Intelligence Service now advise that the convictions are as follows: 133 convictions for violence, 200 for disorder, 38 for the possession of an offensive weapon, 122 for criminal damage and 250 for other offences. Some supporters will have been convicted of more than one type of offence.

On-the-spot Fines

Mr. Clappison: To ask the Secretary of State for the Home Department (1) what external advice he has received concerning the compatibility of on-the-spot fines imposed by police with the European Convention on Human Rights; [129240]

(2) what consultations he has carried out regarding the imposition of on-the-spot fines by the police; and if he will list the bodies he has consulted. [129242]

Mr. Charles Clarke: As I made clear in my reply to the right hon. Member for Maidstone and the Weald, (Miss Widdecombe) on 10 July 2000, *Official Report*, columns 432–33W, my right hon. Friend the Prime Minister discussed a number of ideas for tackling disorderly and anti-social behaviour at his meeting with chief officers of police on 3 July. These included the possibility of on-the-spot fines or fixed penalties. The purpose of the meeting was to open up discussion and to seek the views of chief officers on the options which should be further considered rather than to present ready-made solutions.

The chief officers present broadly welcomed the idea of extending the fixed penalty system to a wider range of offences and I have asked my officials and the Association of Chief Police Officers to consider this option, and others, in the coming weeks.

Any new measures would, of course, have to comply with the European Convention on Human Rights.

Security Service

Mr. Cohen: To ask the Secretary of State for the Home Department if all processing of personal data by the Security Service is covered by a certificate under section 28 of the Data Protection Act 1998. [129613]

Mr. Straw: I refer my hon. Friend to the reply I gave him on 5 July 2000, *Official Report*, column 235W.

Asylum Seekers

Mr. Hilary Benn: To ask the Secretary of State for the Home Department what arrangements there are for the inspection of hostels used by asylum seekers under the dispersal programme. [129940]

Mrs. Roche: There is a twin track approach to the inspection of accommodation. First of all, officials in the National Asylum Support Service have signed a Service Level Agreement with the Property Advisors to the Civil Estate (PACE) part of the Office of Government Commerce. PACE officials are responsible for inspecting properties provided by accommodation providers and ensuring that housing conditions comply with the terms of the contract. Additionally, a Performance Monitoring Inspections Team has been established to carry out inspections in conjunction with PACE to ensure that the providers of accommodation comply fully with the contract in terms of effective housing management and access to support services.

Mr. Hilary Benn: To ask the Secretary of State for the Home Department what environmental and health and safety legislation applies to hostels used by asylum seekers; and if he will make a statement on the ways in which such legislation differs from that applying to houses in multiple occupation. [129939]

Mrs. Roche: All property must meet the requirements of the Housing Act 1985 or Housing (Scotland) Act 1987 and meet all regulatory requirements, including environmental and health and safety obligations, whether under law or regulations issued by any public or local authority and any statutory or non statutory organisation or body.

The provider is obliged through contract and specification to ensure that all necessary planning permission has been granted by the relevant authority. Where a house in multiple occupation scheme is in place the landlord must comply with the terms of the registration with the local authority.

Mr. Brooke: To ask the Secretary of State for the Home Department when his Department plans to take responsibility for all asylum seekers who have not yet received a final decision but who are currently supported by local authorities; and when the backlog of existing cases will be cleared. [130272]

Mrs. Roche: We have no plans at present to assume responsibility for the support of asylum seekers who have not received a final decision on their application and who are currently supported by local authorities.

We are on course to make a substantial reduction in the backlog of asylum applications by April 2001.

Mr. Brooke: To ask the Secretary of State for the Home Department if the National Asylum Support Service, in commissioning accommodation for asylum seekers, is commissioning within grant levels set for local authorities. [130273]

Mrs. Roche: Contractual negotiations between the National Asylum Support Service and potential providers of accommodation to asylum seekers are commercially confidential.

Mr. Brooke: To ask the Secretary of State for the Home Department how many port-of-entry applicants the National Asylum Support Service has accepted responsibility to support since 1 April; and how many in-country applicants there have been *(a)* nationally and *(b)* in London boroughs since 1 April. [130270]

Mrs. Roche: The National Asylum Support Services (NASS) assumed responsibility for the support of those seeking asylum at ports of entry with effect from 3 April. From the same date they also assumed responsibility for those making in-country applications for asylum in Scotland and Northern Ireland. On 7 April NASS assumed responsibility for in-country applicants who made their application for asylum in Kent. Between 3 April and 10 July NASS has accepted responsibility for the support of 4,353 asylum seekers. These include all those who are eligible to receive support from NASS. It is not possible to break the figure down to show the number of port applicants receiving support. Since 1 April there have been 8,400 applications for asylum made in-country. Separate figures to show the number of applicants living in London boroughs are not available.

Grants

Mr. Lidington: To ask the Secretary of State for the Home Department if he will list the beneficiaries of *(a)* community support grant and *(b)* family support grant in (i) 1999–2000 and (ii) 2000–01, giving the sums of money paid in each grant. [129525]

Mr. Boateng *[holding answer 7 July 2000]:* The Family Support Grant is a programme of funding for voluntary organisations which first became available in 1998 when it was announced that £7 million would be made available over three years. The first £1 million of awards for 1999–2000 were announced in June 1999 and a further £3 million was announced in April 2000 for 2000–01. Additionally, it was agreed that the new National Family and Parenting Institute would receive £247,000 from the Home Office as part of a "joined up" funding package from five other Departments and the Welsh Assembly totalling £2 million over the three years. 1999–2002 Parentline Plus would receive £310,000 for each of the financial years in question in order to develop and expand the services already provided to parents by introducing a national freephone telephone helpline for parents.

Funding under the open competition in both bidding rounds has gone to a range of national and local organisations across the country under three strands to help support infrastructure organisations and to promote innovative work with families. Each year a grant is made available to fund projects with a specific theme aimed at plugging gap areas in provision. In 1999 the theme was working with boys, young men and fathers. This year projects working on the parenting of teenagers have been funded.

Grants paid out in the year April 1999–2000 are available for up to three years and for 2000–01 for up to two years. Grants given to voluntary organisation projects are listed; figures are given per project for both 1999–2000 and 2000–01 where applicable.

£

Voluntary organisations	*1999–2000*	*2000–01*
National Council of One Parent Families	39,511	29,645
Contact A Family	31,500	35,000
Parent Network (two projects)	90,000	50,000
Parenting Education and Support Forum (two projects)	90,000	99,000
Family Policy Studies Centre	43,169	43,953
National Council of Voluntary Child Care Organisations	38,500	35,000
After Adoption	38,831	43,153
Trust for the Study of Adolescence	32,662	43,837
REU	44,983	0
Baby Naming Society	10,000	0
Fathers Direct	45,000	50,000
CEDC	22,700	2,500
Family Nurturing Network	4,524	2,591
Parents in Partnership Parent Infant Network	36,148	35,137
YMCA England	43,997	48,630
Newpin	45,000	50,000
Family Support Unit—East Birmingham	7,288	11,409
The Warren	31,360	33,566
National Children's Centre	44,200	45,775
National Youth Agency	30,000	0
Youthnet	30,511	0
Thomas Coram Foundation	30,000	50,000
Working with Men	44,985	48,270
Ormiston Children and Families Trust	20,100	23,227
National Children's Bureau	12,150	8,925
Black Development Agency	30,000	30,000
Divert Trust	28,307	32,689
Gingerbread	10,000	20,000
Families Need Fathers	15,000	0
Norwood Ravenswood	8,489	0
One plus One (one project jointly funded with the Department of Health, the other with the Lord Chancellor's Department)	18,500	17,000

	£
Voluntary organisations	*2000–01*
National Council of Voluntary Child Care Organisations	20,000
Child Psychotherapy Trust	15,176
Working with Men	22,926
National Council for One Parent Families	30,000
REU (two projects)	99,585
Fathers Direct	50,000
Parenting Education and Support Forum	14,000
Family Policy Studies Centre	38,786
Family Rights Group	34,284
Peers Early Education Partnership	49,415
Newham Bengali Community	50,000
National Association of Child Contact Centres	50,000
Parents in Partnership Parent Infant Network	47,227
Family Welfare Association	49,040
Disability, Pregnancy and Parenthood International	49,739
Positive Parenting Publications	50,000
Family Planning Association	50,000
Health and Advocacy Counselling Services for Turkish and Kurdish Speaking Communities	29,551
Crime Concern/Daycare Trust	44,500
Divert Trust (two projects)	92,364
Leeds Animation Workshop	50,000
Norwood Ravenswood	20,000
Community Education and Development Centre	34,000
Ormiston Children and Families Trust	2,453
RPS Rainer	50,000
YMCA England—Parent Education and Support Unit	50,000
Trust for the Study of Adolescence (two projects)	97,995
Parentline Plus services to adolescents project	45,000
Young Voice	35,000
Barnardos Byker Sands Family Centre	49,912
After Adoption	48,899
NFPI befriending project	50,000
One plus One befriending project	50,000

Active community unit

Community support grants	*Amount paid £*
1999–2000	
Age Concern	60,000
Age Concern	24,520
Age Concern	49,797
Alzheimer's Society	7,292
Arthritis care	43,490
Black Development Agency	48,000
Black Regeneration Network	10,000
Bright Red Dot Foundation	100,000
British Association of Settlements and Social Action Centres	47,363
Business in the Community	113,032
Business in the Community	50,000
Business in the Community	52,500
Business in the Community	35,906
Cambridge Ethnic Community Forum	19,572
Children's Society	19,013
Community and Voluntary Forum: Eastern Region	38,000
Community Development Foundation-Community Forum	30,000
Commmunity Service Volunteers	50,000
Community Service Volunteers—RSVP	154,000
Council of Ethnic Minority Voluntary Sector Organisations	42,000
Dark Horse Venture	28,500
East Midlands Voluntary Sector Forum	48,000
Educational Broadcasting Services Trust	15,000
Halton Voluntary Action	76,545
Help the Aged	30,586
London Voluntary Service Council	48,000
Media Trust	200,000
MSF Union	42,000
National Association for Care and Resettlement of Offenders	20,782
National Association of Volunteer Bureaux	50,175
National Association of Volunteer Bureaux	73,275
National Centre for Volunteering	36,211
National Centre for Volunteering	12,700
National Centre for Volunteering	20,700
National Centre for Volunteering	46,779
National Mentoring Network	35,000
National Trust	10,881
National Youth Agency	80,000
North Tyneside Voluntary Organisations Development Agency	84,375
Nottingham and District Racial Equality Council	10,000
Oldham Development Agency for Community Action	25,000
Pabulum	23,330
Progress Trust	38,183
ONE20	500,000
Ravidassia Community Centre	34,514
RAISE	45,380
South West Forum	48,000
Somali Womens' Association and Welfare Group	4,050
Voluntary Action Camden	112,500
Voluntary Action Luton	112,500
Voluntary Organisations' Network North East	10,000
Voluntary Organisations' Network North East	43,000
Volunteers in Action Southwark	12,760
Voluntary Service Overseas	43,000
Voluntary Sector North West	18,900
Wolverhampton Voluntary Sector Council	47,530
Yorkshire and Humber Regional Forum for Voluntary and Community Organisations	21,000
Youthnet UK	827,791
Youthnet UK	130,725
2000–01	
Age Concern	39,730
Alzheimer's Society	12,500
Arthritis Care	14,753
Asian Health Agency	68,000
Black Development Agency	58,000
Black Regeneration Network	58,000
Bright Red Dot Foundation	100,000
British Association of Settlements and Social Action Centres	42,613
Business in the Community	258,354
Business in the Community	50,000
Cambridge Ethnic Community Forum	58,000
Children's Society	24,500
Community and Voluntary Forum: Eastern Region	58,000
Community Development Foundation-Community Forum	30,000
Community Service Volunteers—RSVP	114,000
Community Service Volunteers	60,000
Council of Ethnic Minority Voluntary Sector Organisations	58,000
Dark Horse Venture	21,000
East Midlands Voluntary Sector Forum	58,000
Halton Voluntary Action	276,429
Help the Aged	42,562
London Voluntary Service Council	58,000
MSF Union	50,000
National Association for Care and Resettlement of Offenders	32,084
National Association of Volunteer Bureaux	3,000
National Association of Volunteer Bureaux	56,100
National Centre for Volunteering	2,678
National Centre for Volunteering	122,739
National Children's Bureau	10,000
National Mentoring Network	25,800
National Trust	25,708
National Youth Agency	100,000
North Tyneside Voluntary Organisations Development Agency	270,000
Oldham Development Agency for Community Action	25,000
Pabulum	23,330
ONE20	710,00
RAISE	58,000
Ravidassia Community Centre	35,200
Sandwell Volunteer Bureau	60,000
Somali Womens' Association and Welfare Group	8,347

Active community unit

Community support grants	*Amount paid £*
South West Forum	58,000
Voluntary Action Camden	270,000
Voluntary Action Luton	270,000
Voluntary Organisations' Network North East[1]	58,000
Voluntary Organisations' Network North East[2]	58,000
Voluntary Sector North West	58,000
Wolverhampton Voluntary Sector Council	58,000
Yorkshire and Humber Regional Forum for Voluntary and Community Organisations	58,000
Youthnet UK	13,125

Note:
The list does not include grants which are planned but have not yet been approved by Ministers or offered.

LORD CHANCELLOR'S DEPARTMENT

Judicial Appointments

Mr. Dismore: To ask the Parliamentary Secretary, Lord Chancellor's Department how many applications were received in the last year for judicial appointments by *(a)* solicitors and *(b)* barristers for posts as (i) deputy district judge, (ii) assistant recorder and (iii) circuit judge; and in respect of how many of the applicants there were (1) no comments, (2) one comment and (3) two or more comments in relation to the informal consultation element in the selection process for each of (i) to (iii). [129949]

Mr. Lock: The numbers of barrister and solicitor applicants for the last year's competitions are as set out:

Competition	*Barristers*	*Solicitors*
Deputy District Judge	64	359
Assistant Recorder	573	114
Circuit Judge	111	35

No "informal" consultation takes place for any of these competitions. However, in relation to the formal consultation process which takes place for each of the competitions, the relevant members of the judiciary and the profession are invited to submit their views on each candidate. In addition, for the Assistant Recorder and Deputy District Judge competitions each candidate is invited to nominate consultees. Candidates for Circuit Bench competitions have not hitherto been invited to nominate consultees, although they have been invited to do so for this year's competition. The only available statistics are for the Assistant Recorder competition, which show that up to 30 comments were received on each applicant.

Appointments (Women)

Mr. Allan: To ask the Parliamentary Secretary, Lord Chancellor's Department how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to non-departmental public bodies since 1 May 1997 were women. [129853]

Jane Kennedy: Of the non-judicial appointments made to our non-departmental public bodies since 1st May 1997, nine (or 32 per cent.) of the paid appointments have been women and 305 (or 41 per cent.) of the unpaid ones have been women.

This Government are committed to increasing the representation of women in public life. In support of this, the Department has drawn up an action plan for increasing the numbers of women and people from ethnic minorities holding public appointments. The latest plans, together with the Government's overall plan, were published on 24 May 2000 in "Quangos: Opening Up Public Appointments 2000—2003", copies of which are in the Libraries of the House.

Legal Services Ombudsman

Mr. Colman: To ask the Parliamentary Secretary, Lord Chancellor's Department when the Legal Services Ombudsman intends to publish her annual report for 1999–2000. [130675]

Mr. Lock: The Legal Services Ombudsman has today published her ninth annual report, and copies have been placed in the Libraries of both Houses.

CABINET OFFICE

Business Regulations

7. **Mr. Fraser:** To ask the Minister for the Cabinet Office if she will make a statement on the level of regulation on business. [128651]

Mr. Stringer: The OECD has reported that the UK has one of the lowest levels of business regulation of any member country.

Modernising Government Programme

8. **Mr. Ben Chapman:** To ask the Minister for the Cabinet Office if she will make a statement on progress in the modernising government programme. [128652]

18. **Mr. Swayne:** To ask the Minister for the Cabinet Office if she will make a statement about progress on the modernising government programme. [128666]

Mr. Ian McCartney: Good progress is being made across the public sector: NHS Direct, the ONE project, internet access in libraries, and improved Government websites, as well as improved policies to tackle deep-seated problems like social exclusion.

This is a long term change programme. There will be further changes made to improve services to the public. These will include changing address in one transaction and help with life cycle events.

9. **Mr. Ruffley:** To ask the Minister for the Cabinet Office if she will make a statement on the cost of the modernising government programme. [128656]

Mr. Ian McCartney: The modernising government programme is ongoing and integral to the work of every part of the public service. We are using specific funds, such as the Invest to Save Budget (totalling £230 million) and the Capital Modernisation Fund (totalling £1.1 billion) to assist in the process of modernisation. An example of the type of project that this money is going towards funding is the integration of services for pensioners at the Benefits Agency.

11. **Mr. Fabricant:** To ask the Minister for the Cabinet Office if she will make a statement on her Department's work in co-ordinating Government policy on the modernising government programme. [128659]

Mr. Ian McCartney: In July 1999 we published the Modernising Government Action Plan showing action in hand by the centre of government to promote and drive forward the commitments of the White Paper published earlier in March 1999. Progress against the Action Plan is reported regularly on the internet. The last update showed that over 90 per cent. of the activities were on course or had been delivered.

Special Advisers

10. **Mr. Blunt:** To ask the Minister for the Cabinet Office what estimate she has made of the cost of salaries of special advisers in Government for the financial year 2001–02, on the basis that each adviser who is so entitled receives the maximum performance-related increment for that year. [128658]

Marjorie Mowlam: The estimated total cost of Advisers in 2001–02 is approximately £4.6 million.

Public Appointments

12. **Mr. Brady:** To ask the Minister for the Cabinet Office if she will make a statement following the publication of "Quangos: Opening up Public Appointments 2000–03". [128660]

Mr. Stringer: "Opening up Public Appointments 2000—03" was published on 24 May. It contains the Government's updated plan for increasing the participation of women, members of the ethnic minorities and disabled people in public life.

The Government are keen to ensure that those serving on the boards of public bodies are as representative of society as possible. We are committed to the equal representation of women and men in public appointments and a pro-rata representation of members of the ethnic minorities. It also wants to encourage more disabled people to participate in public life.

Government Services

13. **Ms Walley:** To ask the Minister for the Cabinet Office what steps she is taking to make Government services more accessible and responsive to their recipients. [128661]

Mr. Ian McCartney: We have appointed consumer champions in all the key central government services, to find out and meet their users' needs. We have been working hard to ensure we consult the public better and more widely about policy and services.

We are working to provide extended opening hours in the services where there is greatest demand, and we will provide electronic access to all services by 2005.

Drugs Referral Scheme

14. **Mr. Borrow:** To ask the Minister for the Cabinet Office what steps she is taking to ensure that the introduction of the drugs referral scheme does not disadvantage those drug users who have not been arrested but who wish to receive treatment to break their drug dependency. [128662]

Mr. Ian McCartney: Arrest Referral Schemes play an important role in the Government's drug strategy, by putting drug misusers with problems in touch with the various treatment services available.

The Government have recently proposed a National Treatment Agency to provide a cohesive central approach to treatment for problem drug misusers. This means the Department of Health and the Home Office working together to ensure that those requiring treatment are able to access services which have a positive impact on health and crime, regardless of their route of referral.

Social Exclusion

15. **Mr. Edwards:** To ask the Minister for the Cabinet Office if she will make a statement about the Government's strategy to combat social exclusion. [128663]

Marjorie Mowlam: I can confirm that good progress is being made towards achieving the Government's targets on the four reports from the Social Exclusion Unit that have been published. These are on School Truancy and Exclusion, Rough Sleeping, Teenage Pregnancy and Bridging the Gap, which is about 16–18 year olds not in education, training and employment.

The SEU launched a consultation framework version of the National Strategy for Neighbourhood Renewal in April. Over 18,000 copies of the consultation framework were disseminated. The consultation ended on 30 June. The SEU are currently reviewing responses and will set out an action plan for the National Strategy later this year.

International Drug Trading

16. **Dr. Iddon:** To ask the Minister for the Cabinet Office what recent meetings she has had with foreign Government representatives to discuss strategies for combating the international trade in illicit drugs. [128664]

Marjorie Mowlam: I hold regular meetings with foreign Government representatives to discuss respective drug strategies and share experiences of combating the international trade of illicit drugs.

Over recent months, some of the key players I have met include: President Pastrana of Colombia, General Barry McCaffrey, the US Drug Tsar, and Anders Kompass, the UN High Commissioner.

Civil Servants

17. **Mr. Peter Atkinson:** To ask the Minister for the Cabinet Office if she will make a statement on the recent increase in the number of civil servants. [128665]

Mr. Stringer: Civil Service numbers rose by nearly 1 per cent. in the year to October 1999. Much of this increase is in front line jobs delivering the better public services to which the Government are committed.

Drug-related Crime

19. **Mr. Sheerman:** To ask the Minister for the Cabinet Office what steps she is taking to better co-ordinate the Government's response to drug-related crime. [128667]

Mr. Ian McCartney: As Minister with overall responsibility for driving the Government's drug strategy, I am aware of a wide-range of anti-drug initiatives being pursued at both national and local level to meet the Government's target for tackling drug-related crime. These are outlined in the UK Anti-Drugs Co-ordinator's First Annual Report and National Plan.

Among more recent initiatives being pursued are:

Proposals to extend drug testing across the criminal justice system to identify offenders who are committing crime in order to buy drugs.

The national roll-out of the Drug Treatment and Testing Orders to direct offenders towards treatment.

The allocation of £20 million in a joint funding initiative with the police to accelerate the development of arrest referral schemes to get drug misusing offenders into treatment.

£1.8 million has been spent on anti-drugs initiatives by the Kirklees Drug Action Team in the last financial year.

Ministerial Code

20. **Mr. Robathan:** To ask the Minister for the Cabinet Office pursuant to her answer of 14 June 2000, *Official Report*, column 665W, what procedure is followed in respect of a Minister who does not fulfil his duty under the ministerial code. [128668]

Mr. Stringer: I refer the hon. Member to the answer given by my right hon. Friend the Prime Minister to the hon. Member for East Worthing and Shoreham (Mr. Loughton) on 19 May 2000, *Official Report*, column 286W.

Internet

21. **Dr. Cable:** To ask the Minister for the Cabinet Office if she will make a statement on progress in introducing Government services which can be accessed via the internet. [128669]

Mr. Ian McCartney: As part of our Modernising Government programme we announced in our Action Plan, published in July 1999, that we would provide six-monthly reports on our progress in delivering government services electronically. The second of these reports was published on the Central Information Technology Unit (CITU) website in November 1999 (http://www.citu.gov.uk) and the next report was published earlier today.

Rural Areas

22. **Mr. Llwyd:** To ask the Minister for the Cabinet Office what policy initiatives are under consideration to address problems in rural areas. [128670]

Marjorie Mowlam: We are preparing a Rural White Paper for England, led jointly by DETR and MAFF, to set out the Government's vision for rural areas. As part of the preparation of the White Paper we are considering a number of new policy initiatives, which will be announced when the White Paper is published together with a White Paper on urban policy.

Deregulation

23. **Mr. Pike:** To ask the Minister for the Cabinet Office when she proposes to introduce changes in the deregulation procedure. [128671]

Mr. Stringer: Changes to the deregulation order making power will be the subject of the Regulatory Reform Bill. This Bill was published in draft as Cm 4713 in April. The Bill will be introduced as soon as Parliamentary time allows.

Drug Action Teams

Mr. Savidge: To ask the Minister for the Cabinet Office what contribution is made by drug action teams to the delivery of the Government's anti-drugs strategy. [128650]

Marjorie Mowlam: Drug Action Teams (DATs) have a crucial role in the delivery of the National Drugs Strategy. They are the main mechanism for delivery on the ground, they work as a local partnership of the agencies involved in tackling drugs including Probation, Health, Education, Police Authorities and Local Authorities.

Online Government Services

Mr. Watts: To ask the Minister for the Cabinet Office when she intends to publish information on the target set by the Prime Minister after the Knowledge Economy Cabinet meeting on 30 March to deliver all Government services online by 2005. [130470]

Mr. Ian McCartney: A report on progress by Departments and their key agencies is being published today. Copies of the report have been placed in the Libraries of the House and it will be published on the website www.citu.gov.uk. The report contains information supplied by Departments based on all the services they deliver to the citizen and to business, as contained in their Public Service Agreements and Service Delivery Agreements.

Opinion Research

Mr. Don Foster: To ask the Minister for the Cabinet Office if she will place copies of the results of all market and opinion research carried out by her Department, agencies and non-departmental public bodies since May 1997, in the Library. [123804]

Mr. Stringer: For the purpose of this answer my Department includes the Government Car and Despatch Agency, an agency within my Department, and the Central Office of Information, which is an agency which reports directly to the Minister for the Cabinet Office.

The Cabinet Office regard it as good practice to publish the results of market and opinion research and in general will make public research considered relevant and important in framing major policy proposals and decisions, unless an exemption applies under the Code of Practice on Access to Government Information. For example, results of research carried out using the People's Panel are routinely placed in the House Libraries.

The results of the following research have already been placed in the House Libraries:

Assessing attitudes to the Change of Address Function

Electronic Government: the view from the queue

People's attitude to the Civil Service

Women's attitudes to combining paid work and family life

Citizen's Juries

Active Ageing Project

People's Panel—Improving Public Services Report

Summary Report (first wave research)

Summary Report, telephone wave 1 (second wave research)

Parental Attitudes to Value Added Information in Performance Tables

Listening to Women Focus Groups

Telephone Wave 3—Gas Safety Study for the Health and Safety Executive

Telephone Wave 3—Research Study conducted for the DfEE

Telephone Wave 3—(for the Service First Unit)

Telephone Wave 3—for DETR

Biosciences Main Stage Survey

Blue Pages Qualitative Report

Delivery of Public Services 24 hours a day, seven days a week (24 x 7)

Public Views on proposed new MAFF leaflet

The Views of people aged 50+ towards Public Services

Delivery of Public Services 24 hours a day, seven days a week (24 x 7)—Wave 4

Public Understanding of The Citizens' Charter and the Charter Mark Award Scheme

Assessing Attitudes to the Change of Address Function, Government Portal Research

Attitudes to Public Services in Deprived Areas, final report for Social Exclusion Unit

The Business Case for Charter Mark: MORI research study

Public Understanding of the Citizen's Charter and the Charter Mark Award Scheme

Business Case for the Charter Mark

Better Government

Better Government Renaming.

I am placing the following documents in the House Libraries in response to the hon. Member's question:

Criminal Assets Project

Monthly research on public awareness and attitudes to Millennium Bug

Better Regulation

Direct Access Government

Public Attitudes to Risk

Qualitative Research with SMEs

Local Government Regulation of Business

People's attitude to the Civil Service.

In addition, my Department has carried out three pieces of market and opinion research which I am withholding from disclosure in accordance with the Code of Practice on Access to Government Information.

Written Answers to Questions

Thursday 13 July 2000

INTERNATIONAL DEVELOPMENT

UK Institute of Arable Crops

Dr. Tonge: To ask the Secretary of State for International Development what financial assistance her Department provides for research by the UK Institute of Arable Crops. [130455]

Mr. Foulkes: We do not provide financial assistance in the form of core funding for the Institute of Arable Crops Research (IACR). Funding is provided for specific research projects with agreed objectives which contribute to achieving our overall objectives and also under consultancy contracts.

IACR is currently involved in 12 research projects with a total value of £2,355,599 which are wholly or partly funded from our Renewable Natural Resources research programmes. Most of these involve research collaboration with other institutions in the UK or overseas. It is not possible to disaggregate the share of funding received by IACR in the time available.

IACR also has some involvement in an Indo-UK collaboration on oilseed crops funded from our India programme which includes research and technology transfer and has a total value of £2 million over eight years.

In addition IACR has a contract to provide us with specialist advisory and diagnostic services in the field of tropical plant virology and in response to inquiries from our partner countries. The value of this contract is currently around £40,000 a year.

UN Drugs Control Programme

Dr. Tonge: To ask the Secretary of State for International Development what financial assistance her Department provides for the UN Drugs Control Programme; and what this funding is earmarked for. [130451]

Mr. Foulkes: Over the last three years we have provided £2.377 million to UNDCP in support of alternative development in Bolivia, Peru and Pakistan; £1.550 million to UNDCP in support of demand reduction and education in Peru and East Asia; and £0.196 million in support of strengthening law enforcement in China and East Asia.

CABINET OFFICE

E-Government Strategy

Mr. Derek Twigg: To ask the Minister for the Cabinet Office what progress has been made on the toolkit for assessing IT professional skills in departments, proposed in the e-Government strategy published in April. [130796]

Mr. Ian McCartney: The Central IT Unit in the Cabinet Office, with support from CCTA, has now developed the toolkit and I am today placing copies in the Libraries of the House, and on the Information Age Government website at www.iagchampions.gov.uk. The toolkit has been extended to cover both the IT professional and business system management skills needed to implement department's e-business strategies, as recommended in the report "Successful IT: Modernising Government in Action" that I published in May.

Appointments (Women)

Mr. Allan: To ask the Minister for the Cabinet Office how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which she has made to non-departmental public bodies since 1 May 1997 were women. [129844]

Mr. Stringer: Since 1 May 1997, my right hon. Friend the Minister for the Cabinet Office has appointed (or re-appointed) 90 men and 68 women to serve on the boards of non-departmental public bodies. Of these, 21 men (72 per cent.) and eight women (28 per cent.) were appointed to paid posts and 69 men (53 per cent.) and 60 women (47 per cent.) were appointed to unpaid posts.

In addition, my noble Friend, Baroness Jay, the Minister for Women has appointed 16 women to serve on the Women's National Commission. Of these, one is a paid post.

This Government are committed to increasing the representation of women in public life. In support of this, the Department has drawn up an action plan for increasing the number of women and ethnic minorities holding public appointments. The latest plans, together with the Government's overall plan, were published on 24 May 2000 in "Quangos: Opening up Public Appointments 2000–2003", copies of which are in the Libraries of the House.

National Insurance

Mr. Webb: To ask the Minister for the Cabinet Office what has been the policy since 1989 on writing annually to those of her Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129492]

Mr. Stringer: My Department has no policy for writing annually to staff who are paying reduced rates of National Insurance.

CHURCH COMMISSIONERS

Bishops (Allowances)

Mr. Baker: To ask the hon. Member for Middlesbrough, representing the Church Commissioners, what account the Church Commissioners take of allowances paid to bishops by the House of Lords in setting their pay and allowances. [130404]

Mr. Stuart Bell: None. These allowances are paid to bishops to cover their overnight accommodation, subsistence, secretarial and travel costs incurred in the exercise of their duties as Members of the House of Lords. They are entirely separate from bishops' stipends and working costs paid by the Commissioners.

TRADE AND INDUSTRY

Glass Industry

12. **Mr. Illsley:** To ask the Secretary of State for Trade and Industry what plans he has to award grants to new companies in the glass industry. [128951]

Mr. Caborn: My right hon. Friend has no such plans at present.

Energy Needs [illegible]as)

13. **Mr. Blizzard:** To ask the Secretary of State for Trade and Industry what assessment he has made of the importance of gas in the UK's future energy needs. [128953]

Mrs. Liddell: Gas plays, and will continue to play, an important part in meeting the UK's energy needs. In 1999, gas accounted for 33.2 per cent. of UK primary energy requirements; and, from within that total, gas generation accounted for 38.5 per cent. of electricity supplied. A working paper produced by my Department suggests that the contribution of gas to primary energy demand in the year 2020 will be of the order of 47.5–49.2 per cent., and its share of fuel used for electricity generation to be in the range 57–64 per cent..

Entrepreneurial Skills (Universities)

14. **Mr. Michael J. Foster:** To ask the Secretary of State for Trade and Industry what steps he is taking to equip universities with entrepreneurial skills. [128954]

Ms Hewitt: The Government's £25 million Science Enterprise Challenge initiative has established 12 centres of enterprise in UK universities.

The Centres will:

foster the commercialisation of research and new ideas;

stimulate scientific entrepreneurship;

incorporate the teaching of enterprise into the science and engineering curricula;

help young entrepreneurs turn good ideas into good business.

Package Holidays

15. **Mr. Roy:** To ask the Secretary of State for Trade and Industry what plans he has to meet package holiday industry representatives to discuss their pricing policies. [128955]

Mr. Caborn: I have no plans at present to meet with travel industry representatives to discuss their pricing policies.

Magnox Stations

16. **Mr. Stunell:** To ask the Secretary of State for Trade and Industry what estimate he has made of increased carbon dioxide emissions consequent upon the rescheduling of closure of Magnox nuclear power stations. [128956]

Mrs. Liddell: The projections within "Energy Projections for the UK: Working Paper", issued by my Department in March, include assumptions on the timing of closure of Magnox stations. The projected levels of carbon dioxide release in the Kyoto target period are unaffected by the recent announcements.

Employment Law

17. **Mr. Tony Lloyd:** To ask the Secretary of State for Trade and Industry what plans he has to propose extensions to the provisions of employment law with respect to information and consultation. [128957]

Mr. Alan Johnson: My right hon. Friend the Secretary of State for Trade and Industry has no plans to propose extensions to the provisions of employment law with respect to information and consultation.

Clothing and Textiles Industry

18. **Mr. Nicholas Winterton:** To ask the Secretary of State for Trade and Industry what steps he has taken through procurement policies by public bodies to assist the UK clothing and textiles industry. [128958]

Ms Hewitt: We shall be bringing together leading public purchasers of textiles and clothing to discuss how British companies can be more competitive when bidding for public contracts.

Manufacturing Industry

19. **Mr. Bill Michie:** To ask the Secretary of State for Trade and Industry what steps he is taking to improve the long-term viability of manufacturing industry. [128959]

Mr. Caborn: We are assisting manufacturing industry to improve its long-term prospects by providing a stable macro-economic framework and by pursuing policies that help firms to innovate and grow.

Post Offices

20. **Mr. Burstow:** To ask the Secretary of State for Trade and Industry when he will publish the details of the financial package for post offices outlined in his statement on 28 June. [128960]

Mr. Alan Johnson: Funding provision for the measures in support of the post office network were referred to by my right hon. Friend the Secretary of State for Trade and Industry in his statement of 28 June 2000, *Official Report*, columns 907–09. The provision is being set aside and precise amounts will be announced once detailed proposals have been drawn up and approved.

24. **Mr. Tyler:** To ask the Secretary of State for Trade and Industry how many parishes lost their sub-post office *(a)* in the period between 1 May 1997 and 30 April 2000 and *(b)* in the previous three years. [128964]

Mr. Alan Johnson: I understand from the Post Office that it does not hold data on the location of sub-post offices by parish. The total number of post offices closed between end March 1997 and end March 2000 was 850 and in the three years between end March 1994 and end March 1997 the total number was 277.

Mrs. Browning: To ask the Secretary of State for Trade and Industry what percentage of sub-post office closures in each year since 1997 met the definition of unavoidable closures set out in the Performance and Innovation Unit's report into the post office network. [129419]

Mr. Byers *[holding answer 6 July 2000]:* That information is not available as the PIU report gives a definition based on events which have not yet taken place.

Mr. Lilley: To ask the Secretary of State for Trade and Industry how many sub-post office closures in each year since 1990 were unavoidable as defined in his oral statement of 28 June 2000, *Official Report*, column 907–20, on the Post Office network. [129984]

Mr. Byers *[holding answer 10 July 2000]:* I refer the right hon. Member to the answer given above to the hon. Member for Tiverton and Honiton (Mrs. Browning) today.

Small Business Service

21. **Mr. Laxton:** To ask the Secretary of State for Trade and Industry what progress is being made by the Small Business Service in developing links with the Small Business Administration in the United States. [128961]

Ms Hewitt: David Irwin, Chief Executive of the Small Business Service, and I visited the SBA in March this year. We went to see first-hand the work of the SBA and to identify lessons from it and other business support initiatives which could be applied to the SBS.

As announced by my right hon. Friend the Secretary of State for Trade and Industry on 5 July 2000 at the joint UK-US conference "Enterprise and Technology for All: Seizing the Opportunity" David Irwin is taking forward with Aida Alvarez, Head of the SBA, a number of initiatives for further collaboration such as staff twinning possibilities and liaison between the Small Business Council and the SBA's National Advisory Council.

Business Regulation

22. **Mr. Bercow:** To ask the Secretary of State for Trade and Industry if he will make a statement on the level of regulation of business. [128962]

Ms Hewitt: According to the recent research by the OECD and the Economist Intelligence Unit the UK is already more lightly regulated than most of our competitors. We will continue to reduce the level of regulation on business wherever possible.

33. **Mr. Clappison:** To ask the Secretary of State for Trade and Industry what measures he is taking to simplify and reduce regulations affecting business. [128975]

Ms Hewitt: We are continually looking for opportunities to reduce burdens on business. For example, we have increased the statutory audit threshold for companies from £350,000 to £1 million, benefiting up to 150,000 companies, with potential savings of up to £180 million a year.

EU Applicant Countries

23. **Mr. Mackinlay:** To ask the Secretary of State for Trade and Industry which EU applicant countries he or his predecessors have visited since May 1997. [128963]

Mr. Byers: DTI Ministers have visited a majority of the applicants since 1997 reflecting the importance of EU enlargement for business. My right hon. Friend the Minister for Trade has just returned from Hungary.

Civil Aircraft

25. **Mr. Mudie:** To ask the Secretary of State for Trade and Industry if he will make a statement on the future of the Civil Aircraft Research and Demonstration programme. [128965]

Mr. Alan Johnson: The Department's support for Civil Aircraft Research and Demonstration makes an important contribution to the competitiveness of the aerospace industry. Decisions on future funding will be made in the light of the Government's spending review.

36. **Mr. Pike:** To ask the Secretary of State for Trade and Industry what changes he proposes to make to the Civil Aircraft Research and Demonstration programme. [128978]

Mr. Alan Johnson: The Department's support for Civil Aircraft Research and Demonstration makes an important contribution to the competitiveness of the aerospace industry. Decisions on future funding will be made in the light of the Government's spending review.

Creative and Communications Industries

26. **Fiona Mactaggart:** To ask the Secretary of State for Trade and Industry what assessment he has made of the contribution of the creative and communications industries to the UK economy; and if he will make a statement. [128967]

Ms Hewitt: The creative and communications industries contributed an estimated £25 billion to the economy in 1995. Work in this area is currently under review, with an update of its assessment planned for later this year. Early indications, drawing on National Statistics, are that the corresponding estimate for the most recently available data 1997 is £33 billion, accounting for approaching 5 per cent. of Gross Domestic Product. In addition the telecommunications services industry contributed 1.9 per cent. to GDP.

The creative and communications industries are vitally important to the future economic prosperity of this country. We have joined together with DCMS and other Government Departments to try to help to maximise their competitive position. We have closely involved senior figures from the creative and communications industries in fora such as the Information Age Partnership, chaired by the Secretary of State for Trade and Industry, and the Creative Industries Task Force, chaired by the Secretary of State for Culture, Media and Sport.

European Charter for Small Firms

27. **Mr. Cotter:** To ask the Secretary of State for Trade and Industry if he will make a statement on the European charter for small firms. [128968]

Ms Hewitt: The Government welcome the commitments in the European Charter for Small Enterprises agreed at the Feira Council to take action, both at the European and member state level, on areas such as better regulation, strengthening innovation and entrepreneurship, improving access to finance and enhancing business support. The Charter sends a clear signal of the European Union's positive attitude to enterprise and gives substance to the recent commitment to make the European Union the most competitive and dynamic knowledge-based economy in the world.

Miners (Compensation)

29. **Mr. Ronnie Campbell:** To ask the Secretary of State for Trade and Industry what progress he has made in meeting retired miners health-related compensation claims. [128970]

Mrs. Liddell: The Handling Agreement for settling claims for respiratory disease were formally signed in September last year. To date we have received around 108,000 claims. So far over 52,000 spirometry tests, the first part of the medical tests, have been carried out. A further 12,000 appointments have been made at 34 centres nationwide. Together this represents over 90 per cent. of the total live claims received. Over 9,000 claimants have received full and final offers based on their spirometry result; of these 2,600 have been accepted. The remainder will progress to the full MAP.

The full Medical Assessment Process, the second part of the tests, began in December. Healthcall, the Department's contractors, now have 26 centres operational. Initially some GPs and hospitals were uncertain about releasing the miners' medical records which are essential prior to making a MAP appointment. However we are now making appointments at a rate of 2,000 a month. We expect this to rise into the autumn. To date the Department has made damages payments totalling in excess of £63 million.

We signed the Handling Arrangement for settling claims for Vibration White Finger in January last year. To date we have received some 80,000 claims. Nearly 15,000 claims have been settled, with damages totalling nearly £130 million.

Mr. Ennis: To ask the Secretary of State for Trade and Industry how many cases have been lodged to date by former miners living in Barnsley, East and Mexborough for compensation for *(a)* vibration white finger and *(b)* chronic bronchitis and emphysema. [129798]

Mrs. Liddell: In the Barnsley and Mexborough area, as at 10 July, the Department has lodged some 4,000 claims for vibration white finger and 5,200 for respiratory disease from former miners and their families. IRISC, the Department's claim handling agents, are not able to provide a breakdown for Barnsley, East.

To date in the Barnsley and Mexborough area the Department has made general damages payments in interim and full and final settlement for both diseases totalling over £10 million.

Thailand

30. **Jane Griffiths:** To ask the Secretary of State for Trade and Industry if he will make a statement on UK business activity in Thailand. [128972]

Mr. Caborn: In 1999, Thailand was the UK's 39th largest export market with exports of £468 million. Exports for the first four-months of 2000 have shown an increase of 59 per cent. over the same period of 1999. Top export products are electrical machinery, power generation equipment, industrial machinery and leather goods.

The UK ranks as the 5th largest investor in Thailand, being strongly represented in the retail, power and water sectors. The last year has also seen major investments in banking, with HSBC (£620 million) and Standard Chartered (£206 million) acquiring majority holdings in Thai banks.

The recovery from economic recession in Thailand has been reflected in the levels of interest Trade Partners UK has seen from British companies looking to do business there, both in numbers of planned trade missions, exhibitions and seminars, and in the numbers of companies taking part.

Rover Task Force

31. **Mr. Burden:** To ask the Secretary of State for Trade and Industry what representations he has received on the report of the Rover Task Force. [128973]

Mr. Byers: The Task Force Report has only recently been received.

SMEs

32. **Mr. Casale:** To ask the Secretary of State for Trade and Industry what steps he is taking to promote wider consultation with employees in small and medium-sized enterprises. [128974]

Ms Hewitt: The Government are committed to promoting a strong partnership culture in the workplace—including in small and medium enterprises.

To this end we have established the Partnership Fund which aims to promote the goal of better employee communications. The fund makes available £5 million over four years to assist with the development of workplace projects including improved consultation of employees. 18 such workplace projects, have received funding, involve SMEs.

We are also working to promote best practice by spreading the message about the achievements of the best companies, whether large or small. Business Links are able to provide guidance to appropriate sources of advice. The independent Advisory, Conciliation and Arbitration Service (ACAS) also produces guidance material and works with employers to help modernise their employment practices. The 1998 review of the Service identified this as a priority area for ACAS.

In addition, small and medium enterprises are subject to the existing statutory framework for information and consultation of employees, as regards proposed collective redundancies (i.e more than 20 redundancies proposed at one establishment within a 90 day period), transfers of undertakings, health and safety and information for the purposes of collective bargaining.

Business (North-east)

34. **Mr. Cousins:** To ask the Secretary of State for Trade and Industry what his policy is on increasing business formation in the North-east of England. [128976]

Mr. Caborn: A stable economic climate is vital to stimulate development. The DTI aims to promote enterprise and innovation and is particularly keen to support successful, sustainable business start-ups. It has set up the Small Business Service (SBS) specifically to champion and service the needs of small business and act as a strong voice on their behalf within Government. The Chief Executive of the SBS, David Irwin, has 20 years experience in the North-east of helping people to start up and grow their businesses. Small businesses make up nearly 99 per cent. of all businesses in the UK and employ more than half the total workforce. The North-east has fewer than its fair share of new start-ups. This fact is recognised by the Regional Development Agency, One NorthEast, who have published their Regional Economic Strategy. One of the key objectives is to address this problem and the new European objective 2 Single Programming Document will be an important vehicle to drive this forward.

Family-friendly Employment Policies

35. **Mr. Jim Cunningham:** To ask the Secretary of State for Trade and Industry what discussions he has had with employers organisations about promoting family friendly employment policies. [128977]

Mr. Alan Johnson: My right hon. Friend the Secretary of State for Trade and Industry has so far discussed the review of maternity pay and parental leave with the Confederation of British Industry, the British Chambers of Commerce and the Chief Executive of the Small Business Service. Officials from my Department have additionally discussed the review with the Federation of Small Businesses, the Forum for Private Businesses, the Engineering Employers' Federation, Opportunity Now, the Industrial Society, the Employers' Organisation for Local Government, the National Health Service and the Institute of Personnel and Development. They have also met a wide range of other interested organisations.

Time Shares

37. **Ms Drown:** To ask the Secretary of State for Trade and Industry if he will introduce legislation to create a right for people who purchase time shares to dispose of them at a later date. [128979]

Dr. Howells: There is no need to introduce new legislation. There is already a marketplace for timeshare resales and many existing contracts include cancellation clauses.

Euro

Sir Teddy Taylor: To ask the Secretary of State for Trade and Industry what assessment he has made of the costs to industry and commerce of the adoption of the euro by the United Kingdom. [128969]

Mrs. Liddell: The cost of a changeover would depend on the detailed approach taken and the extent to which the euro had been considered in investment decisions prior to joining.

MCI WorldCom/Sprint Merger

Dr. Cable: To ask the Secretary of State for Trade and Industry what assessment he has made of the implications for the competitive balance of the internet of the proposed merger between MCI WorldCom and Sprint. [129438]

Dr. Howells: This case fell to the consideration of the EC competition authorities under the EC Merger Regulation (ECMR). The Commission prohibited the proposed deal and announced this in a press notice on 28 June.

The Commission's analysis in this case will be published in the Official Journal of the European Communities in due course.

Business Environment Simplification Taskforce

Mr. Fearn: To ask the Secretary of State for Trade and Industry if he will make a statement on the report from the European Commission's business environment simplification task force of July 1998. [130056]

Ms Hewitt: The Government welcome the recommendations of the BEST task force, particularly those on regulatory simplification and reform, and now looks forward to the first Annual Report on BEST which will be issued by the Commission later this year. Policies on business environment simplification are currently being developed under initiatives such as the proposed Multiannual Programme for Enterprise and Entrepreneurship for 2001–05 and the recently adopted European Charter for Small Enterprises.

The Commission's draft Multiannual Programme proposes the introduction of a new BEST procedure, based on the identification and adoption of best practice in the enterprise field, with work towards simplification and regulatory reform being driven forward as part of the follow-up arising from the Lisbon Special Summit earlier this year.

Credit Reference Agencies

Mr. Fearn: To ask the Secretary of State for Trade and Industry if he will introduce legislation to make credit reference agencies accountable to Parliament. [130057]

Mr. Alan Johnson: I have no plans to introduce additional controls on the activities of credit reference agencies.

Businesses which provide credit reference information about consumers already require licences issued by the Director General of Fair Trading under the Consumer Credit Act 1974. The Director General has to satisfy himself that a licensee is a fit person to engage in the activities covered by the licence and he can vary, suspend or revoke licences where he considers that licensees have engaged in practices that appear to him to be deceitful or oppressive, or otherwise unfair or improper (whether unlawful or not). He therefore monitors the complaints he receives about licence holders and he has demonstrated that he is ready to take the necessary licensing action to protect consumers where he considers it justified.

Departmental Payments

Mr. Chope: To ask the Secretary of State for Trade and Industry what percentage of correctly presented bills were paid by his Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130040]

Ms Hewitt *[holding answer 11 July 2000]: (a)* I refer the hon. Member to the answer given to my hon. Friend the Member for Elmet (Mr. Burgon) on 23 July 1999, *Official Report,* columns 677–78W.

(b) Departments and their agencies are currently collating this information for 1999–2000 and this will be made available to the House shortly.

Weights and Measures

Mr. Wilkinson: To ask the Secretary of State for Trade and Industry what estimate he has made of the cost to British traders of the law requiring goods to be sold in metric units. [130267]

Mr. Alan Johnson *[holding answer 12 July 2000]:* A compliance cost assessment was published by the Department of Trade and Industry in 1994, when the legislation was made to require loose goods to be sold in metric weights after 31 December 1999. The main cost for traders was identified as the conversion or replacement of imperial weighing machines. The average cost of conversion was estimated to be £100 per machine. The starting price for replacement was estimated to be £450 per machine. It was further estimated that 80 per cent. of machines were capable of conversion.

Mr. Wilkinson: To ask the Secretary of State for Trade and Industry (1) what the total cost to his Department will be in the financial year 2000–01 of the salaries of the trading standards officers employed by his Department to enforce the law requiring the sale of goods in metric units; [130268]

(2) how many trading standards officers are employed by his Department to enforce the implementation of the law requiring the sale of goods in metric units. [130271]

Mr. Alan Johnson *[holding answer 12 July 2000]:* The Department of Trade and Industry is not responsible for enforcing the use by traders of prescribed units of measurement for the sale of goods. Enforcement is undertaken by the local authorities, as part of their wider responsibility for trading standards. Each authority decides how many staff it will employ on trading standards work, and the allocation of staff time (and therefore of staff costs) between the different areas of enforcement.

Mr. Wilkinson: To ask the Secretary of State for Trade and Industry if he will make a statement on *(a)* the seizure of weighing equipment by trading standards officers of his Department from traders whom they believe to be in breach of the law requiring goods to be sold in metric units and *(b)* the procedures available to them to obtain the restitution of their property from his Department. [130269]

Mr. Alan Johnson *[holding answer 12 July 2000]:* Weights and measures legislation includes powers for local authority inspectors of weights and measures to seize and detain equipment in circumstances where they believe the equipment is liable to be forfeited. This would apply, for example, to equipment being used without a valid stamp on it, to equipment which is false or unjust, or which was being used in the commission of fraud.

Where prosecution followed, it would be for the courts to determine whether the equipment should be forfeited. Otherwise it would be returned to the owner.

Appointments (Women)

Mr. Allan: To ask the Secretary of State for Trade and Industry how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to non-departmental public bodies since 1 May 1997 were women. [129855]

Mr. Alan Johnson *[holding answer 12 July 2000]:* Of the appointments I have made to non-departmental public bodies since 1 May 1997:

(i) 54 were women to positions which received some remuneration (29.3 per cent. of remunerated appointments)

(ii) 42 were women to unpaid positions (19.6 per cent. of unpaid appointments).

This Government are committed to increasing the representation of women in public life. In support of this, the Department has drawn up an action plan for increasing the number of women and ethnic minorities holding public appointments. The latest plan, together with the Government's overall plan, was published on 24 May 2000 in "Quangos: Opening up Public Appointments 2000–2003", copies of which are in the Libraries of the House.

Minimum Wage

Mr. Corbyn: To ask the Secretary of State for Trade and Industry what plans he has to uprate the national minimum wage. [128952]

Mr. Byers: As indicated in the reply I gave to my hon. Friend on 30 March 2000, *Official Report,* column 237W, we have now asked the Low Pay Commission to continue to monitor and evaluate the impact of the minimum wage and to consider whether there is a case for a further increase in the rate next year. The commission will report by July 2001 and any further increase will be introduced in October 2001.

ENVIRONMENT, TRANSPORT AND THE REGIONS

GM Crops

Jackie Ballard: To ask the Secretary of State for the Environment, Transport and the Regions what plans he has to consult local authorities concerning GM trial sites. [127794]

Mr. Meacher: Current legislation does not at present include provision for consulting local authorities over the location of GM trial sites.

However, the Government have made clear their commitment to an open and transparent process for informing people about the trials. Locations of all proposed sites for research trials are advertised before sowing commences. Full details of the locations of farm scale evaluation sites are on the DETR website, along with detailed information about the programme. A number of public meetings were held during the spring, to which parish and ward councillors with a trial site in their area were invited. We remain committed to making as much information available to local people as possible and are currently drawing on lessons from the spring in planning for future planting rounds, including earlier notification.

Secondments

Mr. Don Foster: To ask the Secretary of State for the Environment, Transport and the Regions, pursuant to his answer to the hon. Member for Harrogate and Knaresborough (Mr. Willis), of 9 February 2000, *Official Report*, column 158W, on secondments, if he will give the names, grades and job titles of the staff seconded into his Department from each organisation mentioned, stating in each case the name of the section they were seconded to and a summary of the work that they were involved with. [128248]

Ms Beverley Hughes *[holding answer 29 June 2000]:* Secondments and attachments are part of the Interchange Initiative, which promotes the exchange of people and good practice between the Civil Service and other organisations. All sectors of the economy are involved: Voluntary, Education, Health, Public and Private. Interchange is a key component of the reform agenda. The Modernising Government White Paper committed us to increasing interchange, in particular by bringing in more people on secondment and seconding more of our people out. Before an Interchange can occur, all parties must be satisfied that no conflict of interest arises.

From the organisations cited in the answer of 9 February 2000, *Official Report*, column 158W, individuals seconded in to the Department worked in the following divisions or areas, at the grades indicated.

Seconding organisation	*Grade of post*	*Work area in DETR*
CRE Group Limited	7	Seconded out to EC DG Environment
Bank of Scotland	7	Railways, Economics and Finance
Unilever	7	Environment and Business
District Audit	7	Local Government Capital Finance
Kvaerner Construction	7	Construction Industry Sponsorship
OVE Arup	7	Construction Industry Sponsorship
Crown House Engineering	7	Construction Industry Sponsorship
British Gas	7	Construction Industry Sponsorship
Bovis Construction	7	Export Promotion Construction Materials
Kvaerner Cementation Foundations	7	Export Promotion Construction Materials
Geoffrey Reid Associates	7	Construction Industry Sponsorship
Marks and Spencer	7	Planning Directorate
Bellway Urban Renewal	7	Regeneration Directorate
KPMG	7	Regeneration Directorate
Building Research Establishment (2)	7	One to Export Promotion Construction Materials, one seconded out to EC DG Enterprise
IPPR	7	Sustainable Development Unit
ABROS	HEO	Regeneration Directorate
Boots the Chemist Limited	7	Planning and Regeneration Directorates
Hyder	7	Regeneration Directorate
OPM	7	Regeneration Directorate
Institute for Fiscal Studies	7	Central Economics and Policy
Buro—Happold	7	Construction Industry Sponsorship
Christiani and Nielsen	6	Construction Industry Sponsorship
Development Trust Association	7	New Deal for Communities
Homeless Network	7	London Rough Sleepers Unit

Note:

Earlier references to College of North East London, D. A. Dawson and Associates, National Grid and Waters Limited were included in error.

Mersey Partnership

Mr. Ben Chapman: To ask the Secretary of State for the Environment, Transport and the Regions how much money has been *(a)* offered to and *(b)* taken up by the Mersey Partnership from public funds over each of the last five years; and from what sources. [129598]

Ms Beverley Hughes: Public funds offered to and administered by the Merseyside Partnership in the last five years are as follows.

£000

Year	*Objective 1*	*Merseyside Development Corporation Contribution Fund*	*Membership contributions*[1]	*Totals*
1995–96	609	—	415	1,024
1996–97	543	—	415	958
1997–98	605	—	412	1,017
1998–99	869	689	406	1,964
1999–2000	783	[2]781	382	1,946

[1] Membership contributions included local authorities, Merseyside TEC, English Partnership etc. and represent voluntary contributions as part of the partnership agreement

[2] Residual value of fund £155,000

Rogers Report

Mrs. Ellman: To ask the Secretary of State for the Environment, Transport and the Regions what steps he has taken to set up regional resource centres for urban development as recommended in the Rogers report, "Towards an Urban Renaissance". [129599]

Ms Beverley Hughes: The Government agree with the Task Force about the importance of improving urban development skills.

At the national level we have commissioned a feasibility study of a recommendation made by the Social Exclusion Unit's Policy Action Team 16 (Learning Lessons), for the creation of a National Centre for Neighbourhood Renewal. This would provide the training, knowledge and skills needed to support neighbourhood renewal activity and would help to achieve many of the same ends as the Task Force's proposed Regional Resource Centres. Consultation meetings are taking place later this month on the results of the feasibility study.

At the regional level there is also a great deal happening on the ground to improve urban development skills particularly in response to the Continuing Professional Development initiative. Academic institutions across the country are now getting together with regeneration practitioners and professional institutions in putting together relevant good practice guidance and training packages for everyone from existing professionals to community volunteers.

The Government are also working closely with the professional institutions and local government to improve training in urban design skills and are considering, with the Local Government Association, the way resources can be deployed more effectively in the pursuit of excellence in this area. A skills seminar is being held by the Minister for Housing and Planning on 13 July to take this forward.

Right to Buy

Dr. Iddon: To ask the Secretary of State for the Environment, Transport and the Regions what representations he has received on varying the discounts available under the Right-to-Buy Scheme in areas of high demand for housing; and if he will make a statement. [129471]

Mr. Raynsford: I am aware of no such representations to date, though we published our Housing Green Paper "Quality and choice—a decent home for all" earlier this year and we are considering responses as they come in. The Green Paper said that we do not intend to make any further substantial changes to the Right-to-Buy Scheme.

Airports

Laura Moffatt: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on progress to date with the airport study for the South-east. [129591]

Ms Beverley Hughes: As the then Minister for Transport announced on 11 March 1999, the South-east and East of England Regional Air Services (SERAS) study has started from the position that nothing is ruled in and nothing is ruled out.

We are currently in the early stages of assessing a wide range of options, both at existing airports and possible new sites. We will proceed through successive sifts to narrow down options to a final shortlist, on which there will be a full public consultation before Ministers come to decisions.

It is expected that the study will be completed by spring or summer 2001, to be followed by public consultation. The results will feed into an Air Transport White Paper, which will also take account of the Government's decisions in response to the Inspector's report on the Heathrow Terminal 5 Inquiry.

Laura Moffatt: To ask the Secretary of State for the Environment, Transport and the Regions what the earliest date will be that planning authorities near Gatwick Airport will be able to consider planning applications following the conclusion of the airport study of South-east airports. [129590]

Ms Beverley Hughes: The South-east and East of England Regional Air Services study (SERAS) is expected to be completed by spring or summer 2001, to be followed by public consultation. The results will feed into an Air Transport White Paper, which is intended to provide a framework for the future development of aviation and airports in the United Kingdom.

Once the White Paper is published, regional planning guidance and local development plans will need to be reviewed to take account of policies that emerge from the White Paper.

In the meantime, before the SERAS study has been completed and the White Paper published, planning applications for development in the Gatwick Airport area will be subject to normal provisions of the planning system and will be determined against existing national, regional and local policies.

Revenue Grant Distribution

Mr. Kidney: To ask the Secretary of State for the Environment, Transport and the Regions how many changes he has made to the system of revenue grant distribution to local authorities since 1997; and if he will give details of the changes. [129938]

Ms Beverley Hughes: There were 15 changes in the method of determining Standard Spending Assessments (SSAs) for the 1998–99 Local Government Finance Settlement; and 20 changes for the 1999–2000 Local Government Finance Settlement.

The July 1998 Local Government White Paper announced a 3-year review of Revenue Grant Distribution. It said that the Government did not expect to make fresh changes to the method of calculation of SSAs except where there are changes in the functions of councils, or the funding of particular services.

In 2000–01 there were therefore only limited adjustments to SSAs to accommodate the establishment of the Greater London Authority and related changes, most notably those arising from the alterations to the boundary of the Metropolitan Police District and the Essex, Hertfordshire and Surrey police areas.

Changes in the method of determining SSAs are contained in circular letters to local authorities, dated 2 December 1997, 2 December 1998 and 25 November 1999, copies of which are in the Library. For convenience, copies of the relevant extracts have been placed in the Library.

London Underground

Mr. Jenkin: To ask the Secretary of State for the Environment, Transport and the Regions if he will list the unscheduled line closures on the London Underground that have occurred since 1 January; and if he will set out the *(a)* cause and *(b)* duration of each line closure. [130191]

Mr. Hill *[holding answer 11 July 2000]:* This is an operational matter for London Underground who have supplied details of unscheduled line closures (defined for this purpose as delays of more than four hours) as set out in the following table.

Date	*Location*	*Line*	*Cause*	*Initial delay (mins)*
3 January 2000	Baker Street/Finchley Road	Metropolitan & Circle	Object on track	274
6 January 2000	Baker Street	Metropolitan & Circle	Computer system failure	290
19 January 2000	Edgware Road sidings	Metropolitan & Circle	Train derailment	355
20 January 2000	Gunnersbury	Non LUL	Fire/smoke alert	277
20 January 2000	Baker Street/Edgware Road	Metropolitan & Circle	Signal problems	400
26 January 2000	Baker Street	Metropolitan & Circle	Computer system failure	473
5 February 2000	Stratford	Jubilee	Computer system failure	271
12 February 2000	Liverpool Street	Central	Person on track	319
13 February 2000	Aldgate	Metropolitan & Circle	Train derailment	401
23 March 2000	Blackfriars/Temple	District	Flooding	259
29 March 2000	Turnham Green/Richmond	Railtrack	Loss of traction current	241
9 April 2000	Aldgate/Liverpool Street	Metropolitan	Points failure	430
19 April 2000	Waterloo	Waterloo & City	Track circuit failure	278
15 May 2000	Roding Valley/Woodford	Central	Person under train	556

Yorkshire and Humberside

Mr. Quinn: To ask the Secretary of State for the Environment, Transport and the Regions if he will make a statement on the effectiveness of the Government Office for Yorkshire and the Humber in assisting regeneration projects in the region. [128642]

Ms Beverley Hughes *[holding answer 12 July 2000]:* The Government Office for Yorkshire and the Humber (GOYH) continues to contribute effectively to maximising competitiveness and prosperity in the region, and supporting integrated policies for an inclusive society. In particular it has worked closely with Yorkshire Forward (the Regional Development Agency) to support it in its first full year of operation.

During the past year GOYH has managed and developed the wide range of Government programmes and initiatives that contribute to the regeneration of the region. Examples include:

New Deal for Communities (NDC): Bradford and Hull have each received £50 million and £55 million respectively over 10 years under the first round of NDC and Doncaster and Sheffield have been invited to submit bids for schemes.

Housing Investment Programme: £207 million was allocated to local authorities for 2000–01, 46 per cent. more than the previous year.

Regional Selective Assistance (RSA): RSA to the value of over £15 million was offered to businesses. This is expected to lead to capital investment of £207 million and the creation/safeguarding of over 6,200 jobs.

European Funding: GOYH has worked hard with regional partners to ensure that all available resources under the last round of European funds were committed by the closing date of 31 December 1999. Over £560 million of funding has been committed to support a wide range of projects that maximise the benefits to the region. GOYH continues to work closely with partners to ensure that the new European programmes for 2000–06 are ready to start in 2000.

Local Transport: Last year the region's local authorities received a total allocation of £109 million for their provisional local transport plans (LTPs). GOYH has continued to support the local authorities with the preparation of their full LTPs, which will cover the five years to 2005–06.

Working with Local Government: GOYH has continued to support the modernisation of local government and has contributed to the assessment process for Beacon council and Invest to Save applications from local authorities.

In looking to the future, the Government Office will continue to work closely with Yorkshire Forward and other partners to deliver the shared vision of "A world class, prosperous region".

Fuel Costs

Mr. Russell Brown: To ask the Secretary of State for the Environment, Transport and the Regions what measures he proposes to introduce to assist motorists in rural areas with fuel costs. [130406]

Mr. Hill: The Government recognise that transport provision is particularly important to people in rural areas because jobs and services are more widely dispersed than in urban areas. In the 10-Year Plan for transport, we are developing a package of measures to improve transport provision in rural areas and we shall be developing our ideas further in the forthcoming Rural White Paper.

Bicycles on Trains

Mrs. Anne Campbell: To ask the Secretary of State for the Environment, Transport and the Regions what directions he is making to the Strategic Rail Authority to ensure that all new rail franchises require the operators to make adequate flexible space for bicycles available on their trains. [130532]

Mr. Hill: The Deputy Prime Minister gave Instructions and Guidance to the Franchising Director on 29 September 1999 about rail franchise replacement asking him to promote the use of bicycles by seeking the provision of reasonable facilities on board new rolling stock and at stations. The replacement franchise agreements will contain provisions relating to both the carriage of bicycles on trains and the provision of storage facilities for bicycles at railway stations.

Regional Development Agencies

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions if he will publish *(a)* the minutes of his meeting with Regional Development Agency heads in Birmingham in June and *(b)* each of the business plans subsequently presented by those heads. [130438]

Ms Beverley Hughes: The Deputy Prime Minister and other Ministers met the Regional Development Agency Chairmen in Birmingham on 23 June, to launch a consultation document, "The RDAs as Strategic Drivers of Economic Development". A copy of the document has been placed in the Library of the House.

It has been the practice of successive Administrations not to disclose confidential communication between departments and public bodies, consistent with Section 2 of Part II of the Code of Practice on Access to Government Information. We will, therefore, not be publishing the minutes of the meeting. The production of a business plan by each RDA is unrelated to this meeting. Two have been published and others are at various stages of preparation.

Government Offices for the Regions

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions what the future role is of the Government Offices for the Regions; and what *(a)* are their proposed budgets and *(b)* were their budgets in each of the last five years. [130437]

Ms Beverley Hughes: Following the publication of the PIU Report "Reaching Out" we are developing the role of Government Offices (GOs) to ensure strengthened co-ordination of policy initiatives with a regional and local impact. The GOs are being given the lead role in bringing together other Departments' and Agencies' involvement at the local level, ensuring activities are complementary. All Departments whose responsibilities affect regional or local activities are committed to better co-ordination of key policies by involving Government Offices.

On the issue of proposed budgets and budgets in each of the last five years, I refer the hon. Member to my answer of 12 July 2000, *Official Report*, columns 557–59W.

Millennium Dome

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions (1) what urban regeneration funds have been made available from agencies under the control of his Department for the Millennium Dome and its environs; how such funds have been used; and what estimate he has made of the sale proceeds which will be recredited to his Department; [130439]

(2) how much public funding through English Partnerships has been spent on the Millennium Dome and its environs. [130436]

Ms Beverley Hughes: English Partnerships, which is under the control of my Department, purchased the Greenwich Peninsula site from British Gas in 1997. Since then it has used part of its regeneration funding grant from my Department to remediate the site, provide roads, footpaths, services, landscaping, river wall walks, improvements to the A102 and permanent facilities such as a park. The part of the peninsula directly associated with the Millennium Dome covers land north of the Jubilee line and North Greenwich Transport Interchange. English Partnerships' expenditure for this area amounts to £15.53 million. The sales proceeds returning to the Department will be determined in the light of the Dome Legacy Competition.

SERPLAN

Mr. Loughton: To ask the Secretary of State for the Environment, Transport and the Regions when, and in what form, the Government will respond to the recent vote by SERPLAN rejecting his house building numbers for the South-east. [130440]

Ms Beverley Hughes: The Secretary of State will carefully consider all the views expressed by SERPLAN and in more than 900 other representations received on regional planning guidance for the South-east, before he reaches any conclusions.

PFI Contracts

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what monitoring his Department undertakes of private finance initiative contracts undertaken by local government; and if he will make a statement. [130277]

Ms Beverley Hughes: I refer the hon. Member to the answer I gave on 4 July 2000, *Official Report*, column 116W.

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what the net present cost is of each project undertaken in his Department under the private finance initiative; what the value is of their public sector comparators in *(a)* pre-risk and *(b)* risk-adjusted terms; what risks have been identified as having been transferred; and if he will place information on other relevant costs for each private finance initiative project in the Library. [130255]

Ms Beverley Hughes: The information requested could be provided only at disproportionate cost.

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what clawback mechanisms exist under private finance initiative contracts within his Department in respect of *(a)* refinancing and *(b)* other contingencies; and if he will place copies of each private finance initiative contract in the Library. [130210]

Ms Beverley Hughes: General provisions exist within all the private finance contracts for payments to be made by the contractor in relation to termination on contractor default. The contract for the Croydon Tramlink includes an incentive share agreement whereby Transport for London will share in any refinancing benefits. Transport for London would also receive a share of any excess revenues obtained by the concessionaire. A refinancing of the Channel Tunnel Rail Link (CTRL) would benefit the Government by reducing the requirement for operating subsidy. In addition the CTRL contract allows Government to share in any construction cost underrun as well as a positive cashflow after 2021.

The MOT computerisation contract includes provision for value for money reviews to be conducted at pre-determined intervals which will examine profit compared with predicted profit which could result in payments back to the Vehicle Inspectorate. This contract also enables the Vehicle Inspectorate to share in the profits of any value added services deriving from the contract.

In accordance with Treasury Taskforce Policy Statement No 5 (Provision of Information to Parliament), which sets out best practice in relation to departments' obligations to disclose information to Parliament, my Department has not deposited any information in the Library.

Mr. Matthew Taylor: To ask the Secretary of State for the Environment, Transport and the Regions what the average cost to public funds is of external advisers in the negotiation of private finance intiative projects for roads projects expressed as a proportion of each contract's value. [130258]

Mr. Hill: Figures for individual contracts are not available. For the eight privately financed trunk road contracts awarded in England the cost of external advisers expressed as a proportion of the contracts' value is less than one per cent. of the net present value of expected payments over the 30 year life of contracts.

Green Ministers

Mr. Burgon: To ask the Secretary of State for the Environment, Transport and the Regions when the last meeting of Green Ministers took place; what was discussed; and which departments were represented by *(a)* Ministers and *(b)* officials. [131071]

Mr. Meacher: Green Ministers held their second meeting of this year on 6 July. We discussed progress on integrating the environment into policy and the feasibility of reporting on transport emissions on the Government Estate. The Green Minister for the Department of International Development, my hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), spoke about the sustainable development priority (within the Government's National Strategy) of

> "working with others to achieve sustainable development internationally"

and the Green Minister for the Department of Trade and Industry, the Minister for Small Business and E-Commerce, outlined progress on DTI's Sustainable Development Strategy.

The Committee also reviewed plans for a pilot on the public procurement of paper goods, including recycled paper, as announced in the Waste Strategy 2000 and considered the format for the 2nd Green Ministers' Report due to be published in the autumn. Support was also given to a proposal to share experience between departments on the implementation of Environmental Management Systems (EMSs), which should help spread good practice on implementing and certifying EMSs across the Government Estate.

The next meeting will be held on 2 November 2000.

The departments represented by Ministers were: Department of the Environment, Transport and the Regions; Department for Culture, Media and Sport; Foreign and Commonwealth Office; Department of Health; Department for International Development; Law Officers' Departments; Lord Chancellor's Department and Department of Trade and Industry. Those represented by officials were: Chancellor's Departments, Home Office and Department of Social Security. The Whips Office was also represented.

DEFENCE

Training Support Activities

Mr. Key: To ask the Secretary of State for Defence if he will list *(a)* core and *(b)* non-core training and training support activities and services which will be included in the competition to seek a long-term strategic partner to run the Army Training Estate; and if he will indicate the website where these competitions have been advertised. [124362]

Mr. Spellar *[holding answer 5 June 2000]:* The Department's core and non-core training and training support activities and services provided in support of the Army Training Estate are as follows:

Core functions

Contract (Partner) management
Conservation and Environmental policy
Exercise Planning
Health and Safety Policy and Inspection
Intelligent Customer Role
Military Command and Control
Ownership responsibilities for Secretary of State
Range Clearance Policy and Explosive Ordnance Disposal
Public Relations and Public Information Policy and Provision
Strategy

Non-core functions

Accommodation provision
Catering Services
Communications
Domestic Services
Equipment Repair
Information Technology development and support

Office administration and support

Property management

Range Operations

Stores management and services

Surveillance

Unarmed Guarding

Utilities

Transport provision and maintenance.

None of the core functions will be included in the competition. All of the non-core functions will be considered for inclusion in the competition for a strategic partner. Some non-core work may be included in other Ministry of Defence (MOD) competitions.

The competition for the strategic partner has not yet been advertised as MOD is currently engaged in consultation with the Trade Unions.

BOWMAN

Mr. Key: To ask the Secretary of State for Defence (1) what is the cost of the personal role radios that his Department intends to buy; [127608]

(2) if staff requirement (L) 4083 vehicle integrated communications and information system continues to form part of the BOWMAN requirement; [127607]

(3) if he intends to hold a competition for the BOWMAN requirement; [127609]

(4) if the personal role radios to be procured will be compatible with both section and platoon nets; [127606]

(5) what *(a)* was the original and *(b)* is the current budget for the BOWMAN requirement. [127610]

Dr. Moonie: This is a matter for the Chief Executive of the Defence Procurement Agency. I have asked the Chief Executive to write to the hon. Member.

Letter from Robert Walmsley to Mr. Robert Key, dated 13 July 2000:

I am replying to your questions to the Secretary of State for Defence about the BOWMAN communication project. This matter falls within my area of responsibility as Chief of Defence Procurement and Chief Executive of the Defence Procurement Agency.

The personal role radio (PRR) is a short range radio designed to facilitate communications within sections and other small military teams. The PRR will be required to work with existing Clansman and BOWMAN man portable radios which will enable section commanders to pass information from the platoon net to the section and vice versa. The PRR is currently being procured through competition. It is therefore not possible now to give a definitive cost figure, but it is expected that the whole life cost will be in the order of £40M.

The original budget for the procurement of the BOWMAN system was £1.9Bn at 1993/94 economic conditions. Allowing for inflation this equates to the current budget for the procurement of BOWMAN, as currently constituted, of £2.2Bn at 1999/00 economic conditions.

ACSL is currently the preferred source for the supply of BOWMAN. Study contracts were placed earlier this year with Computing Devices Canada and Thomson CSP to ascertain whether alternatives to the current ACSL solution for BOWMAN might be available to compete for the requirement. These studies have reported and are being evaluated. We expect a decision on the way ahead for the BOWMAN project later this Summer.

I can confirm that staff requirement (L) 4083 vehicle integrated communications and information system continues to form part of the BOWMAN requirement.

Ceremonial

Mr. Baker: To ask the Secretary of State for Defence what the cost was of *(a)* Beating the Retreat and *(b)* Trooping the Colour for each of the last 10 years for which figures are available. [128787]

Dr. Moonie *[holding answer 3 July 2000]:* Costs were not collected for the Queen's Birthday Parade (Trooping the Colour) and Beating the Retreat until 1996 and were not identified separately until this year. The total costs between 1996 and 1999 were:

	£
1996	33,400
1997	34,300
1998	35,200
1999	36,000

For this year, the cost of the Queen's Birthday Parade was £31,200 and for Beating the Retreat £7,420, giving a total of £38,620.

New Deal

Mr. Brady: To ask the Secretary of State for Defence how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage this represents of total staff. [129093]

Dr. Moonie: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Bradford, North (Mr. Rooney) on 6 July 2000, *Official Report*, column 286W.

The number of New Dealers within my Department and its executive agencies represents 0.06 per cent. of total civilian staff.

During the financial year ending March 2000, a target of 1 per cent. in respect of the recruitment of New Deal candidates into the appropriate grades was set. Actual achievement was 2.3 per cent.

Tornado GR4

Mr. Quentin Davies: To ask the Secretary of State for Defence if he will make a statement on the Tornado GR4's capability to launch Sea Eagle missiles; how much has been spent on enabling the Tornado GR4 to launch Sea Eagle missiles; and if this element of the upgrade programme is planned to continue. [129805]

Mr. Spellar: Software development work to allow the Sea Eagle missile to be launched by Tornado GR4 aircraft was incomplete at the time the missile was withdrawn from service and further work was halted. This development work was part of the overall software upgrade programme for the GR4 and the costs are not separately identifiable.

Chain Gun

Mr. Duncan Smith: To ask the Secretary of State for Defence if he will list the facilities *(a)* in the United

Kingdom and *(b)* elsewhere which (i) manufacture the chain gun and (ii) are capable of manufacturing the chain gun. [129669]

Mr. Spellar *[holding answer 7 July 2000]:* I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Tornado (Fraud)

Mr. Menzies Campbell: To ask the Secretary of State for Defence what investigations his Department's police fraud squad is conducting into allegations of accounting irregularities and financial malpractice on the Tornado maintenance programme; when the investigations began; when they will be completed; and if he will make a statement. [129043]

Mr. Spellar: This is an operational policing matter. I understand however that the Ministry of Defence Police Fraud Squad began investigating allegations of malpractice connected with the Tornado maintenance programme last month. At this stage it is not possible to say when the investigation will be completed.

Centre for Defence Medicine

Mr. Menzies Campbell: To ask the Secretary of State for Defence where the proposed Centre for Defence Medicine will be sited; when the centre is due to open; and if he will make a statement. [130092]

Dr. Moonie: The Centre for Defence Medicine will be located in Birmingham and is being developed in association with the University Hospital Birmingham NHS Trust (UHB) and its academic and clinical partners. The Centre is due to open as planned on 1 April 2001. Defence medical personnel will be working at the UHB's Queen Elizabeth and Selly Oak sites and some will be working very closely with the University of Birmingham and other academic partners. We continue to be extremely pleased with the way the project is developing and with the enthusiasm and commitment of our partners in Birmingham.

West Indies Guard Ship

Mr. Duncan Smith: To ask the Secretary of State for Defence which ships have fulfilled the role of the West Indies guard ship in the past 18 months; and if he will list the dates during which the ships have been on station. [130447]

Mr. Spellar: The ships that have fulfilled the role of the Atlantic Patrol Task (North) (previously known as the West Indies Guard Ship) in the past 18 months are as set out:

Ship	*On station*
HMS Marlborough	29 January 1999 to 17 June 1999
HMS Northumberland	17 June 1999 to 23 November 1999
HMS Manchester	15 February 2000 to 26 June 2000
HMS Cardiff	26 June 2000 to est. end November 2000

Royal Fleet Auxiliary

Mr. Duncan Smith: To ask the Secretary of State for Defence if he will make a statement on the current industrial dispute involving the Royal Fleet Auxiliary. [130448]

Dr. Moonie: The current industrial dispute involving Rail, Maritime and Transport Union (RMT) members of the Royal Fleet Auxiliary commenced in February this year following their rejection of the 1999 pay offer, which has subsequently been implemented by administrative action. The issue at the centre of the dispute is a demand by the RMT for additional Earned Voyage Leave While nothing further can be done for 1999, RMT members have been guaranteed improvements to leave in addition to pay both for the current year and in years to come. It is disappointing therefore that they are continuing the action.

RFA vessels that are directly involved in front-line operations or on humanitarian relief tasks have been exempted from the individual action by the RMT. Changes are being made to other vessels' movements and deployments when necessary to minimise the effect of such action. RMT members are however now taking continuous action. This will mean that ships in port will be prevented from sailing, as happened with Sir Geraint on 11 July. In these circumstances, my Department has no alternative other than to apply appropriate sanctions.

The Ministry of Defence remains ready to talk to the RMT with a view to solving the dispute by negotiation.

Royal Navy University Units

Mr. Duncan Smith: To ask the Secretary of State for Defence what plans he has to disband University Royal Navy units. [130445]

Mr. Spellar: There are no plans to disband University Royal Naval Units.

HMS Sheffield

Mr. Duncan Smith: To ask the Secretary of State for Defence what the future role of HMS Sheffield will be. [130444]

Mr. Spellar: HMS Sheffield will continue to fulfil a wide range of general purpose and specialist roles in support of UK interests worldwide. In order to maintain her capability across a variety of defence missions, her weapons and sensor suites, including the Sea Wolf AAW missile system and her combat management system, will receive upgrades during the course of her next refit.

CULTURE, MEDIA AND SPORT

Sport Action Zones

Mr. Cox: To ask the Secretary of State for Culture, Media and Sport how many Sport Action Zones there are in the Greater London area. [129790]

Kate Hoey: There is currently one Sport Action Zone in Greater London: London South Central, which covers the areas of North Southwark and North Lambeth. It is one of the first 12 Sport Action Zones announced in January this year. It is eventually intended to designate 30 Zones across the country.

Baltic Exchange

Mr. Gray: To ask the Secretary of State for Culture, Media and Sport what reports he has received from English Heritage concerning whether the former Baltic Exchange building can be rebuilt; what conclusions were reached by English Heritage; and if he will place a copy of the reports in the Library. [R] [129708]

Mr. Alan Howarth *[holding answer 7 July 2000]:* My Department has seen a copy of a recent letter sent to the City Corporation, in which English Heritage sets out its view on the current planning and listed building consent applications relating to the Baltic Exchange site. In forming that view English Heritage has had regard to (among other considerations) the extent to which the original building could be reconstructed. A copy of the letter has been placed in the Library.

Football Competition Bids

Mr. Sarwar: To ask the Secretary of State for Culture, Media and Sport what assistance his Department has offered to the United Kingdom football associations for *(a)* recent and *(b)* future bids to host international football competitions in Britain. [129926]

Kate Hoey: No financial assistance was offered by my Department to the FA in respect of the bid to hold the European Championship Finals of 1996. However, my Department made a commitment to providing funding totalling £400,000 for the cultural programme which ran alongside the tournament in the eight host cities. Following the success of the 1996 bid, this amount was paid through the Association for Business Sponsorship for the Arts and the Sportsmatch scheme.

Direct costs to the Government have arisen in respect of the previous Minister of Sport's visits to a number of countries in support of the bid. The cost of these visits was £102,780, although some other Government business was also conducted.

My Department committed a total of £20,000 to assisting the FA's bid to hold the 2006 World Cup. That amount is in respect of the travelling expenses of the Prime Minister's Special Envoy, and £10,000 has been paid to date.

Cricket Training

Mr. McWalter: To ask the Secretary of State for Culture, Media and Sport what assessment he has made of the adequacy of cricket training facilities for young people outside school hours. [130105]

Kate Hoey: Outside school hours the largest providers of cricket training facilities are cricket clubs, and of the 6,600 affiliated clubs, around 4,100 have junior sections. In 1999 there were 157,000 youngsters who participated in these clubs.

Funding is also available to cricket through the Lottery Sports Fund, one of whose priorities is young people. The Fund has made 527 awards to cricket facilities, worth a total of over £61 million, towards project costs of over £107 million.

The ECB spends 11 per cent. of the £26 million per annum it receives from broadcasting revenue for the development of cricket. Approximately 2,000 coaches per year are qualified through the England and Wales Cricket Board (ECB) Coach Education Scheme and the majority of these go on to work with young cricketers in clubs. The ECB is investing £450,000 on Inner City Projects this year to increase the opportunities for young people to play cricket.

Junior cricket is also eligible for funding from Sportsmatch, the Government's sports sponsorship incentive scheme. Since its inception in 1992 Sportsmatch has made 336 awards worth a total of over £2.08 million to grass roots and junior cricket applications in England, attracting a similar amount in commercial sponsorship.

Works of Art (Theft)

Mr. Gordon Prentice: To ask the Secretary of State for Culture, Media and Sport how many people have been successfully prosecuted for the theft of works of art and artifacts from the national collections since 1990. [130061]

Mr. Alan Howarth: I have asked my officials to contact the National Museums and Galleries which are sponsored by DCMS to request information for a reply to my hon. Friend's question. I will write to him as soon as this is available, placing copies of my letter in the Library of the House.

SOCIAL SECURITY

"Households Below Average Income"

Mr. Goggins: To ask the Secretary of State for Social Security when the latest edition of "Households Below Average Income" will be published. [130923]

Mr. Darling: "Households Below Average Income" for 1994–95 to 1998–99 has been published today and copies have been placed in the Library.

Fresco Interiors

Mr. Hilary Benn: To ask the Secretary of State for Social Security (1) when Fresco Interiors will receive payment of their invoice of 14 May for flooring work undertaken at his Department's offices at Quarry Hill in Leeds; [130461]

(2) if the contract for the maintenance of his Department's premises at Quarry House in Leeds contains a clause requiring the contractor, and any sub-contractors, to make prompt payment to suppliers for work undertaken; and if he will make a statement; [130462]

(3) what his Department's policy is regarding prompt payment of sub-contractors used by contractors responsible for the maintenance of his Department's buildings; and if he will make a statement. [130463]

Mr. Rooker: The contract for the flooring work undertaken at Quarry House is between Fresco Interiors and G. S. Hall, the sub-contractor of Trillium who supply the Department with serviced accommodation. Payment of the invoice is therefore a matter for G. S. Hall.

The Department does not have a universal set of standard terms and conditions for contractors and sub-contractors simply because different contracts, some of which can be very complex, require different provisions. We do however ensure that, wherever possible, contracts include provision for payment of all sums within a specified period not exceeding 30 days from the date of receipt of a valid invoice. As a Department, we fully support the Government's prompt payment initiative and aim to pay all our bills on time and will endeavour to ensure that all contractors do likewise.

Organophosphates

Mr. Tyler: To ask the Secretary of State for Social Security what costs have been incurred, in each of the most recent three years for which figures are available, in making payments for industrial injury benefits to those suffering organophosphate poisoning from sheep dips. [130400]

Mr. Bayley: The information is not available in the format requested.

The table shows the number of people in the last three years who were first diagnosed as having prescribed disease C3 (Poisoning by phosphorus or an inorganic compound of phosphorus or poisoning due to the anti-cholinesterase or pseudo anti-cholinesterase action of organic phosphorous compounds) which includes poisoning from sheep-dip.

Industrial injuries Disablement Benefit. Number of cases first diagnosed as having prescribed disease C3 1997–1998 to 1999–2000

		Percentage assessment[1]	
Period covered	*Total number*	*Less than 14 per cent.*	*14 per cent. or more*
April 1997-March 1998	3	1	2
April 1998-March 1999	4	0	4
April 1999-March 2000	4	2	2

[1] Benefit is payable for a 14 per cent. or more disablement assessment.

Note:

DSS Information Centre. Figures based on a clerical 100 per cent. count.

Pilot Projects

Mr. Matthew Taylor: To ask the Secretary of State for Social Security which pilot projects undertaken by his Department since 1997 have involved random assignment elements; and what assessment he has made of their effectiveness in promoting more effective policy making. [130311]

Mr. Rooker: The Pensioner Income Support Pilots (poorest pensioners) used the random assignment approach.

The pilot ran for a year from May 1998. Four different approaches to encourage entitled non-recipient pensioners to claim Income Support were tested in nine areas. Pensioners identified as possible eligible non-recipients were randomly allocated to one of the four approaches. The pilot was fully evaluated and findings were published in December 1999 in the DSS Research Series (report no. 105).

Findings from the evaluation informed the current Minimum Income Guarantee (MIG) take-up campaign.

Housing Benefit

Ms Buck: To ask the Secretary of State for Social Security (1) what plans he has to require local authorities to spend a greater proportion of their budgets on Housing Benefit exceptional hardship payments; and if he will make a statement; [130241]

(2) what plans he has to prevent local authorities from retaining money unspent from their Housing Benefit exceptional hardship payment budgets; and if he will make a statement; [130242]

(3) what plans he has to introduce an independent element to the review process for local authority Housing Benefit exceptional hardship payments; and if he will make a statement. [130245]

Angela Eagle: Using provisions in the Child Support, Pensions and Social Security Bill, we propose, from April 2001, to replace the current system of exceptional hardship and exceptional circumstances payments with a new scheme of purely discretionary payments to meet housing costs, which are not part of the Housing Benefit or Council Tax Benefit schemes.

Under these provisions, local authorities will be provided with a sum of money from central Government towards this expenditure, and we propose that they will be required to return any of the money that is not spent. Since local authorities will not be able to keep anything they do not spend, this should encourage them to use the money for the purpose intended.

Although claimants will not be able to appeal the decisions made by local authorities on these discretionary payments, they will have an internal right of review. Local authorities will be able to revisit decisions and take account of representations made.

Once these provisions are in place, we will be involving the Local Authority Associations in discussions on how we can ensure that the right criteria for payment are set and claimants made aware of their entitlement.

Dr. Iddon: To ask the Secretary of State for Social Security, pursuant to his answer of 10 March 2000, *Official Report*, column 843W, on housing benefit, (1) what assessment he has made of the impact of the introduction of the housing benefit verification framework on delays in paying housing benefit; and if he will make a statement; [130068]

(2) what plans he has to monitor the impact of the introduction of the housing benefit verification framework on delays in paying housing benefit; and if he will make a statement. [130069]

Angela Eagle: The verification framework sets out what local authorities should be doing to safeguard the gateway into benefit.

We recognise that implementing the framework may create some short term administrative delays in those local authorities which have not previously operated an adequate verification or checking system.

The Department has commissioned in-depth research to provide more information on authorities' experiences of setting-up and operating the framework. This will include information on the impact on the time taken to determine claims.

Dr. Iddon: To ask the Secretary of State for Social Security what assessment he has made of the difficulties that claimants may have accessing Housing Benefit offices during their opening hours in order to comply with the requirements of the Housing Benefit Verification Framework; and if he will make a statement. [130065]

Angela Eagle: The administration of Housing Benefit is the statutory responsibility of local authorities. The provision of adequate access to services is a matter for individual local authorities.

The Verification Framework does not require that clients must attend a benefit office in order to verify their entitlement to benefit. The Framework is flexible enough to allow each authority to provide the services most appropriate to its own area and clientele. These can include dealing with evidence gathering by post or by visiting, as well as by clients calling at an office. It is open to councils to provide alternative venues for clients who wish to produce documents in person. For example, some councils have trained staff in neighbourhood offices and libraries to collect and verify evidence on behalf of their benefit colleagues.

Mr. Field: To ask the Secretary of State for Social Security, pursuant to his answer of 4 July 2000, *Official Report*, column 155W, what estimate he has made of the *(a)* cost, *(b)* technical difficulties and *(c)* improvement in accuracy of increasing the sample size of the area benefit reviews. [130175]

Angela Eagle: The estimated cost of the current Housing Benefit review programme is £1.5 million for 1999–2000. This represents set up costs of the project and costs associated with staff recruitment. The project is expected to cost £2.1 million per year thereafter at current prices.

Technical difficulties are being overcome by incorporating Housing Benefit into the Benefits Agency's Area Benefit Review (ABR) programme. The ABRs are a rolling programme of benefit reviews, which provide estimates of losses due to claimant fraud and error. This procedure is well established and will use the technical expertise the agency has acquired over a number of years.

We plan to sample 5,010 additional cases each year to estimate the level of fraud and error in standard Housing Benefit. This gives us a level of accuracy around the central estimate of between ±10 and 20 per cent. of the central estimate. For example if incorrect expenditure was estimated to be 10 per cent. of total expenditure we would expect the actual value to between 8 and 12 per cent. Increasing the sample size produces diminishing improvements in the accuracy of the estimates. For example, doubling the sample size to 10,000 cases would produce an estimated 25 per cent. improvement in the accuracy of the estimates, i.e. the level of accuracy would then be 7.5–15 per cent.

Benefit Costs

Jean Corston: To ask the Secretary of State for Social Security what was, or is expected to be, the real terms cost at 1999–2000 prices of *(a)* Child Benefit, *(b)* One Parent Benefit and, following Table 2 in the DSS report and Expenditure Plans, the element for Lone Parents, included for Child Benefit from April 1997, *(c)* Family Credit and Working Families Tax Credit, *(d)* Children's Tax Credit and *(e)* the estimated cost included in Income Support for children, and, applying the Government Actuary's assumptions of both 1½ per cent. and 2 per cent. earnings growth, each of the above as a percentage of gross domestic product in each of the years 1994–95 to 2001–02. [130059]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the tables.

Real terms (1999–2000 prices)

£ million

	1994–95	*1995–96*	*1996–97*	*1997–98*
Child Benefit	7,048	7,095	7,190	7,477
Lone Parent addition within Child Benefit	—	—	—	334
One Parent Benefit	333	347	344	5
Family Credit	1,661	1,949	2,262	2,456
Working Families Tax Credit[1]	—	—	—	—
Children's Tax Credit[2]	—	—	—	—
Estimated Income Support expenditure on children[3]	2,271	2,353	2,345	2,269
GDP	792,228	810,915	833,333	862,671

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Child Benefit	7,481	8,216	8,344	8,401
Lone Parent addition within Child Benefit	306	141	108	75
One Parent Benefit	—	—	—	—
Family Credit	2,491	1,957	—	—
Working Families Tax Credit[1]	—	900	4,792	5,152
Children's Tax Credit[2]	—	—	—	1,622
Estimated Income Support expenditure on children[3]	2,215	2,380	2,905	3,120
GDP	882,095	903,761	925,183	944,602

Expenditure as a percentage of GDP

Percentage

	1994–95	*1995–96*	*1996–97*	*1997–98*
Child Benefit	0.89	0.87	0.86	0.87
Lone Parent addition within Child Benefit	0.00	0.00	0.00	0.04
One Parent Benefit	0.04	0.04	0.04	0.00
Family Credit	0.21	0.24	0.27	0.28
Working Families Tax Credit[1]	0.00	0.00	0.00	0.00
Children's Tax Credit[2]	0.00	0.00	0.00	0.00
Estimated Income Support expenditure on children[3]	0.29	0.29	0.28	0.26

	1998–99	*1999–2000*	*2000–01*	*2001–02*
Child Benefit	0.85	0.91	0.90	0.89
Lone Parent addition within Child Benefit	0.03	0.02	0.01	0.01
One Parent Benefit	0.00	0.00	0.00	0.00
Family Credit	0.28	0.22	0.00	0.00
Working Families Tax Credit[1]	0.00	0.10	0.52	0.55
Children's Tax Credit[2]	0.00	0.00	0.00	0.17
Estimated Income Support expenditure on children[3]	0.25	0.26	0.31	0.33

[1] Includes Disabled Persons Tax Credit as per table C12 of the Financial Statement and Budget Report March 2000.

[2] As per tables A 13 and A 2.1 of the Financial Statement and Budget Report March 2000.

[3] Children are dependants under 18 years of age. The increase in 2000–01 and later years is a reflection of the £4.35 per week increase in child personal allowance from October 2000 and the fact that from April 2000 the allowance for a child under 11 has been equalised with that for an 11–16 year old child.

Notes:

1. Expenditure is consistent with the Departmental Report 2000.
2. Real terms expenditure is calculated using revised GDP deflators issued 29 June 2000.
3. The relationship between earnings and benefit expenditure is complex and the information requested is not readily available.

Child Benefit

Jean Corston: To ask the Secretary of State for Social Security what was the rate of child benefit for *(a)* the first or only child of the family and *(b)* second or other children of the family (i) at 2000–01 prices and (ii) as a percentage of average male earnings in each of the years 1990 to 2000. [130060]

Angela Eagle: The information is not available in the format requested. Such information as is available is in the tables.

Rate of child benefit for the first child

Year	*Child benefit for first child £ per week*	*Child Benefit for first child at 1999–2000 prices[1] £ per week*	*Average male earnings[2] £ per week*	*Child Benefit for first child as percentage of earnings*
April 1990	7.25	9.37	295.80	2.45
April 1991	8.25	10.18	318.90	2.59
April 1992	9.65	11.54	340.30	2.84
April 1993	10.00	11.76	353.90	2.83
April 1994	10.20	11.67	363.00	2.81
April 1995	10.40	11.53	376.30	2.76
April 1996	10.80	11.69	391.30	2.76
April 1997	11.05	11.57	408.70	2.70
April 1998	11.45	11.63	427.10	2.68
April 1999	14.40	14.40	442.40	3.25
April 2000[3]	15.00	—	[4]—	—

Rate of child benefit for subsequent children

Year	*Child Benefit for subsequent children £ per week*	*Child Benefit for subsequent children at 1999–2000 prices[1] £ per week*	*Average male earnings[2] £ per week*	*Child Benefit for subsequent children as percentage of earnings*
April 1990	7.25	9.37	295.80	2.45
April 1991	7.25	8.94	318.90	2.27
April 1992	7.80	9.33	340.30	2.29
April 1993	8.10	9.53	353.90	2.29
April 1994	8.25	9.44	363.00	2.27
April 1995	8.45	9.37	376.30	2.25
April 1996	8.80	9.53	391.30	2.25
April 1997	9.00	9.43	408.70	2.20
April 1998	9.30	9.45	427.10	2.18
April 1999	9.60	9.60	442.40	2.17
April 2000[3]	10.00	—	[4]—	—

[1] The Retail Prices Index (all items) has been used, as published by the Office of National Statistics.

[2] Weekly Average earnings for all Full-time Adult men, as published in the New Earnings Survey, by the Office of National Statistics.

[3] The figures shown are based on prices for the latest full financial year, 1999–2000, as the 2000–01 data are not yet available.

[4] Not available.

Income Support

Mr. Cox: To ask the Secretary of State for Social Security how many retired people are in receipt of Income Support in England and Wales. [130096]

Mr. Bayley: There are 1,272,300 pensioners in England and Wales benefiting from the Minimum Income Guarantee paid through Income Support.

Source:

Income Support Quarterly Statistical Enquiry, February 2000.

National Insurance

Mr. Webb: To ask the Secretary of State for Social Security what has been the policy since 1989 on writing annually to those of his Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129494]

Mr. Rooker: The Department has standing instructions requiring staff to report changes in marital status.

Dr. Lynne Jones: To ask the Secretary of State for Social Security what plans he has to inform the married women who have retained the right to pay the reduced rate of National Insurance contributions of the consequences of their option with regard to future eligibility for incapacity benefit. [128596]

Mr. Rooker: A publicity exercise will be undertaken later this year. It will be aimed at all women who hold a valid election to pay National Insurance contributions at the reduced rate.

NORTHERN IRELAND

Interactive Voice Response Systems

Mr. Ben Chapman: To ask the Secretary of State for Northern Ireland (1) how many departmental telephone lines used by the general public are responded to by interactive voice response systems; [127401]

(2) how many agencies of his Department use interactive voice response systems when dealing with telephone inquiries from the general public. [127400]

Mr. Mandelson: None.

Departmental Vehicles

Mr. Pearson: To ask the Secretary of State for Northern Ireland if he will list for his Department and its agencies the approved list of manufacturers of *(a)* cars and *(b)* commercial vehicles; and if he will make a statement on his Department's leasing and purchasing policy. [128993]

Mr. Mandelson: The Northern Ireland Office and its agencies do not have approved lists of manufacturers for either cars or commercial vehicles. Vehicles are sourced using either UK national framework agreements or by open competitive tender. Procurement (i.e. purchasing or leasing) for the NIO is normally undertaken using the open procedure. The procurement practice for such contracts is governed by national and international regulations, in particular EC Directives. These Directives mean that government must conduct public purchasing according to three basic principles—openness and transparency of award procedures, genuine competition in contract award, and no unlawful discrimination.

In certain circumstances (e.g. security) the restricted procedure is used. Where this procedure is used companies may apply to be included on a restricted list of approved suppliers. Their inclusion on such lists is subject to their meeting the required criteria.

Telephone Steering Systems

Mr. Ben Chapman: To ask the Secretary of State for Northern Ireland how many of his Department's telephone lines used by the general public are responded to by touch tone telephone steering systems. [129628]

Mr. Mandelson: None.

National Insurance

Mr. Webb: To ask the Secretary of State for Northern Ireland what has been the policy since 1989 on writing annually to those of his Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129482]

Mr. Mandelson: At present, no special arrangements operate to notify those members of staff who have elected to pay married women's reduced rate National Insurance contributions to keep the Department informed of changes to their marital status. All staff are informed at induction and are periodically reminded by general office notices thereafter of the necessity to keep the Department informed of any change in their personal circumstances which may have a bearing on the accuracy of records kept about them, or in relation to their pay or other entitlements or conditions of their employment.

Lords Lieutenant

Mr. Baker: To ask the Secretary of State for Northern Ireland how much money his Department has spent in each of the last 10 years for which figures are available on *(a)* lords-lieutenant and *(b)* their deputies in Northern Ireland. [129681]

Mr. Mandelson: The information is contained in the table.

There is no separate record of expenditure on the lords-lieutenant and their deputies.

£

Year	*Outturn expenditure*
1999–2000	4,101
1998–99	5,780
1997–98	8,427
1996–97	13,824
1995–96	6,234
1994–95	10,336
1993–94	5,857
1992–93	5,177
1991–92	7,991
1990–91	4,106

PRIME MINISTER

Government's Annual Report

Mr. Caplin: To ask the Prime Minister when he will publish the Government's annual report. [130231]

The Prime Minister: I have done so today. Copies have been placed in the Library and are available in the Vote Office.

AGRICULTURE, FISHERIES AND FOOD

Parliamentary Questions

Mr. Maclennan: To ask the Minister of Agriculture, Fisheries and Food how many written parliamentary questions tabled to his Department between 19 October 1999 and 20 April 2000 have not received substantive answers, excluding those not answered on the grounds of *(a)* disproportionate cost, *(b)* that the information is not available, not held centrally, or not held in the form requested and *(c)* of commercial or other confidentiality. [127097]

Mr. Morley *[holding answer 21 June 2000]:* I assume the right hon. Member is referring to parliamentary questions where Ministers have sent a holding reply, and will reply as soon as possible. If so, there have been seven such cases out of a total of 1,187 parliamentary questions answered by my Department in the period in question.

Mr. Maclennan: To ask the Minister of Agriculture, Fisheries and Food on how many occasions he has deposited papers in the Library in response to parliamentary questions tabled to his Department between 19 October 1999 and 20 April 2000. [127439]

Mr. Morley *[holding answer 23 June 2000]:* For the period in question, my Department has deposited papers in the Library in response to parliamentary questions on 40 occasions.

Mr. Maclennan: To ask the Minister of Agriculture, Fisheries and Food how many written parliamentary questions were tabled to his Department between 19 October 1999 and 20 April; and how many have not received substantive answers, citing disproportionate cost as the reason. [128017]

Mr. Morley: For this period there have been 1,189 written parliamentary questions tabled, and 21 did not receive substantive answers, citing disproportionate cost.

New Deal

Mr. Brady: To ask the Minister of Agriculture, Fisheries and Food how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage this represents of total staff. [129098]

Mr. Morley: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office on 6 July 2000, *Official Report*, column 286W.

The number of New Dealers within my Department and its Executive Agencies as at 1 April 2000 represents under 1 per cent. of total staff.

Soil Erosion

Mrs. Anne Campbell: To ask the Minister of Agriculture, Fisheries and Food what plans he has to encourage the Environment Agency to issue advice to farms in areas where soil erosion and runoff from the land exist about how to stop or alleviate erosion and runoff. [129608]

Mr. Morley: My Department and the Environment Agency are working closely together to ensure that appropriate advice is made available to farmers whose land may be vulnerable to erosion and runoff.

Mrs. Anne Campbell: To ask the Minister of Agriculture, Fisheries and Food if he will issue farms in those areas where there is soil erosion and runoff from the land with *(a)* codes of practice on protection of soil and water and *(b)* publications from his Department on controlling soil erosion. [129607]

Mr. Morley: My Department has already made available free of charge copies of the Water, Air and Soil Codes. In addition, advisory leaflets on controlling soil erosion, are also available free of charge. These leaflets have been promoted by a series of on-farm seminars, in areas which are vulnerable to erosion which were attended by farmers and the Environment Agency.

Sheep and Goat Identification

Mr. Campbell-Savours: To ask the Minister of Agriculture, Fisheries and Food if he will make a statement on sheep and goat identification. [131060]

Ms Quin: Consultation documents were issued by my Department on 17 April to seek views on proposals to introduce a requirement for the tagging or tattooing of all sheep and goats in England before they leave their holding of birth. The consultation period ended on 12 June.

We have taken account of the comments given and we now intend to introduce new Sheep and Goat identification legislation in England in early September. Given the need to ensure that the industry has enough time to order and be supplied with the appropriate tags, we have decided that the tagging and tattooing requirements of the new legislation will not take effect until 1 January 2001. We will be writing to all sheep and goat keepers with full details of the new rules shortly.

International Whaling Commission

Ms Atherton: To ask the Minister of Agriculture, Fisheries and Food what was the outcome of this year's annual meeting of the International Whaling Commission. [131061]

Mr. Morley: The International Whaling Commission's 52nd annual meeting was held in Adelaide from 3 to 6 July. I attended the meeting, together with officials from the Ministry of Agriculture, Fisheries and Food, the Foreign and Commonwealth Office, the Department of the Environment, Transport and Regions and representatives of environmental organisations.

Australia and New Zealand put forward a proposal to create a South Pacific Whale Sanctuary. This would have complemented the existing Southern Ocean Sanctuary by protecting the breeding areas and migration routes of whales that feed in the Southern ocean. It was endorsed by the South Pacific Forum, which represents all the range states affected by the proposed sanctuary. The UK was one of the co-sponsors of the proposal, and I spoke strongly in favour of it. But although it was supported by the majority of those voting, it unfortunately did not receive the three-quarters of votes cast necessary for adoption. Both the Australian and New Zealand Governments indicated that they would be submitting the proposal next year; the UK will again be supporting it.

The UK took the lead in proposing a resolution condemning Japan's whaling under special permit (so-called 'scientific' whaling) and urging Japan not to proceed with its plans for a new programme in the North Pacific; this would involve, among other things, taking for the first time sperm and bryde's, as well as minke, whales. In introducing the resolution, I made it clear that the UK Government regarded this as a serious development and one that we would continue to raise both bilaterally and in other fora. The resolution was adopted by a large majority, as was a similar resolution on Japanese whaling under special permit in the Southern Ocean Sanctuary.

A resolution was adopted by consensus establishing a programme of further work on the Revised Management Scheme (RMS), which is being developed to regulate all aspects of any future commercial whaling. This followed a two day working group on the RMS which immediately preceded the IWC meeting itself. The resolution makes it clear that it does not affect, or in any way commit Governments to lift, the moratorium on commercial whaling. In agreeing to form part of the consensus we emphasised that the resolution did not commit us to accepting anything that we had not already agreed to, and that it did not preclude the inclusion of other elements in the RMS.

At the meeting I reaffirmed the UK's opposition to whaling. There was only a limited discussion of the Irish proposals for a package of measures on whaling; we made it clear that the UK's position on these remains unchanged. I am pleased to say that efforts by Japan to secure a quota of 50 minke whales, despite the moratorium on commercial whaling, was again defeated by a substantial majority. We also strongly criticised Norway's continued whaling activities.

I made clear the UK's continuing concern about the cruelty involved in whaling, and drew attention, in particular, to the need to improve the regulation and humaneness of hunts for small cetaceans such as dolphins and porpoises. Earlier in the meeting the UK made use of a video of a dolphin drive hunt in Japan which graphically illustrated the need for such improvements. Although it is primarily for the Government of the country concerned to regulate the killing of small cetaceans in its waters, I believe that the IWC has a useful role to play in helping to raise awareness of this issue and in improving standards.

A number of other issues were considered. In particular, resolutions were adopted supporting the IWC's research programme on the effects of environmental change and pollution on cetaceans; drawing attention to the need to improve the protection of North Atlantic right whales, one of the most critically endangered species of whales, from mortalities caused by ship strikes and entanglement in fishing nets; drawing attention to the need for improved measures to conserve freshwater cetaceans (river dolphins); and calling on Canada to reconsider takes of bowhead whales from highly endangered stocks by indigenous peoples.

While the failure to adopt the South Pacific Sanctuary was disappointing, in other respects this was a successful meeting for the UK, and demonstrated the continuing commitment by the majority of IWC members to upholding the moratorium on commercial whaling. The next IWC meeting will be held in London in July 2001.

FOREIGN AND COMMONWEALTH AFFAIRS

European Court of Justice Cases

Mr. Win Griffiths: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will make a statement on the number of cases which are currently before the European Court of Justice, listing the arraigned party in each case and the date on which each case was notified to the Court; [127915]

(2) if he will list, for each of the last 10 years, the number of cases brought to the European Court of Justice which have been ruled as inadmissible, giving details of the parties bringing the cases and the parties against whom they were brought. [127916]

Mr. Vaz *[holding answer 3 July 2000]:* It will take some time to collate the information requested. I will write to my hon. Friend shortly with the information. Copies of the letter will be placed in the Libraries of both Houses.

National Insurance

Mr. Webb: To ask the Secretary of State for Foreign and Commonwealth Affairs what has been the policy since 1989 on writing annually to those of his Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129487]

Mr. Hain: The Foreign and Commonwealth Office does not issue any specific guidance on National Insurance obligations for married women. However all staff are expected to be aware of Diplomatic and Home Service Regulations. These require all officers to advise the administration of any changes in their marital status, including those that will have effect on their National Insurance contributions.

Austria

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the sanctions imposed by EU member states against the Austrian Government. [129813]

Mr. Vaz: Measures were implemented by the 14 member states to limit the bilateral relationship as an expression of our concern at the inclusion of a far right party in the Austrian Government. Chancellor Schuessel has now accepted the EU 14's proposal that a group of "three wise persons", appointed by the President of the European Court of Human Rights, should report on the Austrian Government's commitment to common European values and on the evolution of the Freedom

Party. We fully support this initiative, and will, together with our other EU partners, consider the report and its implications when it is submitted.

Israel

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what account Her Majesty's Government have taken, in connection with imports from Israel under preferences, of public communications by the Government of Israel stating that Israel issues certificates of origin according to its own definition of territoriality. [130178]

Mr. Vaz: The European Commission is responsible for enforcing the trade provisions of the EU-Israel Association Agreement, under which Israel exports goods to the EU. The UK is currently participating in a Commission-led verification exercise in respect of goods imported from Israel. In this context the UK is aware of the communications made by the Israelis.

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what measures that do not rely on Israel's co-operation the Government have taken as a High Contracting Party to the Fourth Geneva Convention of 1949 to ensure *(a)* that neither Britain's nor the European Community's own resources accrue to the benefit of Israel's illegal settlements and *(b)* that Israel's application of its own definition of territoriality in respect of its trade agreements with the EC does not persist under the EC-Israel Association Agreement that has just come into effect. [130179]

Mr. Vaz: The UK is not aware of any circumstances in which the UK or the EU's resources might accrue to the benefit of Israel's illegal settlements.

The European Commission will continue to enforce the trade provisions of the new EU-Israel Association Agreement and is currently conducting a verification exercise to confirm the origin of certain products exported from Israel.

Dr. Starkey: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Britain has taken to ensure that the European Community ensures that Israel conducts its preferential trade relations with the Community in a manner that accords with its agreements with the EC and with the Fourth Geneva Convention of 1949 in respect of products from settlements located in the territories occupied by Israel since 1967. [130197]

Mr. Vaz: The UK is participating in a European Community wide verification exercise initiated by the European Commission to confirm the origin of certain products exported from Israel.

Zimbabwe

Mr. Nigel Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs how many United Kingdom observers were accredited by the Zimbabwe authorities as election monitors. [130432]

Mr. Hain: No Britons were accredited by the Zimbabwe authorities as election observers, but there were Britons on the administrative staff of both the EU and the Commonwealth observer missions.

Diamond Imports (Sierra Leone)

Dan Norris: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the introduction of a United Nations embargo on the import of rough diamonds from Sierra Leone. [130797]

Mr. Hain: The United Nations Security Council adopted resolution 1306(2000) on 5 July which prohibits the direct or indirect import of all rough diamonds from Sierra Leone to the territory of member states. The resolution also decides that rough diamonds controlled by the Government of Sierra Leone through a Certificate of Origin regime shall be exempt from the measures when the UN Sanctions Committee on Sierra Leone has reported to the Council that an effective regime is fully in operation.

Britain played a leading role in promoting resolution 1306 in the UN Security Council. Diamonds are at the heart of the tragedy in Sierra Leone and this resolution sends a powerful signal about the need to end the trade in conflict diamonds from Sierra Leone.

The embargo on Sierra Leone rough diamonds is established for an initial period of 18 months. At the end of this period the Security Council will review the situation in Sierra Leone, including the extent of the Government's authority over the diamond-producing areas, in order to decide whether to extend the restrictions for a further period, and if necessary, to modify them or adopt further measures.

The embargo is implemented in the UK by means of an amendment to the Open General Import Licence. Orders in Council under the United Nations Act 1946 will be made to implement the restrictions in the Crown Dependencies and Overseas Territories.

Strategic Export Controls

Ms Osborne: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Government's response to the Defence, Foreign Affairs, International Development and Trade and Industry Committees' report (HC 225) on the 1997 and 1998 Annual reports on Strategic Export Controls will be published. [130973]

Mr. Hain: We will publish the response to the Committees' Report (HC 225) on Friday 14 July. It will be published as a Command Paper at 12.00 pm and copies will be available in the Vote Office and in the Printed Paper Office in the House of Lords.

Diplomatic Representation

Mr. Baker: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those British ambassadors and high commissioners who are *(a)* women and *(b)* members of an ethnic minority; and if he will express the number in each category as a percentage of the total number of ambassadors and high commissioners. [130401]

Mr. Hain: Out of a total of 144 Ambassadors and High Commissioners currently seven (4.9 per cent.) are women. A further seven women are head of subordinate posts.

There are currently no Ambassadors or High Commissioners who have declared themselves to be of a minority ethnic origin.

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list for each British embassy or high commission the *(a)* staff numbers, *(b)* salary costs and *(c)* running costs for the financial years (i) 1997–98, (ii) 1998–99, (iii) 1999–2000 and the projected levels for (iv) 2000–01 and (v) 2001–02. [130122]

Mr. Hain: Much of the information requested by the hon. Member is not readily available and could be obtained only at disproportionate cost. The remainder of the information will take some time to collate. I will write to the hon. Member shortly with the information. Copies of the letter will be placed in the Libraries of the House.

Drugs Control

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs where the UN Drugs Control Programme field trials using Fusarium Oxysporum have been conducted. [130452]

Mr. Battle: UNDCP research into Fusarium Oxysporum, including field testing, has been conducted at a US Government research station in Hawaii.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) which UN-sponsored fungal herbicide field trial projects his Department supports to combat *(a)* coca, *(b)* opium and *(c)* marijuana; [130453]

(2) pursuant to his answer of 8 June 2000, *Official Report*, column 309W, on drugs control, for what reason Her Majesty's Government are not funding research into Fusarium Oxysporum; and if he will list the fungal herbicides for which Her Majesty's Government are providing research funding via the UN Drugs Control Programme. [130454]

Mr. Battle: The UNDCP research into Fusarium Oxysporum is fully funded by the United States. Her Majesty's Government were not approached for funding of this research.

UNDCP research into the viability of Pleospora Papaveracea, a naturally occurring fungus, as a control agent specific to opium poppy, is supported in part by UK funding, from the Foreign and Commonwealth Office, of £100,000 which was granted in 1997. The UK is not funding UNDCP research into any other fungal herbicides.

Dr. Tonge: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has had with members of the UN Drugs Control Programme concerning the criteria used to decide where field trials of fungal herbicides to combat coca, opium and marijuana crops take place. [130456]

Mr. Battle: The decision on where field trials are held is made by the UNDCP and the authorities of the country where the trials are to take place. The Foreign and Commonwealth Office have not had discussions with UNDCP on this issue.

However, we have made it clear that if research into Pleospora Papaveracea showed it to be harmful to the environment, the UK would withdraw support and press for closure of the research programme.

EDUCATION AND EMPLOYMENT

Sure Start

Maria Eagle: To ask the Secretary of State for Education and Employment when he plans to authorise a further round of local Sure Start programmes. [130726]

Yvette Cooper: I have been asked to reply.

My right hon. Friend the Secretary of State for Education and Employment and I have today invited applications to set up a Sure Start programme in each of the following 65 districts in England:

Proposed List of Districts for Sure Start Round 3

Allerdale
Barnsley
Bassetlaw
Berwick-upon-Tweed
Birmingham
Blackburn with Darwen
Bradford
Brent
Bromley
Bury
Camden
Chester-le-Street
Chesterfield
Darlington
Derby
Doncaster
East Lindsey
East Riding of Yorkshire
East Staffordshire
Ellesmere Port and Neston
Hackney
Halton
Haringey
Hartlepool
Havant
Havering
Herefordshire
Hillingdon
Kings Lynn and West Norfolk
Kingston Upon Hull
Knowsley
Lambeth
Lancaster
Leeds
Leicester
Liverpool
Manchester
Middlesbrough
Milton Keynes
Newark and Sherwood
Newham
North Devon
North Lincolnshire
Northampton
Oswestry
Restormel
Rossendale

Rotherham
Salford
Sandwell
Scarborough
Sefton
Sheffield
Shepway
Southend-on-Sea
Southwark
Stockport
Stoke-on-Trent
Swindon
Tendring
Tower Hamlets
Warrington
Waveney
West Lancashire
Wolverhampton.

We have placed a copy of the guidance for this application round in the Library.

These 65 applications are in addition to 59 trailblazer areas, which are now delivering services to children and families, and a further 70 second wave areas, which have now submitted their plans and are on course to start delivering services from the autumn.

Ministerial Visits

Mr. Sarwar: To ask the Secretary of State for Education and Employment if he will make a statement on the visit of the Minister for Employment, Welfare to Work and Equal Opportunities to the Scottish Council for Voluntary Organisations in June. [128090]

Ms Jowell: I visited the Scottish Council for Voluntary Organisations on 22 June in response to their kind invitation to be the keynote speaker at their annual conference on New Deal. During what proved to be a very successful conference I congratulated the Scottish Council for Voluntary Organisations and its member organisations for the significant contribution they had made to the successful delivery of New Deal in Scotland. I outlined the various measures that were being, or would be, taken further to improve the help New Deal can give to particularly disadvantaged young people and those who are long term unemployed. The SCVO video on the Voluntary Sector Option in Scotland was launched and an award presented to the 4000th young person to enter the option in Scotland. I looked forward to a continuation of the partnership working between SCVO, its members, the Employment Service and other New Deal partners that has been a special feature of the delivery of the option in Scotland.

New Deal

Mr. Alexander: To ask the Secretary of State for Education and Employment how many employers in Paisley, South, or the nearest available geographical unit, have agreed to take on one or more subsidised employees from the New Deal for 18 to 24-year-olds in each month since January 1998; and how many employers have agreed to take their first subsidised employee from the New Deal scheme for 18 to 24-year-olds in each month since January 1998. [128737]

Ms Jowell: The information is not available in the form requested but we do have aggregate information for the Johnstone and Paisley jobcentre catchment areas. Since April 1998, when the New Deal for young people was introduced nationally, a total of 237 employers have signed New Deal agreements and many of these have taken on one or more subsidised employees. Many employers signing agreements will also have taken on young people into unsubsidised jobs and in the Paisley, South constituency as a whole, over 400 young people have found jobs under the New Deal. This is a significant contribution to our manifesto commitment to help 250,000 young people into jobs through the New Deal.

Mr. Alexander: To ask the Secretary of State for Education and Employment what recent research he has carried out into the reasons for those in the New Deal scheme leaving the scheme prematurely. [128736]

Ms Jowell: The purpose of New Deal is to move people swiftly into jobs and the design of New Deal enables young people to leave from all stages of the process to take jobs or for other reasons. Those that return to Jobseeker's allowance within three months go back on to New Deal at the point they left. However, young people do leave the process without telling us where they are going. They are under no obligation to do so but we are naturally concerned to know more about their circumstances. As a result we commissioned a study in 1999 which told us that 57 per cent. of leavers went into jobs and 8 per cent. into training. A second survey of leavers to unknown destinations from all three stages of the New Deal for Young People is currently under way.

Mr. Allan: To ask the Secretary of State for Education and Employment which parliamentary constituencies fall within which New Deal units of delivery. [129461]

Ms Jowell: There is no neat fit between New Deal Units of Delivery and parliamentary constituencies. It is for this reason that quarterly New Deal statistics for each parliamentary constituency have been produced and placed in the Libraries alongside those on a Unit of Delivery basis. A list of Units of Delivery and those parliamentary constituencies that fall, all or for the most part, within their boundaries is contained in the table, copies of which have been placed in the Libraries.

Jobcentres

Mr. Loughton: To ask the Secretary of State for Education and Employment (1) what guidance his Department has given to jobcentres regarding the advertising of jobs in the sex industry; and what definition of the sex industry is used in the guidance; [129110]

(2) what his Department's policy is regarding the use of public funds to subsidise job placement schemes with firms in the sex industry. [129835]

Ms Jowell *[holding answers 4 and 10 July 2000]:* Responsibility for the subject of these questions has been delegated to the Employment Service Agency under its Chief Executive. I have asked him to arrange for a reply to be given.

Letter from Richard Foster to Mr. Tim Loughton, dated 12 July 2000:

As the Employment Service is an Executive Agency, the Secretary of State for Education and Employment has asked Leigh Lewis to reply direct to your questions, about the guidance given to Jobcentres on the advertising of jobs in the sex industry; and what definition of the "sex industry" is used in the guidance and about what the Departments' policy is about the use of public funds to subsidise job placement schemes with firms in the sex industry. This is something which falls within the responsibilities delegated to Leigh Lewis as the Chief Executive of the Agency, I am replying in his absence.

Jobcentres are instructed not to deal with job vacancies associated with the sex industry. The guidance dates from 1996 and does not seek to define precisely the boundaries of the sex industry but has as its prime aim the need to avoid causing genuine offence or embarrassment to jobseekers.

All job placement subsidies provided by the Government require there to be a vacancy or opening with an employer. As the Employment Service does not deal with vacancies in the sex industry the question of subsidies does not arise.

I hope this is helpful.

ONE System

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment, pursuant to his answer of 28 June 2000, *Official Report*, column 544W, concerning Welfare to Work and ONE, if he will list *(a)* the organisations and individuals consulted, *(b)* the organisations and individuals who attended the seminar on 18 January and *(c)* other organisations and individuals who have been asked for advice during the course of the review; and if he will make a statement. [130053]

Ms Jowell: Those who attended the seminar were:

Richard Blundell, Institute of Fiscal Studies;

Mike Campbell, Policy Research Institute, Leeds Metropolitan University;

Martin Evans CASE, The London School of Economics;

Dan Finn, Portsmouth University;

Abigail McKnight, CASE, The London School of Economics;

John Philpott, Employment Policy Institute;

John van Reenen, University College, London;

Anna Vignoles, The London School of Economics;

Simon Wilson, freelance consultant;

Helen Edwards, NACRO;

Amanda Jordan, NatWest Group;

Charles Lilley, KPMG together with officials from all the relevant Departments.

The rest of the information is not held centrally and could be obtained only at disproportionate cost.

Career Guidance

Mrs. Curtis-Thomas: To ask the Secretary of State for Education and Employment what steps he is taking to ensure that the level of career guidance available to 13 to 19-year-olds will be maintained by the Connexions service. [130226]

Mr. Wicks: The Government are committed to universal access to careers education and guidance for all young people. Every young person will get help to enable them to make well-informed decisions. We will be drawing up a national statement of what young people can expect from the Connexions Service including access to impartial careers guidance.

Mrs. Curtis-Thomas: To ask the Secretary of State for Education and Employment what steps he is taking to ensure that the knowledge and experience of career guidance practitioners will be utilised by the Connexions service. [130225]

Mr. Wicks: The Connexions Service will offer at least the same level of careers information, advice and guidance for 13 to 19-year-olds as is currently provided by the Careers Service. It will be a universal service with a focus on removing any barriers to learning faced by young people.

The new Connexions Service will offer challenging new posts to be filled by people with the appropriate competence and skills, including people from the existing Careers Service, Youth Service and other statutory, community and voluntary organisations.

A major training programme for the personal adviser is being developed and the DfEE recently published a consultation document on the development of the professional framework for personal advisers. The document had been developed through discussion and consultation with representatives from the Youth Services, Careers Services and others and invites views and advice from a range of people including existing practitioners in both professions.

Mrs. Curtis-Thomas: To ask the Secretary of State for Education and Employment if he will make a statement on how the independence and impartiality of career guidance practitioners will be maintained under the provisions of the Learning and Skills Bill [*Lords*]. [130227]

Mr. Wicks: Impartiality is a fundamental element of the Government's approach to guidance. The Connexions Service will offer at least the same level of impartial careers information, advice and guidance for 13–19 year olds as is currently provided by careers services. Local managers from the Connexions Service will agree with schools how school based personal advisers will be deployed and how the impartiality of guidance will be ensured.

The Learning and Skills Council has a power under the Learning and Skills Bill to secure for adults, the provision of facilities for providing information, advice or guidance about education or training or connected matters (including employment). The arrangements for ensuring the quality and impartiality of that provision will be for the Learning and Skills Council to agree with those organisations delivering it.

However, impartiality is and will continue to be a key principle underpinning publicly funded information, advice and guidance services. The Government have invested £54 million over the period 1999–2002 on the development of local information, advice and guidance services to adults. A key priority for that money is to raise the quality of information, advice and guidance provision through the development of national quality standards, underpinned by the principle of impartiality, against which providers of information, advice or guidance to adults are required to be accredited by March 2002.

Bargaining for Skills Project

Mr. Hilary Benn: To ask the Secretary of State for Education and Employment what plans he has for the future funding of North-west Bargaining for Skills by the Learning and Skills Council; and if he will make a statement. [130252]

Mr. Wicks: For the current year, Training and Enterprise Councils in the North-west have been able to meet only half the cost of the Bargaining for Skills projects, due to other pressing financial commitments. My Department will ensure that the balance is found to sustain the programme for the rest of this year.

Trade Unions have a unique and pivotal role to play in encouraging and facilitating learning opportunities at work. Nowhere has this been more effectively demonstrated than through the success of the Union Learning Fund and Bargaining for Skills Projects. Workforce development will be at the heart of the remit of the Learning and Skills Council, and we are currently discussing with the TUC the role that unions can play in supporting this.

Nursery Nurses

Mr. Mudie: To ask the Secretary of State for Education and Employment what consultations are taking place on a new job title for nursery nurses. [129006]

Ms Hodge: No such consultations are taking place. Job titles for all paid support staff are decided locally, taking account of any national agreements reached between employers' organisations and unions.

Teacher Suicide Rates

Mr. Willis: To ask the Secretary of State for Education and Employment what the annual suicide rate has been of *(a)* teachers and *(b)* head teachers in (i) all schools, (ii) primary schools and (iii) secondary schools in each year since 1989; how many suicides there were in each case; and if he will make a statement. [129843]

Ms Estelle Morris *[holding answer 11 July 2000]:* Information on teachers in service who commit suicide is not available centrally.

Telephone Steering Systems

Mr. Ben Chapman: To ask the Secretary of State for Education and Employment how many agencies of his Department use touch tone telephone steering systems when dealing with telephone inquiries from the general public. [129637]

Mr. Wills: ES is the only agency of the Department for Education and Employment that uses touch tone telephone steering systems when dealing with telephone inquiries from the general public. The ONE call centre (benefit inquiry line) currently being piloted makes use of such a system.

Mr. Ben Chapman: To ask the Secretary of State for Education and Employment how many of his Department's telephone lines used by the general public are responded to by touch tone telephone steering systems. [129619]

Mr. Wills: Within the Department for Education and Employment there are two departmental telephone lines used by the general public which are responded to by a touch tone telephone steering system. The Overseas Labour Service and the Qualifications for Work systems both make use of such systems.

Asylum Seekers

Mr. Lidington: To ask the Secretary of State for Education and Employment what guidance he has issued to local education authorities about services to asylum seekers and their dependants. [130114]

Jacqui Smith *[holding answer 11 July 2000]:* Children of asylum seekers are entitled to the same educational opportunities as all other children. The Department has funded a number of publications by the Refugee Council aimed at helping children of asylum seekers access education. Officials here recently met representatives of the Refugee Council and the Local Government Association to discuss whether or not further guidance on the education of children of asylum seekers would be helpful to Local Education Authorities.

The Secretary of State has recently announced that £1.5 million is to be made available in this financial year to improve access to education for children of asylum seekers who are dispersed to cluster areas under the support arrangements in the Immigration and Asylum Act 1999. Up to £500 is available for each child. The money will go to schools to help with extra language lessons, and to help children settle in quickly.

Asset Management Plans

Mr. Allan: To ask the Secretary of State for Education and Employment, pursuant to his answer of 21 June 2000, *Official Report*, column 205W, what the deadline is for the submission of asset management plans by local education authorities. [130208]

Jacqui Smith *[holding answer 12 July 2000]:* Our target is that, by December 2001, 90 per cent. of authorities' AMPs should be satisfactory in relation to DfEE performance standards. Our interim target, however, is that by December 2000, 90 per cent. of authorities' AMPs should be operational at least in respect of condition, suitability and sufficiency assessments.

Pupil Statistics

Mr. Jim Cunningham: To ask the Secretary of State for Education and Employment how many pupils sat *(a)* GCSE and *(b)* A level exams early in the academic cycle; what was the youngest age at which the exams were sat; and how many students, as a percentage of all GCSE and A level students, sat exams early in (1) 1995–96, (2) 1996–97, (3) 1997–98, (4) 1998–99 and (5) 1999–2000. [127254]

Ms Estelle Morris *[holding answer 27 June 2000]:* The information requested on GCSEs and GCE A level is shown in the following table.

	1995–1996	*1996–1997*	*1997–1998*	*1998–1999*
(a) GCSE entrants				
Number of candidates who sat at least one exam before age 15	30,630	40,817	40,890	44,744
Percentage of all candidates	3.7	5.0	5.2	5.7
Youngest age at which sat exam	9	12	10	8
(b) GCE A level entrants				
Number of candidates who sat at least one exam before age 17	7,559	7,944	7,568	8,470
Percentage of all candidates	2.9	2.9	2.8	3.2
Youngest age at which sat exam	11	9	12	11

Data for 1999–2000 are not yet available.

PFI Contracts

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what the average length of time is between *(a)* the completion of the outline business case and the signing of the final contract and *(b)* the publication in the Official Journal of the European Community and the signing of the final contract, where applicable, of private finance initiative contracts for schools. [130253]

Jacqui Smith: To date, 16 schools private finance initiative contracts have reached final contract signature in England, taking on average 22 months from placing initial notices in the *Official Journal* of the European Community. Because many of these projects were advertised before the current arrangements for reviewing outline business cases were introduced in late 1997, it is not possible to provide a meaningful average length of time between outline business cases being approved and final contract signature. However, since the current arrangements were introduced, a typical schools project takes around three months for the outline business case to be assessed and approved.

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what monitoring is undertaken of private finance initiative contracts for schools, further education colleges and higher education; and if he will make a statement. [130278]

Mr. Wicks: Responsibility for monitoring PFI projects lies with the relevant procuring body. For schools, monitoring is the responsibility of Local Education Authorities or other procuring bodies. The Department informs the Department for the Environment, Transport, and the Regions about services and payments arising from new projects, so that the overall level of revenue commitments can be monitored.

The Further Education Funding Council supports colleges in developing projects and monitors educational achievement, financial returns and the efficient use of property.

The Higher Education Funding Council for England monitors progress by requiring higher education institutions to submit progress reports on PFI contracts as part of their annual financial forecasts.

The Department works closely with LEAs and the Funding Councils to ensure that procedures are in place to monitor progress and value for money effectively.

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what clawback mechanisms exist under private finance initiatives within his Department in respect of contingencies other then refinancing; and if he will place copies of each private finance initiative contract in the Library. [130263]

Mr. Wicks: The Employment Service has entered into three Private Finance Initiative contracts since 1997. It has established private finance deals for the delivery of procedural guidance via networked personal computers, for the delivery of all IT and related services, and for pay and personnel records.

None of these contracts has clawback mechanisms other than the normal agreements to reduce the charges made under each contract in the case of failure to meet agreed service levels.

I will be unable to place copies of these contracts in the Library, as they contain information that is considered commercially confidential.

Mr. Matthew Taylor: To ask the Secretary of State for Education and Employment what use of equity finance has been made in his Department's private finance initiative projects; and if he will make a statement. [130256]

Mr. Wicks: The Employment Service has entered into three Private Finance Initiative contracts. None of these projects makes use of equity finance.

Learning and Skills Council

Mr. Purchase: To ask the Secretary of State for Education and Employment when he will announce the appointment of the Chief Executive of the Learning and Skills Council. [130798]

Mr. Wicks: Today, my right hon. Friend the Secretary of State for Education and Employment has appointed John Harwood as Chief Executive (Designate) of the Learning and Skills Council.

Mr. Harwood is currently Chief Executive of Oxfordshire County Council. He will bring the vision and breadth of experience that will be needed to set up and lead this important new public body. He brings a great deal of experience from a lifetime in public service, as well as a wide understanding of post-16 learning. Working with the Council's Chair Designate, Bryan Sanderson, he will be able to build a modern, effective organisation.

We aim to announce the Executive Directors of the local Learning and Skills Councils through the summer. A list of the successful candidates will be placed in the House Libraries.

HOME DEPARTMENT

Lords Lieutenant

Mr. Baker: To ask the Secretary of State for the Home Department, pursuant to his answer of 7 July 2000, *Official Report*, column 356W, regarding lords lieutenant, if he will make a statement on the selection procedure which applies to the appointment of *(a)* lords lieutenant and *(b)* deputy lieutenants. [130402]

Mr. Mike O'Brien: Lords Lieutenants are appointed by The Queen on the advice of the Prime Minister. In England, the Prime Minister's Secretary for Appointments carries out the consultation process within the county on behalf of the Prime Minister. Nominations of candidates for Lords Lieutenant can, when a vacancy occurs, be made to the Secretary for Appointments, the relevant Clerk to the Lieutenancy and the outgoing Lord Lieutenant.

The appointment of Deputy Lieutenants is a matter for the Lord Lieutenant, subject to the non-disapprobation of The Queen.

Prisoners (Useful Activity)

Mr. Flynn: To ask the Secretary of State for the Home Department what is the average number of hours of useful activity each week is in each British prison. [130020]

Mr. Boateng: The average weekly purposeful activity hours per prisoner in 1999–2000 for establishments in England and Wales are given in the table.

Ashfield and Forest Bank prisons opened late in 1999–2000 and are not included in this analysis.

Average weekly purposeful activity by establishment for England and Wales 1999–2000

Prison name	*Purposeful activity*
Altcourse	25.5
Askham Grange	41.5
Acklington	23.8
Albany	19.2
Ashwell	30.8
Aylesbury	18.4
Belmarsh	12.8
Blundeston	24.5
Bedford	22.9
Blantyre House	43.6
Brockhill	18.1
Bristol	20.9
Birmingham	15.2
Bullingdon	14.4
Brinsford	16.8
Blakenhurst	22.1
Bullwood Hall	19.6
Brixton	11.1
Buckley Hall	31.7
Chelmsford	16.8
Cardiff	20.2
Camp Hill	19.9
Cookham Wood	24.4
Coldingly	43.8
Castington	19.8
Channings Wood	34.9
Canterbury	19.9
Dartmoor	19.9
Drake Hall	35.9
Durham	18.7
Doncaster	18.3
Dorchester	19.5
Deerbolt	21.1
Dover	23.4
Downview	29.8
Erlestoke	28.4
Standford Hill	39.7
East Sutton Park	40.2
Everthorpe	26.3
Eastwood Park	21.6
Exeter	15.0
Elmley	21.7
Ford	38.8
Frankland	19.4
Feltham	15.2
Full Sutton	18.7
Foston Hall	25.7
Featherstone	26.1
Garth	21.2
Gloucester	29.4
Guys Marsh	27.9
Grendon	35.3
Glen Parva	16.0
Gartree	28.4
Hollesley Bay	33.8
Huntercombe	26.3
Hatfield	40.6
Hewell Grange	41.8
Holme House	16.6
Hindley	24.0
Hull	22.5
Highdown	16.4
Highpoint	20.9
Haslar	16.1
Haverigg	33.8
Holloway	15.5
Kirkham	44.3
Kirklevington	52.5
Lancaster	23.2
Leicester	19.3
Leeds	14.5
Lancaster Farms	20.6
Lindholme	26.9
Lincoln	24.9
Long Lartin	16.5
Latchmere House	74.1
Low Newton	25.5
Lowdham Grange	24.7
Liverpool	22.6
Littlehey	25.5
Lewes	18.7
Leyhill	38.8
Moorland	23.1
Morton Hall	41.4
Manchester	22.2
Maidstone	22.3
Mount	18.6
New Hall	23.1
Nottingham	20.6
Northallerton	17.6
North Sea Camp	41.0
Norwich	19.2
Onley	17.4
Portland	22.8
Parkhurst	21.5
Preston	16.8
Parc	36.2
Kingston	23.9
Pentonville	20.4
Rochester	17.5
Reading	31.7
Ranby	25.7
Risley	22.3
Send	31.6

Average weekly purposeful activity by establishment for England and Wales 1999–2000

Prison name	*Purposeful activity*
Stafford	24.8
Stoke Heath	22.5
Stocken	22.1
Swaleside	21.3
Shepton Mallet	20.7
Swinfen Hall	30.2
Styal	21.7
Sudbury	43.4
Swansea	20.8
Shrewsbury	23.2
Thorn Cross	45.3
Usk	37.5
Verne	30.9
Weare	20.7
Wellingborough	25.0
Winchester	15.2
Wakefield	20.0
Wealstun	32.9
Woodhill	17.9
Wayland	24.0
Wymott	29.8
Werrington	37.9
Wolds	28.9
Whitemoor	21.4
Wormwood Scrubs	19.3
Whatton	29.9
Wandsworth	18.4
Wetherby	27.9

Dangerous Driving

Mr. Loughton: To ask the Secretary of State for the Home Department if he will make a statement on the progress of the inter-departmental working party on penalties for causing death by dangerous driving and related driving offences; and when he expects to produce a report. [130435]

Mr. Charles Clarke: The work of the review of penalties for road traffic offences is almost complete. The Government hope to publish a consultation document, setting out the proposals of the review, shortly.

UN Drugs Control Programme

Dr. Tonge: To ask the Secretary of State for the Home Department what financial assistance his Department provides for the UN Drugs Control Programme; and what this assistance is earmarked for. [130450]

Mr. Charles Clarke: In 1999–2000 the Home Office provided £1,171,000 for United Nations Drugs Control Programme (UNDCP) projects, allocated as follows:

	£000
Modernisation of the police academy and the strengthening of precursor control (in Brazil) (AD/BRA/98/D31 and D33)	478
Drug law enforcement in Pakistan (AD/PAK/98/D86)	480
Strengthening drug law enforcement (AD/RER/D41)	113
Regional clearance system for the control of movement of vessels (in the Caribbean) (AD/CAR/97/C49)	100

In addition £127,000 was contributed to the general fund of the UNDCP.

Police (Feira Report)

Mr. Bercow: To ask the Secretary of State for the Home Department if police officers will operate *(a)* in national uniforms and *(b)* under a common code of practice under the provisions of the Feira Presidency proposals. [129920]

Mr. Charles Clarke: The Feira Presidency report makes no proposals as regards uniforms or codes of practice for police officers from European Union member states deployed on international civilian policing operations.

Mr. Bercow: To ask the Secretary of State for the Home Department if he intends to increase police numbers in order to provide the manpower indicated in Section C of the Feira Presidency conclusions. [129923]

Mr. Charles Clarke: The Presidency Report to the Feira European Council on "Strengthening the Common European Security and Defence Policy" looks at establishing concrete targets for civilian police capabilities as part of a wider initiative on international non-military crisis management operations. The United Kingdom will be working with European Union partners to achieve the target agreed at Feira. The Presidency Report does not impose any national quotas which would oblige us to increase the number of United Kingdom officers who will be available for peace keeping missions abroad. We will continue to contribute to such operations on a voluntary basis.

Mr. Bercow: To ask the Secretary of State for the Home Department if he will make a statement on the conditions under which police officers from other EU states would operate in the UK, as proposed in the Feira Presidency conclusions. [129812]

Mr. Charles Clarke: The Feira Presidency Report contains recommendations and proposals which will enable the European Union to contribute more effectively to international peace and security by enhancing its contribution to crisis management operations led by international and regional organisations. There is no suggestion that officers from European Union states should operate as part of such a mission in the United Kingdom or any other European Union state or that the circumstances in the European Union are such that they would be required in such a capacity.

Children's Homes

Dr. Cable: To ask the Secretary of State for the Home Department how many cases of missing children from children's homes have been investigated by the police since 1970; how many had led to the missing children being traced; and how many are currently under investigation. [129768]

Mr. Charles Clarke: There is no evidence of such information having been recorded or held centrally. The information could be obtained only at a disproportionate cost. However, we have accepted the recommendations of the Waterhouse Report which identified the need for the police and care homes to create a record of missing children. We will take forward the recommendations through an inter-agency review of best practice in conducting complex abuse investigations. A Review Group is being established to take forward this work, bringing together representatives from the Home Office, Department of Health, Local Government Association, Association of Directors of Social Services and the Association of Chief Police Officers.

Police Training College, Hendon

Mr. Cox: To ask the Secretary of State for the Home Department how many police officers have attended training programmes at the Metropolitan Police training college at Hendon in the last 12 months. [129823]

Mr. Charles Clarke: In the 12 months ended 31 March 2000, 9,342 officers from the Metropolitan Police attended courses at the Peel Centre, Hendon.

The courses attended included probationer training, detective courses, driver and traffic training, dog training, firearms, computer and management courses.

Domestic Violence

Mr. Kidney: To ask the Secretary of State for the Home Department if he will make a statement on progress in reducing the incidence of domestic violence in England. [129937]

Mr. Boateng: The Government have made available from the Crime Reduction Programme £7 million for projects addressing domestic violence and rape and sexual assault by known perpetrators. I was pleased to announce the successful bids on 10 July. Of these, 25, costing a total of £5.3 million, deal with aspects of domestic violence. We expect this major commitment to lead to more women reporting these offences and in the longer term to a significant fall in the actual number of offences being committed.

This initiative complements a range of Government measures to ensure that the problem of domestic violence is tackled effectively, including in the last four months new multi-agency guidance, a new resources manual for Health Service professionals and a new Home Office Circular to the police. Our other initiatives and commitments are set out in the joint Home Office/Women's Unit publication, "Living with Fear: an integrated approach to tackling violence against women", published in June 1999.

Crime/Police Manpower

Tony Wright: To ask the Secretary of State for the Home Department what recent evidence he has collated on the correlation between the level of crime and *(a)* police numbers and *(b)* police funding. [129496]

Mr. Charles Clarke: In response to the intervention of the right hon. Member for Southwark, North and Bermondsey (Mr. Hughes) in the debate on the Crime Reduction Strategy on 29 November 1999, *Official Report*, columns 21–38, officials in my Research, Development and Statistics Directorate assembled information on changes in police numbers and recorded crime rates between (i) 1996–97 and 1998–99; and (ii) 1993–94 and 1998–99. The analysis is set out in Tables 1 and 2. Table 1 shows that 12 of the 21 top performing forces had falls in police numbers over the last two years, whereas in the other group of 22 forces, 14 had falls. At the individual force level, however, there seems little obvious statistical link between performance and police numbers. Table 2 shows that, over five years, there is little difference in the number of forces with falls in numbers in the top 21 forces and the bottom 22. Again, though, there is a very mixed picture overall, with the statistical relationship between police numbers and changes in crime over this period weak.

Other analysis by the Research, Development and Statistics Directorate around the same time also looked at the correlation at police force level between the changes in numbers of crimes, police numbers and police funding. The results are in Table 1. They show no association that carries much statistical weight when comparing forces. The strongest association is between increasing budgets leading to increasing officers.

Historic figures on overall police numbers in England and Wales and the total number of recorded crimes are in the Library.

Table 1: Percentage change in recorded crime rates 1996–97 to 1998–99 and percentage change in police numbers

	Number offences per 100,000 population			*Police numbers*	
	1996–97	*1998–99*	*Percentage change*	*Percentage change*	*Fall/rise*
1 Kent	9,140	7,040	–23	–1.8	Fall 1
2 Gwent	10,477	8,508	–19	0.3	Rise
3 Gloucestershire	9,583	7,867	–18	–2.5	Fall 2
4 Lincolnshire	7,796	6,412	–18	–4.8	Fall 3
5 Northumbria	11,201	9,271	–17	4.4	Rise
6 West Mercia	7,367	6,166	–16	–0.8	Fall 4
7 South Yorkshire	11,248	9,538	–15	0.3	Rise
8 Hampshire	7,666	6,525	–15	0.6	Rise
9 Bedfordshire	9,341	7,957	–15	–4.8	Fall 5
10 Cleveland	13,358	11,465	–14	–3.0	Fall 6
11 Lancashire	8,585	7,379	–14	–0.1	Fall 7
12 Cambridgeshire	9,713	8,379	–14	–2.1	Fall 8
13 Avon and Somerset	10,323	8,926	–14	0.4	Rise
14 Surrey	5,355	4,638	–13	2.6	Rise
15 Devon and Cornwall	6,573	5,703	–13	0.8	Rise
16 Hertfordshire	6,110	5,307	–13	–2.0	Fall 9
17 Essex	6,578	5,722	–13	–2.4	Fall 10
18 Durham	8,326	7,262	–13	7.4	Rise
19 North Wales	6,375	5,575	–13	1.6	Rise
20 Nottinghamshire	13,575	11,983	–12	–4.2	Fall 11
21 North Yorkshire	7,341	6,558	–11	–0.1	Fall 12
22 Metropolitan Police District	11,264	10,084	–10	–2.3	Fall 1

Table 1: Percentage change in recorded crime rates 1996–97 to 1998–99 and percentage change in police numbers

	Number offences per 100,000 population			*Police numbers*	
	1996–97	*1998–99*	*Percentage change*	*Percentage change*	*Fall/rise*
23 Dorset	7,098	6,386	−10	−0.4	Fall 2
24 Suffolk	5,709	5,143	−10	0.9	Rise
25 Norfolk	7,249	6,534	−10	−3.5	Fall 3
26 Leicestershire	9,738	8,796	−10	2.3	Rise
27 West Midlands	11,597	10,511	−9	2.9	Rise
28 Staffordshire	8,773	7,969	−9	1.2	Rise
29 Cheshire	6,657	6,050	−9	1.2	Rise
30 Cumbria	7,852	7,147	−9	−1.5	Fall 4
31 Warwickshire	7,666	7,081	−8	−2.0	Fall 5
32 Wiltshire	5,943	5,503	−7	−0.3	Fall 6
33 Sussex	8,092	7,494	−7	−7.7	Fall 7
34 Dyfed-Powys	3,967	3,737	−6	2.2	Rise
35 Thames Valley	8,224	7,750	−6	1.4	Rise
36 Merseyside	9,757	9,240	−5	−0.5	Fall 8
37 West Yorkshire	12,311	11,679	−5	−4.4	Fall 9
38 Derbyshire	8,072	7,670	−5	−1.8	Fall 10
39 South Wales	10,099	9,780	−3	0.2	Rise
40 Humberside	13,801	13,483	−2	−3.4	Fall 11
41 Northamptonshire	9,178	9,150	0	−3.3	Fall 12
42 Greater Manchester	12,437	13,071	5	−1.6	Fall 13
43 City of London	91,405	115,282	26	−9.4	Fall 14
England and Wales	9,515	8,584	−10	−1.0	—

Changes between 1996–97 and 1998–99

	Number offences per 100,000 population			*Police numbers*	
	1996–97	*1998–99*	*Percentage change*	*Percentage change*	*Fall/rise*
Top 21 forces	8,790	7,464	−15	−0.2	−88
Average			−15	−0.5	−4
Bottom 21 forces	10,015	9,363	−7	−1.4	−1,122
Average			−5	−1.4	−51

Table 2: Percentage change in recorded crime rates 1993–94 and percentage change in police numbers

	Number offences per 100,000 population			*Police numbers*	
	1993–94	*1998–99*	*Percentage change*	*Percentage change*	*Fall/rise*
1 Northumbria	14,658	9,271	−37	6.7	Rise
2 Durham	11,024	7,262	−34	13.4	Rise
3 Kent	10,346	7,040	−32	1.8	Rise
4 Gloucestershire	11,519	7,867	−32	−4.7	Fall 1
5 Surrey	6,644	4,638	−30	−0.4	Fall 2
6 Devon and Cornwall	7,876	5,703	−28	−0.9	Fall 3
7 Dyfed-Powys	5,082	3,737	−26	6.3	Rise
8 Cheshire	8,180	6,050	−26	8.9	Rise
9 Bedfordshire	10,750	7,957	−26	−9.5	Fall 4
10 Avon and Somerset	11,853	8,926	−25	−1.1	Fall 5
11 Lincolnshire	8,451	6,412	−24	−5.4	Fall 6
12 Essex	7,504	5,722	−24	−1.6	Fall 7
13 Hampshire	8,420	6,525	−23	6.2	Rise
14 Warwickshire	9,131	7,081	−22	−13.2	Fall 8
15 Nottinghamshire	15,406	11,983	−22	−4.4	Fall 9
16 Wiltshire	7,022	5,503	−22	−8.9	Fall 10
17 Suffolk	6,547	5,143	−21	−1.5	Fall 11
18 South Yorkshire	12,133	9,538	−21	4.8	Rise
19 Thames Valley	9,843	7,750	−21	−4.1	Fall 12
20 North Wales	7,079	5,575	−21	2.9	Rise
21 South Wales	12,326	9,780	−21	−4.8	Fall 13
22 Lancashire	9,240	7,379	−20	2.4	Rise
23 Norfolk	8,142	6,534	−20	−4.5	Fall 1
24 Derbyshire	9,479	7,670	−19	−3.4	Fall 2
25 North Yorkshire	8,098	6,558	−19	1.4	Rise
26 Leicestershire	10,854	8,796	−19	9.2	Rise

Table 2: Percentage change in recorded crime rates 1993–94 and percentage change in police numbers

	Number offences per 100,000 population			*Police numbers*	
	1993–94	*1998–99*	*Percentage change*	*Percentage change*	*Fall/rise*
27 Cleveland	14,130	11,465	–19	–0.9	Fall 3
28 Dorset	7,870	6,386	–19	–1.4	Fall 4
29 Hertfordshire	6,524	5,307	–19	2.5	Rise
30 West Yorkshire	14,276	11,679	–18	–1.3	Fall 5
31 Cumbria	8,670	7,147	–18	–4.1	Fall 6
32 City of London	139,333	115,282	–17	–12.9	Fall 7
33 Metropolitan Police District	12,123	10,084	–17	–5.9	Fall 8
34 West Mercia	7,409	6,166	–17	–1.7	Fall 9
35 West Midlands	12,416	10,511	–15	4.4	Rise
36 Humberside	15,839	13,483	–15	–3.2	Fall 10
37 Staffordshire	9,293	7,969	–14	1.3	Rise
38 Cambridgeshire	9,417	8,379	–11	0.9	Rise
39 Northamptonshire	9,943	9,150	–8	–2.8	Fall 11
40 Greater Manchester	13,804	13,071	–5	–2.3	Fall 12
41 Merseyside	9,735	9,240	–5	–10.3	Fall 13
42 Gwent	8,815	8,508	–3	25.6	Rise
43 Sussex	7,562	7,494	–1	–5.4	Fall 14
England and Wales	10,605	8,584	–19	–1.6	—

Changes between 1993–94 and 1998–99

	Number offences per 100,000 population			*Police numbers*	
	1993–94	*1998–99*	*Percentage change*	*Percentage change*	*Fall/rise*
Top 21 forces	9,969	7,464	–25	0.2	74
Average			–26	–0.5	4
Bottom 21 forces	11,070	9,363	–15	–2.5	–2,039
Average			–14	–0.6	–93

Table 3: Forces ranked by percentage change in (a) number of recorded notifiable offences; (b) number of police officers, and (3) police force budgets: 1993–94 to 1998–99

	Rank of crime decrease[1]	*Rank of change in police numbers increase*[1]	*Rank of change in budget increase*[1]	*Percentage change*		
				Crime	*Numbers*	*Budget*
Northumbria	1	5	10	–37.3	6.7	28.3
Durham	2	2	2	–34.0	13.4	35.1
Kent	3	13	16	–30.7	1.8	25.3
Gloucestershire	4	34	25	–29.4	–4.7	23.7
Surrey	5	17	37	–28.9	–0.4	20.5
Devon and Cornwall	6	18	36	–26.1	–0.9	21.5
South Wales	7	35	33	–25.9	–4.8	21.9
Dyfed-Powys	8	6	21	–25.3	6.3	24.3
Cheshire	9	4	3	–24.9	8.9	33.1
Bedfordshire	10	40	11	–23.8	–9.5	28.1
Avon and Somerset	11	20	20	–22.7	–1.1	24.6
Essex	12	24	28	–21.7	–1.6	23.2
Nottinghamshire	13	32	14	–21.7	–4.4	26.4
South Yorkshire	14	8	8	–21.4	4.8	29.9
Lincolnshire	15	37	31	–21.3	–5.4	22.7
North Wales	16	10	15	–21.0	2.9	25.5
Warwickshire	17	43	43	–20.6	–13.2	12.6
Hampshire	18	7	7	–20.3	6.2	30.1
Lancashire	19	12	19	–19.5	2.4	24.9
Cleveland	20	19	22	–19.5	–0.9	24.1
Suffolk	21	23	40	–19.2	–1.5	18.6
Wiltshire	22	39	30	–18.9	–8.9	22.9
Norfolk	23	33	9	–17.6	–4.5	28.5
West Yorkshire	24	21	24	–17.5	–1.3	23.7
Derbyshire	25	29	12	–17.5	–3.4	27.8
Thames Valley	26	31	29	–17.5	–4.1	23.1
North Yorkshire	27	14	38	–17.4	1.4	19.2
Cumbria	28	30	34	–17.2	–4.1	21.9
Leicestershire	29	3	6	–16.6	9.2	31.3

Table 3: Forces ranked by percentage change in (a) number of recorded notifiable offences; (b) number of police officers, and (3) police force budgets: 1993–94 to 1998–99

	Rank of crime decrease[1]	Rank of change in police numbers increase[1]	Rank of change in budget increase[1]	Percentage change		
				Crime	Numbers	Budget
Hertfordshire	30	11	5	−16.2	2.5	32.2
Dorset	31	22	23	−16.0	−1.4	23.8
West Midlands	32	9	18	−15.3	4.4	25.0
West Mercia	33	25	27	−15.0	−1.7	23.5
Humberside	34	28	26	−14.6	−3.2	23.7
Metropolitan Police District	35	38	42	−14.3	−5.9	14.5
Staffordshire	36	15	13	−13.6	1.3	26.5
Merseyside	37	41	41	−7.2	−10.3	18.1
Cambridgeshire	38	16	17	−6.5	0.9	25.0
Greater Manchester	39	26	32	−5.4	−2.3	22.0
Northamptonshire	40	27	35	−4.8	−2.8	21.8
Sussex	41	36	4	2.9	−5.4	32.8
City of London	42	42	39	12.0	−12.9	19.1
Gwent	43	1	1	19.6	25.6	59.4
England and Wales	—	—	—	−17.6	−1.6	22.3

[1] 1 = biggest

Notes:

1. Budgets:

1992–93 CIPFA Police Statistics Actuals

1998–99 CIPFA Police Statistics Estimates (estimates of net expenditure)

Budgets are in cash terms, not real terms

2. Police numbers:

Do not include secondments

3. Crimes:

Based on old counting rules for both years

Relate to numbers of crimes recorded, not per capita rates

Gwent is an outlier because of boundary changes with South Wales

Appointments (Women)

Mr. Allan: To ask the Secretary of State for the Home Department how many and what percentage of the *(a)* paid and *(b)* unpaid appointments which he has made to non-departmental public bodies since 1 May 1997 were women. [129846]

Mr. Straw *[holding answer 12 July 2000]:* The information showing paid and unpaid appointments made to non-departmental public bodies from 1 May 1997 and the percentage of women appointed is shown in the table.

This Government are committed to increasing the representation of women in public life. In support of this, the Department has drawn up an action plan for increasing the number of women and ethnic minorities holding public appointments. The latest plans, together with the Government's overall plan, were published on 24 May 2000 in "Quangos: Opening up Public Appointments 2000–03", copies of which are in the Library.

	1997[1]	*1998*	*1999*	*2000*
Total Appointments	239	524	497	238
Paid				
Total	66	161	102	44
Male	54	124	71	38
Female	12	37	31	6
Percentage Female	18	23	30	14
Unpaid				
Total	173	363	395	194
Male	98	210	205	98
Female	75	153	190	96
Percentage Female	43	42	48	49

[1] From 1 May 1997

Football Hooligans

Dr. David Clark: To ask the Secretary of State for the Home Department, pursuant to his answer to the hon. Member for Orpington (Mr. Horam) on 26 June 2000, *Official Report*, column 396W, on football hooligans, what the basis is for his estimate of the percentage of young males who have a criminal record. [130090]

Mr. Straw *[holding answer 12 July 2000]:* The estimate is based on information contained in Home Office Statistical Bulletin 14–95 which reports an analysis of the criminal histories of a large sample of offenders born in 1953, 1958, 1963, 1968 and 1973. The data confirm that 26 per cent. of men born in 1968 had a conviction for a standard list offence by the age of 24, 33 per cent. of those born in 1963 had a conviction for such an offence by the age of 28 while the comparative figures for those born in 1958 were 31 per cent. with a conviction by the age of 25.

Party Conferences (Policing)

Mr. David Atkinson: To ask the Secretary of State for the Home Department how much grant will be paid to Dorset Police towards the cost of policing the Conservative Party Conference in Bournemouth in autumn 2000; how much grant was paid in respect of the Labour Party Conference in Bournemouth in 1999; and if he will make a statement. [130186]

Mr. Charles Clarke: The Dorset Police Authority will receive a special grant of up to £900,000 as a contribution towards the additional costs of the police security operation at this year's Conservative Party Conference.

The Dorset Police were given a special grant of £1.6 million towards the additional costs of policing the Labour Party Conference in 1999.

Speed Cameras

Ms Drown: To ask the Secretary of State for the Home Department how many police vehicles have activated speed cameras in *(a)* Wiltshire and *(b)* England and Wales in the last year for which figures are available. [130176]

Mr. Charles Clarke: The information is not available centrally.

Rural Policing

Mr. Kidney: To ask the Secretary of State for the Home Department if he will make a statement on the distribution of the money that he has identified for additional spending on rural policing in the current financial year, with particular reference to Staffordshire police. [130070]

Mr. Charles Clarke: With additional funds made available through the budget, the opportunity has arisen for the Government to recognise the special needs of rural policing. My right hon. Friend the Home Secretary therefore agreed to make £15 million available for the remainder of this year to enhance the policing service in rural areas at no cost to the metropolitan forces.

I expect to make an announcement on the final allocation of this additional funding to the House next week.

Metropolitan Police

Dr. Cable: To ask the Secretary of State for the Home Department what is his estimate for planning purposes of net pensions fund obligations, pensions less contributions, for *(a)* the Metropolitan police and *(b)* all UK police forces in *(a)* 2000–01, *(b)* 2001–02, *(c)* 2005–06 and *(d)* 2010–11; and how these obligations will be financed. [127330]

Mr. Charles Clarke *[pursuant to his reply, 28 June 2000, c. 523W]:* I must amend an error in that answer.

The final sentence should read

> The provision of revenue funding for the police forces in Scotland and Northern Ireland is the responsibility of the devolved Administrations.

Crime Statistics

Mr. Hope: To ask the Secretary of State for the Home Department what arrangements he has made for publication of the Home Office Statistical Bulletin containing the recorded crime statistics for England and Wales for the period April 1999 to March 2000; and if he will make a statement. [130922]

Mr. Straw: The decision as to when the statistics on recorded crime are to be published is taken by the Director of Research, Development and Statistics at the Home Office and is announced well in advance, as was the date of 18 July for the publication of the crime statistics from March 1999-March 2000. Ministers are informed but not consulted about such dates. This follows the new arrangement to protect the integrity of national statistics which I established in 1997.

In the light of the fact that my right hon. Friend the Chancellor of the Exchequer is now planning, Parliamentary time allowing, to make a statement on public spending, on the afternoon of 18 July, the Director of Research, Development and Statistics, Professor Paul Wiles, has decided that the statistics will be published on 18 July as was originally announced, but at 00:01 hours rather than 11:00. An embargoed press briefing will be provided on 17 July so that the statistics can be reported on the morning of 18 July. At the same time as embargoed press copies are made available, they will also be sent to the Opposition. To ensure that Parliament is properly informed, copies of the crime statistics will be placed on the Home Office website and in the Library at 00:01 hours on 18 July.

HEALTH

GPs

Mr. Gordon Prentice: To ask the Secretary of State for Health how many and what percentage of GPs in each health authority area in England are due to retire by 2005. [129611]

Mr. Denham: Although there is no fixed retirement age for general practitioners they are removed from the health authority medical list on reaching 70 years of age if providing general medical services as a principal. Similarly doctors employed by personal medical services pilots or under the salaried doctor scheme cannot work past the age of 70. Numbers of GPs who will reach the age of 70 years by 2005 are available in the table. However these do not take account of doctors who may retire before age 70 by choice or for medical or other reasons, nor is any allowance made for those GPs who may exercise the option to retire and so claim their pension and gratuity but who may return to the health authority medical list 28 days later and continue working until they fully retire. In addition there is no retirement age for doctors who return to work as assistants or locums.

Unrestricted Principals and Equivalents (UPEs)[1] and percentage of which aged 64 or over as at 1 October 1999
England

Numbers (headcount) and percentages

Region/Health authority	*All UPEs*	*UPEs aged 64 or over*	*Percentage of UPEs aged 64 or over*
Northern and Yorkshire			
Bradford HA	288	[2]—	0.3
Calderdale and Kirklees HA	304	5	1.6
County Durham Health Commission	324	[2]—	0.9
East Riding HA	300	9	3.0
Gateshead and South Tyneside HA	192	[2]—	0.5

Unrestricted Principals and Equivalents (UPEs)[1] *and percentage of which aged 64 or over as at 1 October 1999*
England

Numbers (headcount) and percentages

Region/Health authority	*All UPEs*	*UPEs aged 64 or over*	*Percentage of UPEs aged 64 or over*
Leeds Healthcare	430	17	4.0
Newcastle and North Tyneside HA	275	[2]—	0.7
North Cumbria HA	211	[2]—	0.5
North Yorkshire HA	462	[2]—	0.9
Northumberland HA	190	0	0.0
Sunderland HA	137	5	3.6
Tees HA	297	[2]—	0.3
Wakefield Health Care	182	[2]—	1.1
Northern and Yorkshire Regional Office Total	3,592	51	1.4
Trent			
Barnsley HA	115	[2]—	2.6
Doncaster HA	153	6	3.9
Leicestershire HA	500	[2]—	0.8
Lincolnshire HA	347	[2]—	0.3
North Derbyshire HA	196	[2]—	0.5
North Nottinghamshire HA	198	[2]—	2.0
Nottingham HA	347	9	2.6
Rotherham HA	115	[2]—	0.9
Sheffield HA	338	7	2.1
South Humber HA	164	7	4.3
Southern Derbyshire HA	305	[2]—	0.7
Trent Regional Office Total	2,778	45	1.6
Eastern			
Bedfordshire HA	298	5	1.7
Cambridgeshire HA	398	[2]—	0.5
East and North Hertfordshire HA	285	5	1.8
Norfolk HA	456	[2]—	0.7
North Essex HA	480	8	1.7
South Essex HA	346	17	4.9
Suffolk HA	390	0	0.0
West Hertfordshire HA	303	7	2.3
Eastern Regional Office Total	2,956	47	1.6
London			
Barking and Havering HA	185	15	8.1
Barnet HA	187	7	3.7
Bexley and Greenwich HA	216	10	4.6
Brent and Harrow HA	275	10	3.6
Bromley HA	159	[2]—	0.6
Camden and Islington HA	228	14	6.1
Croydon HA	169	12	7.1
Ealing, Hammersmith and Hounslow HA	390	26	6.7
East London and The City HA	386	30	7.8
Enfield and Haringey HA	265	15	5.7
Hillingdon HA	122	[2]—	3.3
Kensington, Chelsea and Westminster HA	185	12	6.5
Kingston and Richmond HA	187	[2]—	2.1
Lambeth, Southwark and Lewisham HA	432	9	2.1
Merton, Sutton and Wandsworth HA	330	15	4.5
Redbridge and Waltham Forest HA	231	22	9.5
London Regional Office Total	3,947	206	5.2
South Eastern			
Berkshire HA	451	6	1.3
Buckinghamshire HA	396	[2]—	0.3
East Kent HA	316	[2]—	1.3
East Surrey HA	220	[2]—	0.9
East Sussex, Brighton and Hove HA	402	5	1.2
Isle of Wight Health Commission	81	0	0.0
North and Mid Hampshire HA	303	0	0.0
Northamptonshire HA	311	[2]—	1.3
Oxfordshire HA	371	[2]—	1.1
Portsmouth and South East Hampshire HA	302	[2]—	0.3
Southampton and South West Hampshire HA	326	[2]—	0.6

Unrestricted Principals and Equivalents (UPEs)[1] *and percentage of which aged 64 or over as at 1 October 1999*
England

Numbers (headcount) and percentages

Region/Health authority	*All UPEs*	*UPEs aged 64 or over*	*Percentage of UPEs aged 64 or over*
West Kent HA	537	20	3.7
West Surrey HA	348	6	1.7
West Sussex HA	415	[2]—	0.2
South Eastern Regional Office Total	4,779	56	1.2
South Western			
Avon HA	595	7	1.2
Cornwall and Isles of Scilly HA	310	[2]—	0.6
Dorset HA	444	[2]—	0.5
Gloucestershire HA	339	[2]—	0.9
North and East Devon HA	317	[2]—	0.3
Somerset HA	313	5	1.6
South and West Devon HA	375	[2]—	0.5
Wiltshire HA	348	0	0.0
South Western Regional Office Total	3,041	22	0.7
West Midlands			
Birmingham HA	581	23	4.0
Coventry HA	171	9	5.3
Dudley HA	158	5	3.2
Herefordshire HA	106	0	0.0
North Staffordshire HA	238	9	3.8
Sandwell HA	157	5	3.2
Shropshire HA	250	6	2.4
Solihull HA	114	[2]—	2.6
South Staffordshire HA	298	6	2.0
Walsall HA	129	6	4.7
Warwickshire HA	267	9	3.4
Wolverhampton HA	124	5	4.0
Worcestershire HA	300	[2]—	0.7
West Midlands Regional Office Total	2,893	88	3.0
North West			
Bury and Rochdale HA	210	6	2.9
East Lancashire HA	276	15	5.4
Liverpool HA	253	7	2.8
Manchester Health	278	13	4.7
Morecambe Bay HA	186	[2]—	1.1
North Cheshire HA	161	[2]—	0.6
North West Lancashire HA	246	[2]—	0.8
Salford and Trafford HA	240	5	2.1
Sefton HA	145	[2]—	1.4
South Cheshire HA	387	6	1.6
South Lancashire HA	164	[2]—	2.4
St. Helen's and Knowsley HA	184	6	3.3
Stockport Health	167	[2]—	1.2
West Pennine HA	228	8	3.5
Wigan and Bolton HA	284	12	4.2
Wirral HA	196	[2]—	1.5
North West Regional Office Total	3,605	94	2.6
England	27,591	609	2.2

[1] Unrestricted Principals and Equivalents (UPEs) includes Unrestricted Principals, PMS Contracted GPs and PMS Salaried GPs.

[2] Denotes less than five and greater than zero.

Note:

GP principals are removed from Health Authority lists at aged 70 and Stats(GMS) have identified the number of Unrestricted Principals and Equivalents (UPEs) who are aged 64 and over as at 1 October 1999, who by 2005 will be aged 70 years.

Source:

Department of Health General and Personal Medical Services Statistics.

National Insurance

Mr. Webb: To ask the Secretary of State for Health what has been the policy since 1989 on writing annually to those of his Department's staff who are paying reduced rates of National Insurance contributions, reminding them of the rules governing the payment of reduced rates, as recommended in the Inland Revenue guidance note on reduced rate National Insurance contributions for married women. [129486]

Mr. Denham: The Department employs a small minority of women who pay reduced rate National Insurance contributions. The Department writes periodically to these staff reminding them of the rules governing the payment of reduced rates and whom they need to notify if their circumstances have changed.

Hernia Operations

Mr. Cox: To ask the Secretary of State for Health how many hernia operations have taken place in NHS hospitals in the Greater London area in the last 12 months. [129791]

Mr. Denham: The London Region was created on 1 January 1999 and the latest available data are for 1998–99 when London was covered by the North Thames and South Thames Regions. The numbers of hernia operations performed in National Health Service trusts in these regions are shown in the table for 1998–99.

Finished Consultant Episodes (FCEs) by primary operations performed by NHS trust, England 1998–99

North and South Thames	*Hernia operations T19-T21 (OPCS4)*
RA1 Epsom Health Care NHS Trust	227
RA2 Royal Surrey County Hospital NHS Trust	297
RAJ Southend Hospital NHS Trust	511
RAL The Royal Free Hampstead Hospital	272
RAP North Middlesex Hospital NHS Trust	241
RAQ North Hertfordshire NHS Trust	349
RAS The Hillingdon Hospital NHS Trust	247
RAU Central Middlesex Hospital NHS Trust	218
RAX Kingston Hospital NHS Trust	205
RAZ St. Helier NHS Trust	470
RC3 Ealing Hospital NHS Trust	210
RC4 East Hertfordshire NHS Trust	368
RDC Wellhouse NHS Trust	483
RDD Basildon and Thurrock General Hospital	501
RDE Essex Rivers Healthcare NHS Trust	587
RDF Forest Healthcare NHS Trust	332
RDL Eastbourne Hospitals NHS Trust	343
RDM Hastings and Rother NHS Trust	324
RDU Frimley Park Hospital NHS Trust	446
RFW West Middlesex University NHS Trust	284
RFZ Northwick Park and St. Marks NHS Trust	473
RG1 Mid Kent Healthcare NHS Trust	382
RG2 Greenwich Healthcare NHS Trust	366
RG3 Bromley Hospitals NHS Trust	363
RG4 Redbridge Health Care NHS Trust	411
RG7 Havering Hospitals NHS Trust	565
RG9 Chase Farm Hospitals NHS Trust	244
RGU Brighton Health Care NHS Trust	599
RGV Thanet Healthcare NHS Trust	325
RGW Kent and Canterbury Hospitals NHS Trust	429
RGX Eastbourne and County Healthcare NHS Trust	22
RGZ Queen Mary's Sidcup NHS Trust	285
RHE Crawley Horsham NHS Trust	265
RHG Richmond Twickenham and Roehampton NHS Trust	87
RHH East Surrey Hospital and Community NHS Trust	173
RJ1 Guy's and St. Thomas' NHS Trust	528
RJ2 Lewisham Hospital NHS Trust	582
RJ5 St. Mary's Hospital NHS Trust	370
RJ6 Mayday Healthcare NHS Trust	417
RJ7 St. George's Healthcare NHS Trust	562
RJZ King's Healthcare NHS Trust	376
RKE Whittington Hospital NHS Trust	322
RN7 Dartford and Gravesham NHS Trust	313
RNH Newham Healthcare NHS Trust	218
RNJ The Royal Hospitals NHS Trust	457
RP4 The Great Ormond Street Hospital	106
RPA Medway NHS Trust	486
RPC The Queen Victoria Hospital NHS Trust	15
RPD Kent and Sussex Weald NHS Trust	332
RPF South Kent Hospitals NHS Trust	418
RPL Worthing and Southlands Hospital	363
RPR The Royal West Sussex NHS Trust	300
RPS Mid Sussex NHS Trust	145
RPW St. Albans and Hemel Hempstead NHS Trust	228
RPY The Royal Marsden Hospital NHS Trust	3
RQ8 Mid Essex Hospitals NHS Trust	588
RQL Mount Vernon and Watford Hospitals NHS Trust	315
RQM Chelsea and Westminster Healthcare NHS Trust	255
RQN The Hammersmith Hospitals NHS Trust	330
RQW The Princess Alexandra Hospital	370
RQX Homerton Hospital NHS Trust	218
RRV University College London Hospital	230
RT3 Royal Brompton and Harefield NHS Trust	0
RTK Ashford and St. Peter's Hospitals	454
RTL Thames and Gateway NHS Trust	0
North and South Thames	21.205

Notes:

1. The figures for 1998–99 are provisional, no adjustment has as yet been made for shortfalls in data (ie the data are ungrossed).

2. An FCE is defined as a period of patient care under one consultant in one health care provider. The figures do not represent the number of patients, as one person may have several episodes within the year.

3. Hernia has been defined as OPCS codes T19-T21 inclusive.

Source:

Hospital Episode Statistics (HES), Department of Health

Ritalin

Angela Smith: To ask the Secretary of State for Health what recent representations he has received regarding the use of Ritalin. [129960]

Ms Stuart: We have received a number of representations, mainly from parents, expressing concern over the clinical evidence for using Ritalin. I am pleased that given this concern the National Institute for Clinical Excellence (NICE) is appraising the drug as part of its 2000 work programme. It will issue authoritative advice, which should ensure that professionals treating children and adolescents with emotional and behavioural disorders have an evidence-based approach to using Ritalin. NICE is scheduled to report its findings in October.

Continence Services

Mr. Burstow: To ask the Secretary of State for Health how many people receive continence pads through the NHS. [130093]

Mr. Hutton: I refer the hon. Member to the reply I gave him on 10 November 1999, *Official Report*, column 654W.

Circular Implementation

Mrs. Ann Cryer: To ask the Secretary of State for Health how many reports he has received from the Social Services Inspectorate about the implementation of Circular HSC1999/162.LAC(99)28; and how many of them indicate that the circular is not being properly implemented. [130403]

Mr. Hutton: No formal reports have been received. However, the Social Services Inspectorate regularly undertakes detailed assessment of local social service authorities' performance including services for learning disabled people. In addition a survey of the use of the Direction on Choice to which the circular refers was carried out in 1998 and this was followed up by a series of regional seminars in the summer of 1999 to disseminate the lessons learnt. We are also developing a national learning disability strategy to be launched later this year which will aim to eliminate inconsistencies in service delivery.

Labelling

Mr. Dalyell: To ask the Secretary of State for Health, pursuant to the meeting between the Minister of State and the hon. Member for Linlithgow on 19 June, what discussion he has had with EU trade organisations concerning the labelling of medicines tested on animals. [128966]

Yvette Cooper: Pursuant to the meeting between the Minister for Trade and my hon. Friend, I can confirm that I have held no discussions with European Union trade associations concerning the labelling of medicines tested on animals.

Beta Interferon

Mr. McNamara: To ask the Secretary of State for Health how many EU countries do not publicly fund the treatment by beta interferon of people with MS. [128938]

Mr. Denham: The information requested is not available centrally.

Mr. McNamara: To ask the Secretary of State for Health how many people in the UK with MS currently receive beta interferon; what this represents as a percentage of MS sufferers; and what the equivalent figure is in *(a)* France, *(b)* Germany and *(c)* the US. [128939]

Mr. Denham: We estimate that between 1,700 and 1,800 people in England are currently receiving beta interferon on the National Health Service, equivalent to around 3 per cent. of all patients with multiple sclerosis in England.

We understand that the percentage of patients with multiple sclerosis receiving beta interferon in France and Germany respectively is 12 per cent. and 13 per cent.

We do not held information for the United States of America.

PFI Contracts

Mr. Matthew Taylor: To ask the Secretary of State for Health what the average length of time is between *(a)* the completion of the outline business case and the signing of the final contract and *(b)* the publication in the *Official Journal* of the European Community and the signing of the final contract, where applicable, of private finance initiative contracts for hospitals. [130254]

Mr. Denham: The dates for approval of the outline business case, the notice in the *Official Journal* of the European Community and the signing of the final contract for the major private finance initiative hospital schemes (capital value over £25 million) are shown in the table.

NHS trust	*OBC approval date*	*OJEC notice date*	*Signing of final contract*
Bromley	March 1995	September 1995	November 1998
Norfolk and Norwich	January 1995	February 1995	January 1998
Hereford	January 1995	June 1995	April 1999
Greenwich	April 1995	March 1995	July 1998
South Manchester	March 1994	April 1995	December 1998
Barnet and Chase Farm (Wellhouse)	December 1995	February 1995	February 1999
Carlisle	January 1994	January 1996	November 1997
Calderdale	December 1994	July 1995	July 1998
Dartford and Gravesham	March 1995	September 1995	July 1997
South Buckinghamshire	September 1994	January 1995	December 1997
North Durham	January 1994	December 1994	March 1998
South Tees	October 1994	March 1995	August 1998
South Durham (Bishop Auckland)	January 1994	December 1994	May 1999
Worcester	June 1995	July 1995	March 1999
Swindon and Marlborough	December 1993	October 1994	October 1999
King's	July 1995	September 1995	December 1999
St. George's	December 1995	March 1996	March 2000
Leeds Community	January 1996	October 1996	March 2000

Mr. Matthew Taylor: To ask the Secretary of State for Health if private finance initiative was considered for the Rochdale, Royal Berkshire, Central Sheffield and the Guys and St. Thomas hospital projects. [130249]

Mr. Denham: The private finance initiative was considered for each of the above hospital projects. In each case it was found that the publicly funded option offered the better solution.

Parliamentary Question

Mr. Baker: To ask the Secretary of State for Health for what reasons the question tabled by the hon. Member for Lewes on 21 February, for answer on 1 March, about bovine offals, reference 111898, has not been answered. [130396]

Yvette Cooper: I have answered the hon. Member's question today, *Official Report*, column 685W. I apologise for the delay.

BSE

Mr. Baker: To ask the Secretary of State for Health for what reason his Department sought exemption for medicines from the ban on specified bovine offals when this was introduced for the food chain. [111898]

Yvette Cooper *[holding answer 1 March 2000]:* The long established convention that Ministers generally are not given access to papers of a previous administration that would reveal former Ministers' opinions means that I do not have the information to answer this question. However I have already asked that all possible information on this topic be released directly to the BSE inquiry.

LORD CHANCELLOR'S DEPARTMENT

Derbyshire Magistrates Courts

Mr. Todd: To ask the Parliamentary Secretary, Lord Chancellor's Department when a decision will be made on proposals for the Private Finance Initiative for Derbyshire magistrates courts. [130170]

Jane Kennedy: Best and Final offers were returned by the remaining two bidders on 16 June 2000. The preferred bidder will be selected on 17 August 2000. Subject to the successful outcome of negotiations, contract close is expected in December 2000.

Mr. Todd: To ask the Parliamentary Secretary, Lord Chancellor's Department what the estimated cost is of the investigation, preparation and assessment of the proposals for the Private Finance Initiative for projects connected with Derbyshire magistrates' courts. [130172]

Jane Kennedy: The estimated cost of the investigation, preparation and assessment of the proposals for the Private Finance Initiative for Derbyshire is £940,000.

Mr. Todd: To ask the Parliamentary Secretary, Lord Chancellor's Department what estimate he has made of the change to the annual operating costs of the Derbyshire magistrates court service following the Private Finance Initiative. [130173]

Jane Kennedy: No information on the likely change to the annual operating costs of the Derbyshire Magistrates Courts Committee following the Private Finance Initiative will be available [illegible] the conclusion of the negotiations with the bidders.

Departmental Payments

Mr. Chope: To ask the Parliamentary Secretary, Lord Chancellor's Department what percentage of correctly presented bills were paid by his Department in *(a)* 1998–99 and *(b)* 1999–2000 within 30 days of receipt of (i) goods and services, (ii) a valid invoice and (iii) other agreed payment terms. [130033]

Mr. Lock *[holding answer 11 July 2000]:* I refer the hon. Member to the answer given by my right hon. Friend, the Secretary of State for Trade and Industry, to my hon. Friend the Member for Elmet (Mr. Burgon) on 23 July 1999, *Official Report*, columns 677–78W.

Departments and their agencies are currently collating this information for 1999–2000 and this will be made available to the House shortly.

Tribunals Review

Dr. Lynne Jones: To ask the Parliamentary Secretary, Lord Chancellor's Department if he will list the organisations consulted on the Review of Tribunals. [130098]

Jane Kennedy: The Review of Tribunals team have sent copies of their consultation paper to over 1,500 organisations and individuals. The list of those consulted includes Government bodies, the judiciary, consumer groups, the legal professions, charities, trade unions, and academics. A list of those consulted is available on the team's website: tribunals-review.org.uk.

TREASURY

Migration

Mr. Drew: To ask the Chancellor of the Exchequer what the annual level was of migration of *(a)* people and *(b)* households into the South-East from (i) London and (ii) the rest of England in each of the last three years. [129750]

Miss Melanie Johnson *[holding answer 10 July 2000]:* The information requested falls within the responsibility of the National Statistician. I have asked him to reply.

Letter from Len Cook to Mr. David Drew, dated 13 July 2000:

As National Statistician, I have been asked to reply to [illegible] recent question about the annual level of migration of people and households from London to the South East, and from the rest of England to the South East. (129750).

The attached table (i) presents the information for the movement of people that you require for each of the last three years. The latest year for which estimates are available is 1998. Data are presented for moves from London and the rest of England, to the South East Planning Region. The data show a net gain of people from London but a net loss of people to the rest of England. The estimates of internal migration within the United Kingdom are based on the movement of NHS doctors' patients between the former Family Health Service Authorities. They should not be regarded as a perfect measure of migration as there is variation in the delay between a person moving and registering with a new doctor.

Moves between the individual Government Office Regions (GORs) and the rest of the United Kingdom are published in *Key Population and Vital Statistics*, which is available in the House of Commons Library.

There are no annual data on household migration. The only data that are available come from the 1991 Census. The estimates of wholly moving households, between 1990 and 1991, are shown in the attached table (ii). For comparison the estimates of people moving are also shown for 1991.

(i) Number of people moving into the South East Planning Region[1]

Thousand

	1991	*1996*	*1997*	*1998*
From London	108.3	125.8	132.0	129.7
To London	67.2	77.1	76.8	80.1
Net gain from London	41.1	48.8	55.2	49.6
From the rest of England	251.0	288.3	293.6	299.6
To the rest of England	275.2	301.5	315.0	323.0
Net loss to the rest of England	−24.2	−13.2	−21.4	−23.4

[1] South East Planning Region is made up of Bedfordshire, Berkshire, Buckinghamshire, East Sussex, Essex, Hampshire, Hertfordshire, Isle of Wight, Kent, Oxfordshire, Surrey and West Sussex.

Source:

National Health Service Contact Register *(ii) Number of wholly moving households into the South East Planning Region (1991)*

Thousand

	Number
From London	25.4
To London	10.8
Net gain from London	14.6
From the rest of England	20.7
To the rest of England	30.0
Net loss to the rest of England	–9.3

Source:
1991 Census

Pensions Provision

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer if he will estimate the extra yield from reducing the earnings limit on which income tax deductible personal pension payments are based to *(a)* £70,000, *(b)* £60,000 and *(c)* £50,000; and if he will make a statement. [129826]

Miss Melanie Johnson *[holding answer 10 July 2000]:* I regret that it is not possible to provide a reliable estimate.

Staff Secondments

Mr. Don Foster: To ask the Chancellor of the Exchequer, pursuant to his answer to the hon. Member for Harrogate and Knaresborough (Mr. Willis) of 27 March 2000, *Official Report*, columns 46–47W, on secondments, if he will give the names, grades and job titles of the staff seconded into his Department from each organisation mentioned, stating in each case the name of the section they were seconded to and a summary of the work that they were involved with. [128254]

Miss Melanie Johnson *[holding answer 29 June 2000]:* I refer the hon. Member to the answer I gave to the hon. Member for Harrogate and Knaresborough (Mr. Willis), on 27 March 2000, *Official Report*, columns 46–47W. The new members of staff were seconded into HM Treasury pay ranges D or E.

Names and job titles cannot be provided. Secondments and attachments are part of the Interchange Initiative which promotes the exchange of people and good practice between the Civil Service and other organisations. Before and after Interchange can occur all parties must be satisfied that no conflict of interest arises.

Continence Services

Mr. Burstow: To ask the Chancellor of the Exchequer (1) pursuant to his answer of 18 May 2000, *Official Report*, column 268W, on VAT, how many people qualify to receive zero-rated continence pads; [130091]

(2) what criteria are used to classify people as incontinent. [130124]

Dawn Primarolo: It is a matter for individuals living in their own homes and suffering from incontinence to declare they are chronically sick or disabled and therefore entitled to purchase zero-rated continence products. These declarations are held by the retailers and it is not known how many people are eligible for or claim this VAT relief.

Parliamentary Questions

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer, pursuant to his answer of 4 July 2000, *Official Report*, column 178W, if he will list his Department's targets for answering *(a)* named day parliamentary questions, *(b)* ordinary written parliamentary questions and *(c)* Lords written questions; and if he will make a statement. [130279]

Mr. Timms: I refer the hon. Gentleman to the answer I gave him on 11 July 2000, *Official Report*, columns 507–08W.

"Adding It Up"

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what action is being undertaken to implement the recommendations of the Performance and Innovation Unit report entitled "Adding It Up"; and if he will make a statement. [130314]

Mr. Andrew Smith: An implementation group, chaired by the Chief Economist in the Treasury Public Service Directorate, and including experts from different departments and from academia, is being set up to promote and follow up the 41 conclusions of the "Adding It Up" report. Action falls to HM Treasury, the Cabinet Office, the Office for National Statistics, and to departments; good progress is being made.

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer which stakeholders will be involved in decisions made on allocations of resources from the Evidence-Based Policy Fund; when he will announce the detailed use of the first tranche of funding; and if he will make a statement. [130315]

Mr. Andrew Smith: An implementation group, chaired by the Chief Economist in the Treasury Public Service Directorate, and including experts from different departments and from academia, is being set up to promote and follow up the conclusions of the "Adding It Up" report, and to advise upon the allocations of the Evidence-Based Policy Fund. Successful bids from the first tranche of funding will be announced in the autumn.

Civil List

Mr. Alan Williams: To ask the Chancellor of the Exchequer what the estimated surplus will be at the end of 10 years on the Civil List, assuming an average price increase of 2.5 per cent. per annum and a yearly 3 per cent. rate of return on the invested surplus. [130316]

Mr. Timms: The precise outcome would depend on the exact profiles of wage and price inflation, and of interest rates. If the assumptions stated applied uniformly across the period, and assuming that earnings growth is uniform and consistent with the 2.5 per cent. per annum increase in prices, the surplus at the end of 2010 can be calculated to be £8 million.

UK Growth Rate

Mr. Matthew Taylor: To ask the Chancellor of the Exchequer what estimate he has made of the standard deviation of the United Kingdom's growth rate over the previous economic cycle; and if he will make a statement. [130261]

Miss Melanie Johnson *[holding answer 12 July 2000]:* Over the economic cycle between 1986 Q2 and the first half of 1997, the Treasury estimates the standard deviation of the quarter on quarter growth of GDP (in 1995 prices and seasonally adjusted) was 0.62.

Since the first half of 1997 GDP growth in the UK has been less variable than over the previous economic cycle, with an estimate standard deviation to date of 0.27.

Bank Closures

Mr. Ruane: To ask the Chancellor of the Exchequer what estimate he has made of the proportion of bank closures in the past year which have been in Objective 1 areas. [129711]

Miss Melanie Johnson *[holding answer 7 July 2000]:* The information is not available.

Road Fuel Testing

Mr. Alasdair Morgan: To ask the Chancellor of the Exchequer on how many days HM Customs and Excise road fuel testing units were operational within Dumfries and Galloway region during *(a)* 1997, *(b)* 1998 and *(c)* 1999; how many prosecutions were brought for illegal use of red diesel during those years; and what the total value was of penalties and duty recovered during each of those years. [129801]

Mr. Timms: Detection figures are not available for regions. For the 1998 and 1999 figures, I refer the hon. Member to the answer I gave him on 27 June 2000, *Official Report*, column 476W. For 1997 the vans were operational for a combined 367 days. 194 detections were made leading to penalties and duty recovered of £374,871. Two cases are pending prosecution.

Telephone Steering Systems

Mr. Ben Chapman: To ask the Chancellor of the Exchequer (1) how many of his Department's telephone lines used by the general public are responded to by touch tone telephone steering systems; [129623]

(2) how many agencies of his Department use touch tone telephone steering systems when dealing with telephone inquiries from the general public. [129641]

Miss Melanie Johnson: The Treasury has one such system. Of the Chancellor's seven agencies, Customs and Excise, Inland Revenue and National Savings use touch tone steering systems.

Endowment Policies

Mr. Truswell: To ask the Chancellor of the Exchequer (1) if he will make a statement on *(a)* the position of mortgage holders with endowment policies whose paid-up value has not covered or is not anticipated to cover the full repayment of their mortgage, *(b)* the consequences for those mortgage holders left with such a shortfall and *(c)* discussions he has had with the providers of such policies regarding assistance to customers in this position; [130081]

(2) if he will make a statement on *(a)* the extent to which mortgage endowment policies have been mis-sold on the basis that their eventual paid up value could not reasonably be expected to cover the full amount of the mortgage and *(b)* the redress available to those who believe they have been mis-sold such a policy. [130082]

Miss Melanie Johnson: I refer my hon. Friend to the answer I gave to my hon. Friend the Member for Monmouth (Mr. Edwards) on 23 May 2000, *Official Report*, columns 415–16W.

New Deal

Mr. Brady: To ask the Chancellor of the Exchequer how many employees of his Department and its agencies have been recruited from the New Deal; and what percentage of total staff this represents. [129141]

Miss Melanie Johnson: I refer the hon. Member to the answer given by my right hon. Friend the Minister for the Cabinet Office to my hon. Friend the Member for Bradford, North (Mr. Rooney) on 6 July 2000, *Official Report*, column 286W.

Third-world Debt

Mr. Fabian Hamilton: To ask the Chancellor of the Exchequer what proposals he will make at the G8 Summit in July to obtain better financial arrangements for the world's poorest countries. [129088]

Miss Melanie Johnson: The Prime Minister and the Chancellor of the Exchequer have both informed the Japanese Presidency of the G7 that they wish to use the opportunity of the Okinawa Summit to review and encourage progress on the Heavily Indebted Poor Countries (HIPC) debt initiative. The UK Government want to see as many countries as possible qualify for debt relief by the end of the year, in line with the G7 target set at Cologne.

The Chancellor also took the opportunity at a meeting of G7 Finance Ministers at Fukuoka last weekend to set out specific UK proposals on providing assistance for those HIPC countries where conflict is undermining the process of developing an effective commitment to poverty reduction which is needed in order to qualify for debt relief.

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PARLIAMENTARY DEBATES

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Printed indexes to Hansard

The volume index is one of three printed indexes to Commons Hansard produced from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS). It contains references to material in the bound volumes of Hansard. The other indexes produced are:

- The fortnightly index to Hansard. This covers the same date range as the volume index but references are to the column numbering in the daily parts and weekly edition of Hansard.
- The sessional index to Hansard. This contains references to material in the bound volumes for a whole session.

Indexes on the Parliamentary website

Fortnightly, volume and sessional indexes covering material from the beginning of the 1999/2000 session will also appear on the Parliamentary website at http://www.parliament.uk with links to the full text of Hansard.

SCOPE

The indexes include entries covering:

- The content of all material recorded in Hansard, including debates, procedural motions and questions.
- The names of all Members contributing to the Parliamentary business recorded in Hansard.
- The names of some types of Parliamentary business whenever they occur in Hansard. These are 'Ministerial statements', 'Business statements', 'Opposition days' and 'Estimates days'.

ARRANGEMENT

- All headings are in one word-by-word alphabetical sequence, with Members' contribution entries distinguished from other entries by italics.
- Where a Member contributes to Parliamentary business and is the subject of Parliamentary business there are separate contribution and subject entries, the subject entry coming first.
- Entries beginning 'Mac' and 'Mc' are sorted in one sequence as 'Mac'.
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- *Material about Parliament*—This is indexed under 'Parliament', the names of the two Houses, the 'Palace of Westminster' and parts of the Parliamentary estate (such as 'Portcullis House').
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Guidance on headings

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- References in the indexes are to columns rather than pages.
- References to debates, but not questions, are accompanied by the date of the item.
- There are separate sequences in Hansard for the material taken on the floor of the House, Westminster Hall sittings and written questions:
    - References consisting of a number by itself indicate material taken on the floor of the House.
    - References ending in 'wh' indicate Westminster Hall sittings.
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- References under all headings except the names of Members contributing to Parliamentary business and the titles of legislation are listed in one numerical sequence irrespective of whether the material is taken on the floor of the House, is discussed at a Westminster Hall sitting or is a written question.
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    - *Debates etc.* (which includes interventions and points of order as well as significant contributions to debates);
    - *Sittings in Westminster Hall* (covering all debates held as part of the Westminster Hall sittings); and
    - *Questions* (which includes written, oral and private notice questions).

ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R=First reading
- 2R=Second reading
- Com=Committee stage
- Rep=Report stage
- 3R=Third reading
- res=resolution
- amendt(s)=amendment(s)
- *=matter taken formally without debate or division.

Parliamentary background

- The Parliamentary website at http://www.parliament.uk contains a range of information about Parliament and the full text of some Parliamentary papers and proceedings including Hansard.
- Information on current Parliamentary business is provided in the House of Commons Information Office *Weekly Information Bulletin*, available on the website and from The Stationery Office (020 7873 8499).
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